



**Student
Handbook
2023-2024**

The GREAT Academy Student Handbook

**The GREAT Academy
6001-A San Mateo Blvd NE
Albuquerque, NM 87109**

**505-792-0306 phone
505-792-0225 fax**

www.thegreatacademy.org

The GREAT Academy is a State Chartered FREE Public Charter School

Mission Statement

The GREAT Academy's mission is to ensure that every student gain real world experience through active transition.

Non-Discrimination

The GREAT Academy does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding the non-discrimination policies:

Title IX Coordinator/Section 504 Coordinator:

Name and/or Title: **Keisha Matthews – Director of Academics**

Address: **6001-A San Mateo Blvd NE – Albuquerque, NM 87109**

Telephone No: **505-792-0306**

TGA adheres to all Title IX requirements that state that no person in the United States shall, on the basis of sex, be excluded from participation in, or denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal assistance.

-Title IX of the Education Amendments of 1972 to the Civil Rights Act of 1964

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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:

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

In addition to complying with regulations established by this handbook, students are expected to obey all rules and regulations adopted by the TGA Board of Directors, policies and procedures in the 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. The purpose of this document is 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 or designee 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, or other administrator from using his/her professional judgment with respect to a particular situation.

SECTION 2 – USEFUL INFORMATION ABOUT THE GREAT ACADEMY TGA

Office Hours: **Monday-Friday 8:00am – 5:00pm**

The GREAT Academy’s enrollment policies prohibit discrimination on the basis of disability, race, creed, color, gender, national origin, religion, or need for special education services. The GREAT Academy accepts all students that come to the school in “good standing”. Good standing is defined as students with all necessary shots and records, students that have not been suspended or expelled from or are currently suspended/expelled from any public or private school or district, and students that are on track to graduate with their cohort.

2.1 Attendance

The GREAT Academy operates on a five (5) day school week, Monday through Friday. Students are required to attend school on a daily basis. TGA is not an online school. Any student failing to adhere to this expectation will be subject to consequences determined by the administration. Students will not be granted permission to go home unless it is an emergency. If a student becomes ill during the day, the student is required to convey their condition to a staff member. If it is determined by school staff that the student needs to be picked up by a parent, a staff member will contact the parent/guardian to inform him/her of this need. If an absence is unavoidable, work at least 4 hours in Edgenuity from home with minimal idle time, and significant activities completed. This will keep the student from falling behind and will allow the student to receive credit for attending school that day, rather than being marked absent. Working from home on a consistent basis requires school authorization. Students are also required to complete any assignments that were missed when they were absent from face-to-face classes.

2.2 Reporting Absences and/or tardy

If a student will be absent, parent/guardian is required to call the school ***before 9 AM*** each day of absence. Do not call or email teachers to report absences. To report an absence, please call 792-0306 option 9 to leave a message with the front desk attendant.

TGA YEAR AT-A-GLANCE 2023-2024

July 31 – August 4	TGA Teachers / Staff In-Service Registration Week
August 7	First Day for Students
September 4	Labor Day Holiday - No School
October 9	Indigenous People’s Day Holiday – No School
October 12-13	Parent Teacher Conference
October 13	End of 1 st Quarter Grading Period

October 23	Report Cards issued
November 10	Veteran's Day Observed – No School
November 20-24	Thanksgiving Break – No School
December 21	End of 2 nd Quarter Grading Period
December 22-Jan 5	Winter Break – No School/Office closed
January 8	Second Semester begins
January 12	Report Cards issued
January 15	Martin Luther King Jr. Holiday – No School
February 19	President's Day Holiday – No School
March 15	End of 3 rd Quarter Grading Period
March 25	Report Cards Issued
March 29	Vernal Holiday
April 1-5	Spring Break
May 27	Memorial Day Holiday – No School
May 31	Last Day for Students/End of 4 th Quarter Grading Period
June 7	Report Cards issued

2.3 Transportation

Students must provide their own transportation to TGA.

Students using city transportation that are in need of assistance with bus fare should contact TGA administration to discuss assistance options.

All student drivers need to show proof of registration, driver's license and car insurance to be able to drive to school. Students are to register their vehicles with the front desk and receive a parking pass for any car driven to school.

Driving is a privilegeExcessive tardiness, absences or other misuse of this privilege may result in loss of the ability to park on campus.

2.4 Teachers/Case Managers

Each TGA student is assigned a teacher/case manager to monitor student progress and communicate with parents.

2.5 Course Structure and Progress

Most of the core courses (face-to-face or Edgenuity courses) offered by TGA for High School are two semester courses. The courses are broken into semesters and are intended to be completed within that time period. Middle School courses on Edgenuity are year-long courses. **Students may work more quickly, but must maintain the minimum established pace as indicated by the school calendar and meet a minimum mastery level (NO Ds or Fs).** Students are required to maintain no lower than a C in all classes. Students may be given a goal plan by their case managers to assist them in completing classes in a timely manner. If a student refuses to follow the prescribed plan, behavioral corrective measures will be taken.

2.6 Probation

All students entering TGA, both new and returning, will be on an academic probationary status for the first 60 days of enrollment. All students will be placed on an action plan to meet individual academic needs, but students who do not maintain regular attendance, sufficient pace and a mastery grade of no lower than a C will be placed on an intensive action plan. Weekly PLC (Professional Learning Community) meetings will be held for each student to monitor progress and determine interventions that may be needed.

2.7 Final Exams

The GREAT Academy's policy regarding cumulative (final) exams is very strict. All final exams must be taken on campus, where they will be proctored by TGA staff. The student must inform his/her teacher/case manager when ready to take a final exam. If the student takes the exam anywhere other than TGA, the grade will be expunged and the student will be required to take the exam over in the presence of TGA staff.

2.8 Standardized Testing

All TGA students are required to participate in all standardized testing as required by the New Mexico Public Education Department. This includes all short cycle assessments. Parents are to make every effort to ensure that students are in attendance during all testing.

Participation in these tests is required as a condition of enrollment at TGA.

2.9 Grade Classification Policy

A student's grade classification is determined by the number of high school credits earned. Minimum credit for the following grade classification at TGA is as follows:

Freshman (Grade 9)	0 – 5.5 credits
Sophomore (Grade 10)	6.0 – 11.5 credits
Junior (Grade 11)	12 – 17.5 credits
Senior (Grade 12)	18 – 24 credits

Previous high school transcripts will be evaluated to determine courses required for graduation with TGA.

2.10 Grade Point Average (GPA)

Grades in all classes will be calculated on a 4.0 scale. There are no weighted grades for courses offered at TGA. In order to qualify for the NM State Lottery Scholarship, students must attain 2.5 GPA.

2.11 Graduation Requirements at TGA

The GREAT Academy requires students to accumulate 24 credits that include all state required courses in addition to TGA required courses to earn a diploma. Each student's individual "Next Step Plan" is developed with the student and parent each year. The required courses are listed below.

