

TIERRA ENCANTADA
C H A R T E R S C H O O L

**TIERRA ENCANTADA
CHARTER SCHOOL**

Student Handbook

2018-2019



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I. GENERAL INFORMATION

1.1. MISSION AND VISION

1.1.01 *Mission*- The mission of the Tierra Encantada Charter School ("TECS") is to empower students as citizen scholars within a dual language environment through a rigorous learning curriculum, which will prepare students for post-secondary success.

1.1.02 *Vision* – We believe that a dual language education should be active, challenging, meaningful, public, and collaborative. Our school uses the Expeditionary Learning model and other projected based curriculum as we use the world as our classroom through interdisciplinary learning which allows our students to excel in a post-secondary environment

THE PROVISIONS AND POLICIES IN THIS HANDBOOK ARE SUBJECT TO MODIFICATION BY SCHOOL ADMINISTRATION AND THE GOVERNING COUNCIL AT ANY TIME.

1.2 SCHOOL GOVERNANCE BOARD

TECS GOVERNANCE BOARD makes policy decisions concerning the school and interviews and hires the Director or designee for his/her position. The members of the Governance Board operate according to its bylaws. The council members are volunteers who oversee the operation of the school and ensure that TECS charter's goals and missions are carried out. Regular meetings are held on first Thursday/month at 6pm (unless otherwise indicated) and often, other meetings are convened to discuss school business. Notices of TECS Governance Board meetings will be posted on the website at the school and/or advertised in school entrances or marquee.

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

1.3 TECS TEPP

TECS has a very active TEPP (Tierra Encantada Parent Partners) and works hard to support the education our students are receiving in many ways. Contact information and planned events including meetings will be listed on the TECS website www.tecsalvord.org.

1.4 STUDENTS ARE UNDER CONTROL OF TECS

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

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

1.5 CALENDAR AND HOURS

The 2017-2018 school calendar is located on the GOTECS.ORG webpage. Students are to arrive at school no earlier than 7:30 am and no later than 8:00 am. The opening of the school day is very important and we expect all students to be on time. Students entering after 8:00 am must report to the office for admittance into class and must be signed in by a parent or adult.

1.6 TECS IDENTIFICATION CARD POLICY

In order to facilitate a safer, more efficient environment, TECS has had adopted the following identification card policy:

- All students, faculty, and staff will be given an official TECS identification card.
- Because IDs will be used for lunch, book check out, and access/entrance to computer labs, it is imperative that all students and Staff have their Identification Cards at all times.
- TECS students and staff must display their ID during out of school

activities.

- IDs must be presented to faculty and staff upon request.
- The replacement of an ID is the sole responsibility of the student. Students will be charged \$5 for a replacement ID.
- Repeated loss of or failure to produce a valid TECS ID may result in disciplinary action.

II. ADMISSIONS AND ATTENDANCE

2. 1 ADMISSION For information concerning enrollment or the lottery process at TECS, please refer to the Admission Section of TECS website (www.gotecs.org). TECS does not discriminate against any student based on race, gender, religious affiliation, national origin, ethnicity, physical or mental disability, or sexual orientation. The school is nonsectarian in its programs, admission policies, and employment practices.

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

- Enrollment forms
- Emergency information forms
- Health/medical consent forms
- Immunization records
- Free and reduced lunch forms (if applicable)
- Copy of birth certificate
- Custody orders (if applicable)
- Early Dismissal Release form
- Home Language Survey

Please note that according to state law, all students must be in compliance with state

immunization requirements, be in the process of receiving the immunization series, or meet exemption criteria before starting school. Exemptions are permitted for medical reasons or due to the conscientiously held beliefs of the parent/guardian. Proof of an exemption must be provided in lieu of immunizations records to be allowed to enroll. Once all applicable forms are completed and returned to the school, your student's registration will be deemed completed and you will be notified when he/she is officially enrolled. Please contact the office as soon as possible with any change of address, contact information, emergency information, custody modification orders or phone numbers.

2.3 HOME LANGUAGE SURVEY

Each student entering TECS for the first time must complete a Language Use Survey. The survey form, which has three (3) questions to be answered concerning the student's language, is a part of the enrollment packet. If a student answers "yes" to any one of the three questions on the survey, the school will assess the student's English proficiency to determine eligibility for services. Please contact the school's Director or designee for more information on the English Language Learner program at TECS.

2.4 PARENT CUSTODY

When parents are separated or divorced, in cases where one parent's rights to a student are restricted, it is recommended that the school have a signed and certified court order defining custody and visitation rights. When parents share custody, i.e. have "joint custody," each parent has the right to access and to receive copies of school records and information, to attend conferences, and to be informed about the student's welfare, educational progress, and status.

The custodial parent(s) are responsible for:

- Providing a copy of the signed and certified court order to the school; and
- Providing the school with any revisions/updates to the court order that affect custody, visitation, or student record-access rights. The school is responsible to:
- Maintain a copy of the relevant sections of the court order;
- Inform appropriate school personnel of the provisions or restrictions in the court order; and
- Abide by the provisions and/or restrictions ordered, and the non-custodial parents requests that are consistent with the order. **The school is not required to hold a separate conference for each parent.** Please be sure that the school has appropriate contact information for both parents to ensure consistent

communications. Unless prohibited by a certified court order, **and upon request**, the school will:

- Send duplicate correspondence to the non-custodial parent **or both custodial parents**;
- Arrange for review of school records by the non-custodial parents;
- Keep non-custodial parents apprised of major school events.

2.5 CHANGE OF CONTACT INFORMATION It is most important that parents notify the school immediately of any change in their contact information including their physical address, telephone number (s) and email address. Unlisted numbers will be held in confidence when requested.

2.6 ATTENDANCE TECS students are expected to arrive on time (8:00 am) and be adequately prepared for their day. If your student is absent or late, please contact the school at 505-983-3337. If your student is late, all arrivals after 8:00, he/she will need to be escorted into the front office and signed in. While regular attendance is required, ***SICK STUDENTS SHOULD REMAIN AT HOME. Because TECS has a four-day school week, more than eight absences per semester will greatly diminish the students' ability to learn their subjects. Students who have more than 8 absences per semester will receive a drop of one letter grade.***

2.7 COMPULSORY ATTENDANCE POLICY TECS is committed (and legally obligated) to enforce the New Mexico Compulsory School Attendance Law. The following attendance requirements are consistent with a student's obligation to attend and a parent/guardian's obligation to ensure that their student attends school.

TECS hopes that every parent will consider regular and timely attendance to be imperative to his or her student's educational success.

2.7.01 Excused Absences - A parent/guardian must provide notice of an excused absence by phone or a signed written note describing one of the reasons listed below. The Director or designee shall in his/her sole discretion determine whether there is a sufficient basis to excuse the absence. Whenever possible, notification of a student's absence should be given prior to missing school. However, when the circumstances dictate, the information concerning a student's absence should be provided as soon after the missed school as possible. Failure to advise the school's attendance designee in writing or by a telephone within two days of a student's absence will result in an "unexcused absence." Absences will only be excused for the following reasons:

- Doctors' appointment
- Religious commitment

- Family emergency
- Illness
- Death in the family
- Diagnostic testing

Absences due to extenuating circumstances may be excused by the Director or designee. The Director or designee may request additional documentation to substantiate an “excuse” for an absence at his/her discretion. PLEASE CONTACT THE SCHOOL OFFICE AT 505-983-3337 TO NOTIFY US OF YOUR STUDENT’S ABSENCE.

2.7.02 Makeup Assignment - Assignments missed due to excused absences must be made up by the student. The student is responsible for obtaining his/her assignments from his/her teacher and completing it within the time frame determined by the teacher.

2.7.03 Unexcused Absences - Unexcused absences will be tracked for purposes of determining whether a student’s attendance complies with the Compulsory School Attendance Law, NMSA 1978 §§22-12-1, et seq. An “unexcused absence” means an absence from school or classes for which the student does not have an allowable excuse as determined by the rules of the TECS Governing Council.