Required Credits

English – 4.0 credits

- English 9 (1 credit)
- English 10 (1 credit)
- English 11 (1 credit)
- English 12 (1 credit)

Mathematics – 4.0 credits

- Algebra I
- Algebra II
- Algebra II/Trig
- Applied Math
- Financial Literacy
- Fractal Mathematics*
- Geometry
- Integrated Pathway: Math I
- Integrated Pathway: Math II
- Integrated Pathway: Math III
- Mathematical Modeling *
- Probability and Statistics
- Scientific Technologies *
- AP and IB courses in Mathematics

Social Studies – 3.5 credits

- US History and Geography
- World History and Geography
- U.S. Government (.5 credit)
- Economics (.5 credit)
- N.M. History (.5 credit)
- AP and IB courses in Social Studies

Science – 3.0 credits

Must include at least two of the following laboratory sciences:

- Biology
- Chemistry
- Physics
- Environmental Science
- Physical Science
- Other secondary science courses with 1700 STARS code

Other Required

- Physical Education
- Health (.5 credit)
- Electives (7-8 credits)
- Dual Credits (3 credits minimum)

Students entering 9th grade in the 2023-2024 school year will have slightly different credit requirements. When these have officially been released, they will be shared through the Next Step Plan process. The updated version of graduation requirements for 2027 graduates and those for subsequent years will be added to later versions of this document.

*Students who demonstrate proficiency on the ESSA-required mathematics assessment and meet the Algebra II graduation requirement may use a qualifying computer science course for mathematics graduation credit. Students who demonstrate proficiency in the science assessment may use a qualifying computer science course and earn a science credit.

2.12 Withdrawal from The GREAT Academy

Students who intend to withdraw from The GREAT Academy must do so formally and give 24-hour notice to the registrar. If the student is under the age of 18, a parent/legal guardian must complete the withdrawal process with the Registrar.

2.13 Requesting Educational Records/Transcripts

When requesting transcripts or other educational records, please allow our office staff a minimum of three to five business days to have them copied and prepared to give to you. You can call 505-792-0306 to make these requests with the Registrar.

2.14 Visitors and Closed Campus

TGA is a closed campus. Once students enter the building for the school day, they are not permitted to leave campus unless checked out by a parent, guardian or other approved adult noted on the registration documents. All visitors to campus must check in and receive a visitor's pass at the front desk. Visitors are to wait in the waiting area. The Receptionist will contact the appropriate staff member or student who will meet the visitor in the waiting area and escort him/her to the approved destination. Meetings with case managers or administrators must be scheduled 72 hours in advance.

2.15 Login Policy

Students must maintain a minimum performance standard and maintain an identified pace. The online curriculum provides teachers/case managers, parents and students with consistent and current updates of student performance. **All student activity is recorded.** This includes: log in and log out time, idle time, lessons completed, time spent on assignments, grades and information about work completed and current status in each course. This also includes any and all outside websites that are visited by a student. Students have a beginning and ending date for each course which requires them to prepare a weekly work schedule to keep pace with the semester timeline.

2.16 Student Network Account

Students must know the following before using their network accounts:

- You may only be logged into one machine at a time.
- DO NOT share your username or password with anyone for any reason.
- You are responsible for ALL activity while your account is logged in. If you walk away from your computer while logged in, you are still responsible.
- Read the Discipline Code – if you use or plan to use technology to do harm, you risk losing your technology privileges, access to your courses, as well as being suspended or expelled from school.
- All activities on our school network are monitored and recorded. TGA computers and equipment may only be used for educational activities.

2.17 Electronic Devices

The use of MP3 players, iPods, cell phones, and other electronic devices are NOT permitted while at school. Students are required to turn off all electronic devices. These items will be stored in student backpacks during the day. TGA will not be responsible for loss or damage of any personal electronic device. Should a student be found to be in violation of this policy, they will be required to check their devices in at the front desk each day or be banned from having any electronic device on campus. This decision will be made by administrative staff.

SECTION 3 – WHEN THIS STUDENT HANDBOOK IS IN FORCE

3.1 Policies in Force

- The provisions of the Student Behavior Handbook are in force:
- During regular school hours.
- During transportation of students.
- 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.
- During times and places that affect the school order.
- During visits to another school.

3.2 Off-Campus Conduct

- A student may be disciplined for off-campus conduct if school authorities can show that the
 - student's actions:
 - Began on campus.
 - Have a direct and immediate effect either on school discipline or on the general safety and welfare of students and staff or;
 - Interferes with the educational process.

SECTION 4 – 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 others' 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 gets tough.
- Believe in yourself and dream about the possibilities.
- Believe you CAN be a GREAT person!

SECTION 5 – 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 6 – 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 7 – STUDENT UNIFORM POLICY

7.1 Student Uniforms

Students at TGA observe standards of dress that are appropriate for the best possible educational experience. Students and their parents/guardians may determine personal appearance and dress except where such dress or appearance presents a health or safety hazard, a violation of city or state law, or a disruption to the educational environment. TGA students' dress is expected to be neat, clean and appropriate, both at school and at school-related activities.

SHIRTS – The GREAT Academy standard issue shirt is the **red GREAT Academy Polo**, and it will be worn at all times unless using the t-shirt or white dress shirt for specified activities. Shirts must be free of excessive wrinkling. Undergarments **should not** be visible through the any shirt under any circumstances. No logos should be visible through the white dress shirt.

PANTS – Black dress slacks, khakis or jeans must be worn. **Dockers, chinos and Dickies are also acceptable.** Absolutely **NO** sweat suit pants, yoga pants, leggings or pajamas. **NO** shorts of any type.

SKIRTS – Skirts must be black and not of the high-waisted fashion. Asymmetrical hem lines are not allowed. Skirts must be no more than 3 inches above **knee level (finger- tip length is not acceptable)** or longer and must not be extremely tight. Skirt splits must not be more than 3 inches long. Absolutely **NO** mini-skirts.

OUTERWEAR – If conditions dictate, TGA sweaters and jackets are the only cold weather clothing allowed to be worn inside the building. **NO** pullovers, hoodies, sweatshirts of any kind will be worn. NO other outerwear is to be worn in the building. During inclement weather coats will be taken off after entering the building before leaving the front desk area.

SHOES – Shoes must be black, red or white (school colors), should be comfortable, have a rubber sole, clean, and in good repair. Shoes with slipper like soles are prohibited. Any shoe that looks like a slipper or moccasin will not be allowed. If the shoe has laces, they must be black, red or white. 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. Black, red or white flats or loafers with no heels are also allowed. In the event of medical necessity, an alternative shoe will need to be approved by the administration.

In general, please adhere to the following:

- No highly distracting or altered clothing, such as, but not limited to, torn or shredded jeans or shirts; tank tops must have at least a 1 1/2” strap; halter tops, tube tops, off-the-shoulder or low-cut clothing; see-through clothing; tight or short shorts or skirts; biking shorts; bare midriffs; metal belt buckles with any initials; belts hanging longer than two inches from the fastener. *Pants:* cannot be sagging to the point that they allow undergarments to be visible to sight.
- No biking shorts, leggings, yoga tights, or spandex.
- No skin showing between the bottom of a shirt/blouse and the top of pants or skirts.
- No clothing/jewelry/tattoos displaying gang, drug or alcohol-related wording, pictures or insignias, or profane, vulgar, sexually suggestive or abusive/violent or otherwise in appropriate language / symbols / graphics.
- No facial piercings allowed with the exception of small nose rings (studs and small hoops acceptable); small, un-spiked gauges allowed
- No clothing in “uniform colors” or with symbolism and/or insignias which suggest illicit behavior, gang affiliation, harassment or abuse.
- If the staff and administration feel that clothing identifying groups or gangs causes disruption at school, or causes personal danger to the wearer, that person or persons directly responsible will not be allowed to wear said clothing. Disrespect or bigotry toward any group is not acceptable.
- No headgear of any kind, e.g., hats, caps, bandanas, sweat bands, hair nets, do-rags, hair bags, etc., or sunglasses or hats in the building.

- No bright fuchsia or neon hair color will be allowed.
- No spiked jewelry, belts, dog collars, bands, or chains.
- No clothing bearing the names and/or insignias of gang-related teams or groups to be determined at the discretion of TGA leadership. No “In Memory of” shirts.
- Any clothing or accessory which is deemed inappropriate, distracting or impeding the educational process will result in a directive to immediately cover or remove clothing item or accessory.
- Anything gang related as per the student Behavior Handbook will not be tolerated.

As a rule of thumb, follow the rule of the 4 B’s and a C: No bellies, no butts; no bra straps; no boxers; and no cleavage. If these are showing, you are out of dress code!

7.2 Enforcement

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.

Non - Compliance Consequences

FIRST OCCURRENCE – It will be explained to the student how they are not in compliance with the dress code and what specifically they need to do to correct it.

SECOND OCCURRENCE – Student will be given a spare standard issue shirt or the Parent/Guardian will bring appropriate articles of clothing to school and the student will receive detention for that day and demerits may start to accumulate.

THIRD OCCURRENCE – Parent or Guardian will bring in appropriate clothing to school and student will receive one week of detention. Demerits can continue to accumulate.

FOURTH OCCURRENCE – Parents will be contacted and asked to sign a dress code compliance contract. Student will receive two weeks detention. Demerits will continue to accumulate.

Any further occurrences of dress code violations will be considered defiance and continued attendance at The GREAT Academy will be in jeopardy.

SECTION 8 – RIGHTS AND RESPONSIBILITIES

8.1 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.

8.2 Educational Opportunity

- 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.
- 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.
- 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.

8.3 Privacy

- 1) 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 Executive Director 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.
- 2) 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.
- 3) 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 (a) suspected child abuse; (b) a belief that a child is suffering from illness or injury; (c) a report of child abandonment; (d) a report of a runaway; or (e) a report that the child is endangered by his/her surroundings. Before any individual interviews a student, the front desk staff will obtain positive identification of the officer or social worker which will 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.

- 4) 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.
- 5) Desks, cubbies, bags 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.
- 6) 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.
- 7) 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.

8.4 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.
 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.

8.5 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.

8.6 Dis-enrollment

- A. When a student is found to have an invalid enrollment, the student shall be dis-enrolled 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 registrar 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 registrar before the date of the contemplated action of disenrollment and (2) the student/parent 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/parent has not presented satisfactory evidence to remedy the invalid enrollment and has been afforded notice as required above, the registrar 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 registrar with a 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 re-enroll only when all requirements for enrollment are met.

8.7 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. Refrain from violations of the Student Handbook.
- G. Obey all GREAT Academy Board policies.
- H. Cooperate with staff in the investigation of disciplinary cases and volunteer information when the student has knowledge relating to a serious offense.

8.8 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 Attendance for Success Act.
- 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.

8.9 Visitors on Campus

All visitors, including parents/guardians, shall, as required by law, report to the front desk to 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 to secure one. Refusal to do as requested could lead to law enforcement contact and criminal trespass charges.

SECTION 9 – 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.

9.1 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. **Detention:** Retaining a student before or after school or during the lunch recess period.
- J. **In-School Suspension (ISS):** Removal of the student from regular classes and placement with school personnel for supervision.
- K. **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.
- L. **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.
- M. **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.
- N. **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.
- O. **Trespass Notice:** The individual shall be notified (by law enforcement authorities) that he/she has been denied access to all school properties.
- P. **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.

Student Offenses/Definitions/Consequences

School is a place to learn and to be part of a community where students, staff, and families are respectful, responsible and safe. If a student is behaving in a way that does not allow other students to learn and/or feel safe, school staff will need to intervene with the student. Students, whether receiving general or special education services, may need to receive interventions for disruptive behavior.

Administrators may impose consequences to maintain the safety and security of the school population. The definitions and charts in the consequences section are meant to guide administrators in the decision-making process when determining consequences.

In addition to the grade ranges, administrators take into consideration the varying degrees of actions or the severity of the actions within any single definition when making a determination. A student offense could have actions that fall into multiple areas. Required actions are indicated, while other actions are determined by the administrator.

1. Disciplinary and restorative consequences will be appropriate for a student's age, ability level, and severity of behavior.
2. Class grades shall not be reduced because of unacceptable conduct or disciplinary action.

Grades shall not be reduced as a direct penalty for inappropriate behavior, with the exception of plagiarism or cheating on a test.

All in-school and out of school suspensions must be documented on a referral form.

*Indicates Required action

3. **.2. Arson**

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

4.

Arson I: less than \$200 damage, **Arson II:** \$200 to \$999 damage, **Arson III:** \$1000 damage or more.

(Invoices for replacement costs, repair and police reports must be part of final referral when seeking long-term suspension or expulsion.)

Arson I: less than \$200 damage	Consequences -*Indicates Required action
Any Occurrence	Staff/Student Contact* Administrative/Parent Contact/Conference* Short-term suspension Restitution

Arson II: \$200 to \$999 damage	Consequences -*Indicates Required action
Any Occurrence	Staff/Student Contact* Administrative/Parent Contact/Conference* Short-term suspension Restitution Refer for Police Engagement*

Arson III: \$1000 damage or more	Consequences -*Indicates Required action
Any Occurrence	Staff/Student Contact* Administrative/Parent Contact/Conference* Long-term suspension

	Restitution Refer for Police Engagement*
Damage greater than \$10,000	Staff/Student Contact* Administrative/Parent Contact/Conference* Expulsion Restitution Refer for Police Engagement*

9.3. Assault

A verbal threat or physical attempt of bodily harm; any unlawful act, threat or menacing conduct which causes another person to reasonably believe that he is in danger of receiving an immediate battery; or the use of insulting language toward another impugning his honor, delicacy or reputation.