Unexcused absences of two or more classes up to fifty percent of an instructional day shall be counted as one-half day absence, and the unexcused absence of more than fifty percent of an instructional day shall be counted as one full-day absence. TECS rules provide that a student’s absence will be recorded as “unexcused” for the following reasons:

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

➤ Any other absence for which the Director or designee deems the reason insufficient

2.7.04 *Students in Need of Early Intervention* - A student will be deemed “a student in need of intervention” if he or she accumulates five unexcused absences within a school year.

2.7.05 *Habitual truant* - A student is “habitually truant” if he/she accumulates 10 or more unexcused absences in a school year.

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

Steps: #1. After five unexcused absences: If a student is in need of early intervention, TECS shall contact the student’s parent(s)/guardian(s) to inform them that the student has unexcused absences from school and to discuss possible interventions unless after the school’s contact, the parent(s)/guardian(s) provide an acceptable explanation for the absence and the excuse complies with the school’s attendance policy. If after the initial contact the student’s absences are not deemed excused, a representative of the school shall meet with the student in need of early intervention and his/her parent(s)/guardian(s) to identify the causes for the student’s unexcused absences, identify what actions can be taken that might prevent the student’s unexcused absences, identify possible school and community resources to address the causes for the student’s unexcused absences, and establish a corrective action plan to address the student’s unexcused absences.

#2. After ten unexcused absences: If the student is a habitual truant, the school shall give written notice of the habitual truancy by mail to or by personal service on the student’s parent(s)/guardian(s). The notice shall include a date, time and place for the parent to meet with the school to develop intervention strategies that focus on keeping the student in an educational setting. If there is another unexcused absence after delivery of a written notice of habitual truancy, the student shall within seven (7) days of this unexcused absence be reported to the probation services of the judicial district where the student resides.

2.8 EXCUSED ABSENCES FOR PREGNANT/PARENTING STUDENTS

Students will be permitted 10 (ten) days of excused absences upon documentation of the birth of that student’s child. Documentation in the case of the mother can be a note from her medical provider; for the mother or father, a copy of the child’s birth certificate. Students missing school due to the birth of a child shall have the same number of days that he/she was absent for the birth to make up the class assignments missed. The time for make-up work will begin on the first day the student returns to class following the excused absence.

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

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

2.9 LEAVING SCHOOL BEFORE DAY'S END

A student is not permitted to leave the school grounds before regular dismissal, without a parent/guardian checking them out, in person, through the office. Parents are to come directly to the office, signs their student out, and the student will be called from the classroom. Unless authorized by administrative staff, parents should wait for their student in the office. No one may check your student out of school unless they are listed on the registration card or you have notified us, in writing, prior to the dismissal. Parents are strongly encouraged to schedule doctor and dentist appointments after 430pm or on Fridays when school is not in session. An early checkout will count as a tardy for the period from which the student is checked out.

2.10 DROP OFF AND PICK UP

BEFORE SCHOOL STUDENT DROP-OFF – 7:30 AM – 8:00 AM

You can drop your students off beginning 7:30 at east entrance of building, or escort them to their classrooms at 8:00 am. If you are escorting them to classrooms, please wait until the teacher enters the room before you leave your student. Teachers will begin their classes at 8:00 am, and the gates to the School will be locked.

2.11 TECS SHADOWING POLICY

TECS welcomes the opportunity for students who are interested in registering at TECS to visit and participate in classes. Therefore, TECS has developed the following shadowing policy in the interest of safety for both visiting and enrolled students.

- Shadowing is reserved for new students considering enrollment at TECS.
- Parents/Guardians must provide a 24-hour notice for the student who will shadow.

- A complete shadowing packet must be completed and signed by the parent/guardian at least 24 hours before the scheduled shadowing day.
- The student must be accompanied by a parent/guardian upon arrival to the school, and must be signed out by a parent/guardian at the conclusion of the school day.
- Student and parent/guardian must present a valid form of identification prior to being allowed on campus.
- Shadowing students must abide by all TECS policies, rules and procedures and are subject to immediate removal from campus if their conduct violates those policies, rules and procedures.
- ***Since former students are aware of TECS policies and procedures, they will not be allowed to shadow. Former students who are interested in returning to TECS must first schedule a meeting with the Director and follow set enrollment procedures.***

2.12 ABBREVIATED (DUE TO WEATHER) DAY SCHOOL will follow its own schedule on days where weather prevents school from beginning on time or where an early release is ordered. Parents should stay tuned to the available news media on days of inclement weather. If weather conditions worsen during the day and TECS determines that school should close early, TECS will notify parents by phone or other means of communication to come pick up their student(s).