Assault	Consequences -*Indicates Required action
Any Occurrence	Staff/Student Contact* Behavior Contract
	Administrative/Parent Contact*
2nd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Short-term suspension
3rd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Short-term suspension

9.4. Assault, Aggravated

Unlawfully assaulting or attempting to strike at another person with a weapon, instrument, or any means of force likely to produce bodily injury. Assaults on staff members are included in this definition.

(When seeking long-term suspension, police reports and evidence will be included: witness statements, video, etc.)

Assault, Aggravated	Consequences -*Indicates Required action
1st Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Short-term suspension Alternative placement
2nd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Long-term suspension Alternative placement Refer for Police Engagement

9.5. Battery, Aggravated

An actual and intentional touching or striking of another person against his or her will with the use of a weapon or intentionally causing bodily harm to an individual.

(When seeking long-term suspension, police reports and evidence will be included: witness statements, video, etc.)

Battery, Aggravated	Consequences -*Indicates Required action
Any Occurrence	Staff/Student Contact* Administrative/Parent Contact/Conference* Alternative placement Long-term suspension Refer for Police Engagement

9.6. Battery/Fighting

Unlawful, intentional touching or application of force to another person, when done in a rude, disrespectful, or angry manner

Battery/Fighting	Consequences - *Indicates Required action
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Any Occurrence	Staff/Student Contact* Administrative/Parent Contact/Conference* Short-term suspension Alternative placement Referral for Mediation
2nd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Short-term suspension Alternative placement School Contract
3rd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Long-term suspension Alternative placement School Contract

9.7. Battery/Sexual

Sexual battery is defined as a student intentionally making physical contact with the intimate parts of the body of another person without the consent of that person. Intimate body parts include the primary genital area, anus, groin, inner thighs, or buttocks of a male or female and the breasts of a female. No student shall commit any act of sexual battery on school property, school buses, or at school-sponsored events. See Harassment/Sexual for other offenses.

Battery/Sexual	Consequences -*Indicates Required action
Any Occurrence	Staff/Student Contact* Administrative/Parent Contact/Conference* Referral to Police* School Contract for Safety Consequences determined by outcome of investigation*

9.8. Bullying

Bullying is a way of using power aggressively in which a person is subjected to intentional, unwanted, and unprovoked hurtful verbal and/or physical actions. An act of bullying results in the targeted student feeling oppressed, fearful, distressed, injured, or uncomfortable. Aggression is repeated on more than one occasion and can include physical, verbal, emotional, racial, sexual, written, electronic, damage to property, social exclusion, and intimidation. Bullying may be motivated by actual or perceived characteristics such as race, color, religion, ancestry, national origin, gender, gender identity, gender expression, sexual orientation, mental, physical, or academic disability. Additional characteristics may be the actual or perceived basis for bullying. Bullying often takes place in a social context. (If seeking long-term suspension, documentation of intervention and training for the aggressor must be included with referral.)

Bullying	Consequences - *Indicates Required action
1st Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* * School Contract
2nd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Short-term Suspension Alternative placement
3rd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Long-term Suspension Alternative placement

9.9. Cyberbullying

“Cyberbullying” means any bullying that takes place through electronic communication. “Electronic communication” means a communication transmitted by means of an electronic device, including a telephone, cellular phone, computer, electronic tablet, pager or video or audio recording.

Cyberbullying	Consequences - *Indicates Required action
1st Offense	Staff/Student Contact* Administrative/Parent Contact/Conference*

	School Contract
2nd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Short-term Suspension
3rd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Long-term Suspension

9.10. Controlled Substance

A controlled substance is defined as any substance capable of producing a change in behavior or altering a state of mind or feeling. Controlled substances include but are not limited to alcohol, marijuana, narcotics, amphetamine, barbiturate, hallucinogens, prescription drugs, over the counter drugs, synthetic drugs or intoxicants of any kind. This does not include tobacco or tobacco products. Possession and/or use of a controlled substance, including alcohol, presents a health concern for students and is a potential disruption to the educational process.

*** “Possession” as used herein, includes not only possession of one’s physical person, but also custody and control. Thus, a student may be found in possession of any item if the item is in the student’s backpack, locker, car, or elsewhere, if subject to the student’s custody and control.

9.11. Controlled Substance, Paraphernalia Possession***

Possessing any paraphernalia, such as but not limited to rolling paper, pipes, bongs or vape pens.

Controlled Substance, Paraphernalia Possession	Consequences - *Indicates Required action
1st Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Short-term suspension Suspension of Extracurricular during suspension Alternative placement

2nd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* School Contract Short-term suspension Alternative placement Refer for Police Engagement Suspension of Extracurricular during suspension
3rd Offense or ongoing	Staff/Student Contact* Administrative/Parent Contact/Conference* Long-term suspension Alternative placement Refer for Police Engagement Suspension of Extracurricular for the duration of the Academic year

9.12. Controlled Substance, Possession***

Possessing any substance capable of producing a change in behavior or altering a state of mind or feeling.

Controlled Substance, Possession	Consequences - *Indicates Required action
1st Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Short-term suspension Alternative placement Suspension of Extracurricular
2nd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* School Contract Short-term suspension

	Alternative placement Refer for Police Engagement Suspension of Extracurricular
3rd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Long-term suspension Alternative placement Refer for Police Engagement * Suspension of Extracurricular for the duration of the Academic year

9.13. Controlled Substance, Sale, Distribution, or Sharing

Selling, distributing, or sharing a substance capable of producing a change of behavior or altering a state of mind or feeling or an item sold as a controlled substance.

Controlled Substance, Sale or Distribution	Consequences - *Indicates Required action
Any Occurrence	Staff/Student Contact* Administrative/Parent Contact/Conference* Alternative placement Long-term suspension Refer for Police Engagement * Suspension of Extracurricular for the duration of the Academic year

9.14. Controlled Substance, Use or Under the Influence

Alcohol/Illegal Drugs/Inhalants: No student shall be under any degree of influence of alcoholic beverages (including related products such as "near" beer, non-alcoholic beer, and non-alcoholic wine coolers), inhalants, and/or illegal drugs, narcotics, hallucinogens, amphetamines, barbiturates, marijuana, marijuana oils, synthetic Cannabinoids. Legal intoxication is not required for violation of this Code of Conduct.

Controlled Substance, Use	Consequences -*Indicates Required action
1st Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Short-term suspension Refer for Police Engagement * Suspension of Extracurricular
2nd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* School Contract Short-term suspension Refer for Police Engagement * Suspension of Extracurricular
3rd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Long-term suspension Refer for Police Engagement * Suspension of Extracurricular for the duration of the Academic year

9.15. Dress Code Violation

Non-compliance with specific school dress codes. No exclusionary discipline (suspension or exclusions) can be used as punishment for student dress code.

Dress Code Violation	Consequences - *Indicates Required action
1st Offense	Staff/Student Contact* Administrative/Parent Contact for change of clothes*
2nd Offense	Staff/Student Contact*

	Administrative/Parent Contact for change of clothes* School Contract
3rd Offense	Staff/Student Contact* Administrative/Parent Contact for change of clothes* Lunch Detention/School Community Service

9.16. Extortion

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

Extortion	Consequences - *Indicates Required action
1st Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Seek Resolution and or restitution Alternative placement
2nd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* School Contract Short-term suspension Alternative placement Seek Resolution and or restitution

9.17. False Accusations

Falsely reporting crimes or purposely and knowingly giving false information to a school administrator or other investigator during the process of an investigation, in accordance with the NM Criminal Code Statute

False Accusations	Consequences - *Indicates Required action
1st Offense	Staff/Student Contact* Administrative/Parent Contact/Conference*

	School Contract
2nd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* School Contract Short-term suspension

9.18. False Alarm/Fire Alarm

Interfering with the proper functioning of a fire alarm system or pulling the fire alarm intentionally when no fire or other danger exists

False Alarm/ Fire Alarm	Consequences -*Indicates Required action
Any Occurrence	Staff/Student Contact* Administrative/Parent Contact/Conference* Short-term suspension

9.19. Firearm, Possession

Possession or use of any weapon, which will propel a projectile by the action of an explosive, and other weapons as defined in the United States Code: Title 18, Section 921. This definition does not apply to items such as toy guns, bb guns, or pellet guns, but does include bombs, grenades, and some explosives (also, see weapon possession).

*** “Possession” as used herein, includes not only possession on one’s physical person, but also custody and control. Thus, a student may be found in possession of any item if the item is in the student’s backpack, locker, car, or elsewhere, if subject to the student’s custody and control.

1. ***The Gun Free Schools Act provides for a mandatory expulsion of a period of not less than one year for a student who is determined to have brought or to have possessed a firearm at school or any setting that is under the control and supervision of school officials. Only the superintendent may modify in writing the one-year expulsion requirement on a case-by-case basis. All school related incidents of firearm possession must be reported to the APS Police Department.
2. New Mexico requires that, if any school employee has reasonable cause to believe that a child is or has been in possession of a firearm on school premises, the employee shall immediately report the child’s actions to a law enforcement agency and the Children, Youth, and Families Department.

3. **SAFE GUN STORAGE:** Secure firearm storage is an essential part of home safety. If a decision has been made to bring a gun into your home, parents/guardians can make the home safer by storing any firearms unloaded and locked, with ammunition kept in a separate place. Research has proven that this simple practice can help prevent unintentional shootings, gun suicides, and other tragedies that can result when kids and teens gain access to guns. For more information, see BeSMARTforkids.org

Firearm, Possession	Consequences - *Indicates Required action
Any Offense	Expulsion of not less than one year*

9.20. Firearm, Use

Possession or use of any weapon, which will propel a projectile by the action of an explosive, and other weapons as defined in the United States Code: Title 18, Section 921. This definition does not apply to items such as toy guns, bb guns, or pellet guns, but does include bombs, grenades, and some explosives (also, see weapon possession).

*** “Possession” as used herein, includes not only possession on one’s physical person, but also custody and control. Thus, a student may be found in possession of any item if the item is in the student’s backpack, locker, car, or elsewhere, if subject to the student’s custody and control.

1. ***The Gun Free Schools Act provides for a mandatory expulsion of a period of not less than one year for a student who is determined to have brought or to have possessed a firearm at school or any setting that is under the control and supervision of school officials. Only the superintendent may modify in writing the one-year expulsion requirement on a case-by-case basis. All school related incidents of firearm possession must be reported to the APS Police Department.
2. New Mexico requires that, if any school employee has reasonable cause to believe that a child is or has been in possession of a firearm on school premises, the employee shall immediately report the child’s actions to a law enforcement agency and the Children, Youth, and Families Department.

Firearm, Use	Consequences - *Indicates Required action
Any Offense	Expulsion of not less than one year*

9.21. Gang-Related Activity

Gang-related activity can be intimidating to students, parents and staff and is disruptive to the educational process. Although this list is not all inclusive, examples of inappropriate and unacceptable behaviors are such things as gang graffiti on school property, intimidation of others, gang fights and/or initiation rituals,

wearing or possessing gang-related apparel. A “gang” can be any group of students and/or non-students whose group behavior is threatening, delinquent, or criminal. Since gang behavior, markers, 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 their neighborhood schools when evaluating gang-related activity. Gang-related indicators that will be considered should include:

- The student associating with admitted or known gang members
- The student displaying gang logos, graffiti and/or symbols on personal possessions
- The student displaying gang hand signs or signals to others
- The student talking about gang activities with others
- Hostile contact with others in which two or more students have contributed to a situation causing bodily harm to another

Gang-Related Activity	Consequences - *Indicates Required action
Any Occurrence	Staff/Student Contact* Administrative/Parent Contact/Conference* School Contract
2nd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* School Contract Short-term suspension
3rd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Long-term suspension

9.22. General Disruptive Conduct and/or Defiance

Any behavior or conduct that disrupts or interferes with the operation of the public schools, including individual classes. This can also be behavior that leads a school authority to reasonably forecast that such an interruption or interference is likely to occur unless preventive action is taken. Refusing to comply with any reasonable demand or request by any school official or sponsor or lying to or intentionally misleading any school official at places and times where school personnel have jurisdiction is included in this definition. For example:

1. use of cell phone during instructional time

2. misuse of cell phones and other forms of technology
3. failure to provide school identification upon request
4. inappropriate display of affection
5. any sexual act committed on campus
6. making false accusations regarding staff or students

Note: It is the responsibility of the parent/legal guardian of the student to retrieve confiscated cell phones or other electronic devices according to the individual school's procedures.

General Disruptive Conduct	Consequences - *Indicates Required action
Any Occurrence	Staff/Student Contact* Administrative/Parent Contact/Conference* School Contract Short-term suspension

9.23. Harassment

Harassment is considered to have occurred when conduct has the intent or effect of creating an intimidating, hostile or offensive educational environment, has the intent or effect of substantially or unreasonably interfering with a student's academic performance, or otherwise adversely affects a student's opportunities. Any gesture or written, verbal, or physical act which has the effect of harming another individual/group, damaging their property; placing the individual/group in reasonable fear; or has the effect of causing a disruption to the educational process. Inciting or encouraging others to commit such acts is also considered harassment.

19a. Harassment - General

Harassment - General	Consequences - *Indicates Required action
1st Offense	Staff/Student Contact* Administrative/Parent Contact*
2nd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference*

	School Contract Short-term suspension
3rd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Short-term suspension

9.24 Harassment Disability

Harassment is considered to have occurred when conduct: has the intent or effect of creating an intimidating, hostile or offensive educational environment, has the intent or effect of substantially or unreasonably interfering with a student's academic performance, or otherwise adversely affects a student's opportunities. Any gesture or written, verbal, or physical act which has the effect of harming another individual/group, damaging their property; placing the individual/group in reasonable fear; or has the effect of causing a disruption to the educational process. Inciting or encouraging others to commit such acts is also considered harassment. The prohibition includes but is not limited to, harassment, intimidation or abuse of students or others based on actual or perceived characteristics, such as disability, race, ethnicity, color, sex, sexual orientation, gender identity, national origin or ancestry, religion, age, veteran status, HIV status, pregnancy and/or any other protected status as defined by law.

Conduct including but not limited to the following: mocking, taunting, intimidating, criticizing, or punishing a student/group with a disability because of their disability. (See Section 504 and the Americans with Disabilities Act).

1. Repeatedly placing classroom furniture or other objects in the path of students who use wheelchairs or walking devices, impeding their mobility
2. Repeatedly belittling and criticizing a student for using accommodations in class
3. Taunting or belittling a student with disabilities by mocking and intimidation
4. Making remarks out loud during class that a student with a disability is "retarded" or "deaf and dumb" and does not belong in the class.
5. Habitually subjecting a student to inappropriate physical restraint because of conduct related to their disability.
6. Repeatedly denying a student with a disability access to lunch, recess, field trips, assemblies, or extra-curricular

activities as punishment for taking time off from school for requires services related to the student's disability.

Harassment - Disability	Consequences - *Indicates Required action
1st Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* School Contract
2nd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* School Contract Short-term suspension
3rd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Short-term suspension Long-term Suspension

9.25. Harassment Sexual

Harassment is considered to have occurred when conduct has the intent or effect of creating an intimidating, hostile or offensive educational environment, has the intent or effect of substantially or unreasonably interfering with a student's academic performance, or otherwise adversely affects a student's opportunities. Any gesture or written, verbal, or physical act which harms another individual/group, damaging their property; placing them in reasonable fear; or causes a disruption to the educational process. Inciting or encouraging others to commit such acts is also considered harassment. The prohibition includes but is not limited to, harassment, intimidation or abuse of students or others based on actual or perceived characteristics, such as disability, race, ethnicity, color, sex,

sexual orientation, gender identity, national origin or ancestry, religion, age, veteran status, HIV status, pregnancy and/or any other protected status as defined by law.

Examples include but are not limited to the following:

1. Verbal harassment or abuse.
2. Subtle pressure for sexual activity.
3. Unwelcome or inappropriate sexually motivated or intentional touching of intimate body parts.
4. Offensive or unwelcome sexual advances or propositions.
5. Graphic or degrading verbal comments about an individual or his/her physical attributes.
6. Conditioning the provision of an aid, benefit, or service on participation in unwelcome sexual conduct.

7. Display of sexually suggestive objects, pictures, cards, or letters.
8. Lewd or suggestive comments or gestures.
9. Off-color language or jokes of a sexual nature.
10. Demanding sexual favors accompanied by implied or overt threats concerning an individual's employment or educational status.
11. Demanding sexual favors accompanied by implied or overt promises of preferential treatment regarding an individual's employment or student's educational status.
12. Sexual violence, a physical act of aggression that includes a sexual act or purpose.

Harassment - Sexual	Consequences - *Indicates Required action
1st Offense	Staff/Student Contact* Administrative/Parent Contact/Conference*
2nd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* School Contract Short-term suspension
3rd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Short-term suspension Long-term Suspension

9.26. Harassment Racial

Harassment is considered to have occurred when conduct has the intent or effect of creating an intimidating, hostile or offensive educational environment, has the intent or effect of substantially or unreasonably interfering with a student's academic performance, or otherwise adversely affects a student's opportunities. Any gesture or written, verbal, or physical act which harms another individual/group, damaging their property; placing them in reasonable fear; or causes a disruption to the educational process. Inciting or encouraging others to commit such acts is also considered harassment. The prohibition includes but is not limited to, harassment, intimidation or abuse of students or others based on actual or perceived characteristics, such as disability, race, ethnicity, color, sex, sexual orientation, gender identity, national origin or ancestry, religion, age, veteran status, HIV status, pregnancy and/or any other protected status as defined by law.

Conduct including but not limited to the following:

1. racial slurs
2. racial jokes

3. offensive or derogatory remarks
4. display of racially offensive material or symbols
5. exclusion from normal school activities based on student's race or ethnicity.

Harassment - Racial	Consequences - *Indicates Required action
1st Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Detention/Community Service
2nd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* School Contract Short-term suspension
3rd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Short-term suspension Long-term Suspension

9.27. Hate Incident

Conduct that reflects hatred or bigotry based on real or perceived disability, race, ethnicity, color, sex, sexual orientation, gender identity national origin or ancestry, religion, age, veteran status, HIV status, pregnancy and/or any other protected status as defined by law.

The school principal/designee should report incidents to the APS Office of Equal Opportunity Services (EOS).

Hate - Incident	Consequences - Middle/High *Indicates Required action
1st Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Detention/Community Service School Contract

2nd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* School Contract Short-term suspension
3rd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Short-term suspension Long-term Suspension

9.28. Language, Profane and/or Abusive

Using language that is crude, offensive, insulting, or irreverent; use of coarse words to show contempt or disrespect; swearing. The words are used towards another individual in an offensive or insulting manner.

Language, profane and/or Abusive	Consequences - *Indicates Required action
1st Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Detention/Community Service
2nd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* School Contract Short-term Suspension

9.29. Materials, Obscene

Displaying material that is indecent and has the potential of being disruptive

Materials, Obscene	Consequences - *Indicates Required action
1st Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Detention/Community Service

2nd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Detention/Community Service
3rd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Short-term suspension

9.30. Racialized Aggression

Any aggressive act that can be characterized, categorized or that appears as such to be racial in nature. State of New Mexico Anti-Racism, Anti-Oppression Hotline: Call (833)485-1335, Email: ARAO.Hotline@state.nm.us, Online form:

<https://bit.ly/BEAHotline>

Racialized Aggression	Consequences - *Indicates Required action
1st Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Short-term suspension
2nd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Long-term suspension Refer for Police Engagement*

9.31. Robbery

Taking of property through means of force or fear

Robbery	Consequences - *Indicates Required action
1st Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* School Contract Short-term suspension Restitution

	Refer for Police Engagement
2nd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Short-term suspension Long-term suspension Restitution Refer for Police Engagement

9.32. Theft

Unauthorized possession and/or sale of property of another without consent of owner

Theft	Consequences - *Indicates Required action
1st Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* School Contract Short-term suspension Restitution Refer for Police Engagement
2nd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Short-term suspension Restitution Refer for Police Engagement*

9.33. Threats of Violence Against the School

Threats of violence against the school in any form, verbal, written, or via social media

(Threats of Violence require evidence to include photos and a police report to support the charge.)

Threats of Violence Against School	Consequences - *Indicates Required action
Any Occurrence	Staff/Student Contact* Administrative/Parent Contact/Conference* Threat Assessment* Short-term suspension Long-term suspension Refer for Police Engagement*

9.34. Threats of Violence Against another Person

Threats of violence against another person in any form, verbal, written, or via social media

(Threats of Violence require evidence to include photos and a police report for Long-term suspension to support the charge.)

Threats of Violence Against Person	Consequences - *Indicates Required action
1st Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Threat Assessment School Contract
2nd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Threat Assessment* Short-term suspension Refer for Police Engagement
3rd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference*

	Threat Assessment* Short-term suspension Long-term suspension Refer for Police Engagement
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9.35. Tobacco

Any tobacco products made or derived from tobacco intended for human consumption, including any component, part, or accessory of a tobacco product. This includes among other products, cigarettes, cigars, pipe tobacco, roll-your own tobacco, dissolvable or smokeless tobacco. E-cigarette means any electronic oral devices, or any part of it, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, or any other product, name or descriptor; but does not include any product regulated as a drug or device by the US Food and Drug Administration. Nicotine liquid container means a bottle or other container of any substance containing nicotine where the substance is sold, marketed, or intended for use in an e-cigarette.

9.36. Tobacco Possession*, Use, and/or Distribution**

Possession, use, and/or distribution of tobacco, including all tobacco products, e-cigarettes, and nicotine liquid containers anywhere on a school campus or at a school related event is prohibited. In addition, students found in possession, distributing, or using tobacco are subject to the Tobacco Policy. Tobacco Intervention and support resources may be available. Contact the school social worker or the Health and Wellness Teams for more information. (Schools must document resources provided and referrals made.)

Tobacco Possession, Use and or Distribution	Consequences - *Indicates Required action
All Occurrence	Staff/Student Contact* Administrative/Parent Contact/Conference* Tobacco Intervention Supports
2nd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Tobacco Intervention Supports School Contract
Ongoing	Staff/Student Contact* Administrative/Parent Contact/Conference* Short-term suspension (if not participating in tobacco intervention program)

9.37. Trespassing/Unauthorized Presence

Entering or being on school grounds or in a school building without authorization

Trespassing/ Unauthorized Presence	Consequences - *Indicates Required action
1st Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* School Contract
2nd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* School Contract Short-term Suspension
3rd Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* School Contract Short-term Suspension Refer to Police for engagement

9.38. Vandalism

Deliberately or maliciously destroying, damaging, and/or defacing school property or the property of another individual. Vandalism I: less than \$200 damage, Vandalism II: \$200 - \$999 damage, Vandalism III: \$1000 damage or more.

Vandalism I: less than \$200 damage	Consequences - *Indicates Required action
All Occurrences	Staff/Student Contact* Administrative/Parent Contact/Conference* Short-term Suspension Restitution

Vandalism II: \$200 - \$999 damage	Consequences - *Indicates Required action
All Occurrences	Staff/Student Contact* Administrative/Parent Contact/Conference* Short-term Suspension Restitution Refer for Police Engagement*
Weapon Possession	Consequences- *Indicates Required action
1st Offense	Staff/Student Contact* Administrative/Parent Contact/Conference* Short-term Suspension Refer for Police Engagement*
2nd Offense	Staff/Student Contact*

Vandalism III: \$1000 damage or more	Consequences - *Indicates Required action
All Occurrences	Staff/Student Contact* Administrative/Parent Contact/Conference* Long-term Suspension Restitution Refer for Police Report*
Damage greater than \$10,000	Staff/Student Contact* Administrative/Parent Contact/Conference* Expulsion Seek Restitution Refer for Police Report*

9.39. Weapon Possession***

Possessing a weapon such as but not limited to a firearm, any type of gun, knife, club, firecracker, explosive, spiked wristband, chains, or other item that may cause or is intended to cause injury or death. This specifically includes “lookalike” guns and knives, such as toys. (Weapons covered by the Gun-Free Schools Act are defined under Firearm, Possession/Use.).

<u>Weapon Possession</u>	Administrative/Parent Contact & Conference*
	Short-term suspension
	Long-term Suspension
	Refer for Police Engagement*

*** “Possession” includes not only possession on one’s physical person, but also custody and control. Thus, a student may be found in possession of any item if the item is in the student’s backpack, locker, car, or elsewhere, if subject to the student’s custody and control

9.40. Weapon Use

Use of any weapon to threaten, intimidate, attack, injure, or kill any person. Must be actual use of the weapon.

Weapon Use	Consequences - *Indicates Required action
Any Occurrence	Staff/Student Contact* Administrative/Parent Contact/Conference* Short-term Suspension Long-term Suspension Refer for Police Engagement*

SECTION 10 – 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 to use IT resources.

10.1 Acceptable Use

Each user must:

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

10.2 Personal Responsibility

- Students will report any misuse of the IT to the administration or system administrator, as is appropriate.
- Students are personally responsible for any expenses incurred without GREAT Academy authorization.

10.3 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:
 - Be brief.
 - Strive to use correct spelling and make messages easy to stand.
 - Use short and descriptive titles for files.
 - Post only to known groups or persons.

10.4 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 11 – 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.

11.1 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.

11.2 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.

11.3 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 12 – 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.

12.1 Definition, Description and Restrictions

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

12.2 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 13 – DRUG POLICY

13.1 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.

In the event your student has been prescribed medication that must be taken at school, at any time during the year, a Physician’s Order Form must be completed and submitted to the school. Students are not allowed to possess/carry prescription or over-the-counter medications with them. If an over-the-counter medication is necessary, a Physician’s Order

Form must be completed and submitted. This includes: ibuprofen, acetaminophen, cough medicine, cough drops and the like. If you have any questions about medicines that qualify, please contact the front desk.

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 immediately and the sponsor 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 student's possessions and vehicles on a school campus at the discretion of the Executive Director.

13.2 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.

13.3 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 school 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 14 FIREWORKS

14.1 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.

14.2 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.

14.3 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 15 – 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 16 – ATTENDANCE POLICY

The Great Academy will enforce the following to comply with the NM Attendance For Success Act:

1. All teachers will take attendance in every class and record it on the school's student data system within 15 minutes of the established start time.

2. Students will be marked TARDY if they are not in class 15 minutes after the established start time for the class.
3. Students will be marked ABSENT 15 minutes after the establish 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.

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. Any day a student is absent, if he/she does four (4) active hours, excluding any excessive idle time as determined by school officials, of coursework in their virtual portal, the absence will be deemed as excused. 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:

EXCUSED ABSENCES

- Medical Appointment – (with note from doctor)
- Illness – (a doctor's note required)
- Diagnostic Testing
- Death of a family member
- Religious and /or cultural commitment
- Family emergency-with administrative 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

A PHONE CALL FROM A PARENT/STUDENT DOES NOT MAKE THE ABSENCE EXCUSED!

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.

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.

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 of arranging parent conferences as necessary. As a rule, the following provision shall apply;

Loss of Academic Credit

Any student who accumulates **10** or more non-school related absences (unexcused) in a **SEMESTER** could have the credit for that class denied. This does not apply for students that have courses that are not completed. Credit is only applied to completed courses.

Attendance Review Board (Professional Learning Community)

Each student's Professional Learning Community (PLC) will serve as the Attendance Review Board. The purpose of the Attendance Review Board is to consider exceptional 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.

Early Identification

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 parents or the legal guardians of the child (Appendix A).

B. Five unexcused absences: When a child has accumulated five unexcused absences, school personnel 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 or legal guardian (Appendix B).

C. Seven unexcused absences: When a child has accumulated seven unexcused absences, school personnel shall contact the 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 an attendance contract with the student and the parent has not been written, 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 or legal guardian (Appendix C).

D. Ten unexcused absences: If a student has accumulated an equivalent of ten or more unexcused absences within a school year, the parent shall be given written notice by mail that the student is a habitual truant and is not in compliance with the Attendance for Success Act. 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, parent student conferences should be in accordance with the three and five

absentee notification letters. The school will employ interventions such as, but not limited to parent meetings, attendance contracts and other applicable intervention strategies in order to remedy truancy issues. 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 factors relating to issues with the child and the family.

SECTION 17 – EDUCATIONAL RECORDS

17.1 Educational Records to be maintained

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

- Academic records
- Personal information records
- Disciplinary records
- Attendance records
- Health records
- Progress records
- Standardized testing records

17.2 Access to Education Records

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

17.3 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 18 – AMERICANS WITH DISABILITIES ACT SECTION 504 COMPLIANCE

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 19 – 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 Offense	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 20 – 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)
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)
Attendance for Success Act
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.

GRIEVANCE AND APPEALS PROCEDURES

The GREAT Academy has established a fair procedure to ensure that all employees and parents may bring legitimate complaints and disputes to the appropriate authority in order to secure equitable solutions. The goal is to provide a fair procedure to resolve expeditiously, at the school level, problems that may arise affecting the welfare or working conditions of employees and the welfare of students.

In the event of a problem or dispute with school personnel, students, or parents, a parent may submit a complaint following the process described below. Careful documentation is critical to a successful process. The GREAT Academy will use the following process for resolving issues:

Step 1 - The parent will make a good faith effort to work with the other party/parties to the dispute to resolve the conflict. This effort will consist of problem identification, possible solutions, selection of resolution, process for implementation of resolution, and scheduling a follow-up. The GREAT Academy school administrative staff is available to assist in this process through mediation. If the issue is not resolved after a good faith attempt as outlined above, the parent may submit the grievance in writing to the Principal or Executive Director.

Step 2 - A parent with a complaint or grievance that was not resolved by Step 1 should present it to the Principal or Executive Director who will discuss it with the individuals involved and attempt to reach a satisfactory solution. If the grievance is not resolved to the satisfaction of the parent within five days of presentation to the Principal or Executive Director, the parent may proceed to Step 3.

Step 3 - The parent may make a written request, within ten days of presentation of the complaint or grievance to the Principal or Executive Director for a hearing with the Board of Directors. If a written request is not submitted in a timely manner, the grievance shall be considered resolved. If submitted in a timely fashion, the hearing before the Board of Directors will be held in closed session no later than the next Board meeting and a written decision provided to the parent within fifteen days thereafter. The complainant may request that the issue be discussed in a meeting open to the public; however, personnel matters will always be addressed in a closed session.

In the event that the complaint or grievance is considered an emergency by the complainant, or by the Executive Director, a special meeting of the Board of Directors may be called, within the requirements of the Open Meetings Act, if the complaint is also deemed to be an emergency by the President of the Board of Directors.

In the event that the complaint or grievance is directed towards the Principal or Executive Director, the parent may bypass Step 1 and proceed with Step 3 and present a written request containing the details of the complaint or grievance and a formal request for a hearing to the Board President. If the Board deems necessary, a closed hearing with all involved parties will be held to address the complaint or grievance.

Note: The Board of Directors reserves the right to have a hearing and to identify parties to be present for the hearing. The Board of Directors also reserves the right to make a decision based on the information submitted by the employee and the Administrator without a hearing. Throughout the grievance process, all documentation related to the grievance/appeal will be forwarded to appropriate individuals from one step to the next. Copies of documentation, materials, etc., will be made available to the parent.

MCKINNEY-VENTO HOMELESS ASSISTANCE ACT

The Homeless Education program is authorized under Title VII-B of the McKinney-Vento Homeless Assistance Act (42 USC 11431 et seq.). The McKinney-Vento Act was enacted to address the numerous barriers homeless children face in obtaining a free, appropriate public education. The program was originally authorized in 1987 and, most recently, it was reauthorized in December 2015 by Title IX, Part A of the Every Student Succeeds Act (ESSA).

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- The right to immediate enrollment in school, even if lacking paperwork normally required for enrollment.
- The right to attend school in his/her school of origin (if this is requested by the parent and is feasible) or if the school in the attendance area where the family or youth is currently residing.
- The right to receive transportation to his/her school of origin, if this is requested by the parent.
- The right to services comparable to those received by household schoolmates, including transportation and supplemental educational services.
- The right to attend school along with children not experiencing homelessness. Segregation based on a student's status as homeless is strictly prohibited.
- The posting of homeless students' rights in all schools and other places around the community.

Appendix A-TITLE IX NONDISCRIMINATION (BASIS OF SEX)/SEXUAL HARASSMENT POLICY

Adopted: September 19, 2021

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

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

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

IV. Definitions.

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

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

1. An employee who conditions the provision of assistance, benefit, or service offered by a School program or activity or unwelcome sexual conduct "*quid pro quo*" (e.g. sexual favors in exchange for good grades);

2. Unwelcome conduct that a reasonable person would consider so severe, pervasive and objectively offensive that it denies a person the ability to access her or his educational program or activity; or
3. “Sexual assault,” “dating violence,” “domestic violence,” or “stalking,” each as defined by federal law.

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

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

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

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

VIII. School’s Response Obligations. The School’s procedures shall include prompt processing of complaints. In cases of sexual harassment complaints, the School will offer

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

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

X. Notification of Policy. The School will take affirmative steps to ensure that notices required under Title IX and this policy are posted timely, routinely updated, effectively located to ensure that students, parents, employees and others affected by this policy are given adequate notice of their rights hereunder. The policy shall be published once in a local newspaper within ninety (90) days of adoption, other publications by the School, employment applications, recruitment materials, enrollment policies, and in written communications to every student and employee of the School through the handbooks and relevant policy updates.

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

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

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

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