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

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

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

2. 12. 01 *Notice* - TECS will follow not follow SFPS notification system or schedule. Students and Parents will be notified via text messages, website posting, and television.

III. SCHOOL HEALTH

3.1 ILLNESSES/CONTAGIOUS DISEASES. For the protection of all students, your student should be kept at home if he/she has any of the following symptoms: fever, diarrhea, vomiting, a rash, nasal discharge, or discharge from the eyes or ears. Parents should exercise every caution and keep their student home should other unusual symptoms occur. If a student becomes ill while at school, a parent will be called to pick up the student immediately. If your student has been exposed to a contagious disease, he/she should be kept at home and the occurrence of his/her condition should be reported to the school immediately. Chicken pox, ear infections, giardia, hepatitis, measles, mumps, scarlet fever, strep, and viral infections are among those conditions categorized as "highly contagious".

3.2 MEDICATIONS POLICY. Diagnosis, treatment of illness, or prescribing drugs and medications are never responsibilities of a school and should not be practiced by any school personnel. School personnel will dispense only medications that have been prescribed by a physician. When possible, medication doses should be given at home to avoid interruptions in the school day. If medication is needed during the school day, the policy is as follows:

- *Inform.* Parents/guardians must inform the nurse or administrator when a pupil requires medications during the school day. Students observed by school personnel self-administering unauthorized medications shall be reported to their parents/guardians.
- *Written Permission.* A written statement is required from the parent/guardian and physician authorizing the administration of all medications and releasing school personnel from liability should reactions result from the medication. The written statement must include the student's name, diagnosis, name of medication, dose, time to be given, and signatures of parent/guardian and physician. Forms are available from the office.
- *Labeled Containers.* Medication must be provided in pharmacy labeled containers that indicate pharmacy name and telephone number, student's name, physician, name and dosage of medication. The dispensing pharmacy must split medication into duplicate bottles if it is necessary to give medication during school hours. One bottle will be kept at home and the other at school under the care of school authorities.
- *Administration.* A nurse will administer prescribed medication. In the absence of

the nurse, an administrator will dispense the medication. Students will be allowed to carry and self-administer medications only with a physician's and parent's written permission, in cases of potential emergency (See additional requirement below). No teacher may administer medication.

- *Doctor's Orders.* Tylenol or other over-the-counter medicines will be administered to students only with a physician's written order in addition to the parent authorization as required above. Such over-the-counter medication must be in the original container. Again, parents are urged to administer such medication at home when possible.
- *Disposal.* When the medication is no longer needed, it will be returned to the parent or guardian, or destroyed. Medications requiring refrigeration will be kept in a closed and clearly identified container in the refrigerator.

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

3.3 SELF-ADMINISTRATION OF CERTAIN DRUGS. Students will be allowed to carry and self-administer asthma medication, emergency anaphylaxis medication, and/or equipment and supplies for storage and disposal of sharps for self-assessment and for self-administration of diabetes treatment medications, if it has been legally prescribed to the student by a health care provider under the following circumstances:

1. The health care provider has instructed the student in the correct and responsible use of the medication;
2. The student has demonstrated to the health care provider and the school nurse or other school official the skill level necessary to use the medication and any device that is necessary to administer the medication as prescribed;
3. The school nurse or health care provider, within input from the parent or guardian and based on the student's health care practitioner's medical orders, has formulated a written treatment plan for managing the student's care and for medication use by the student during school hours or school-sponsored activities, including transit to or from school or school-sponsored activities; and
4. The student's parent has completed and submitted to the school any written documentation required by the school, including the treatment plan required in paragraph (3) above and a statement relieving the school and its employees and agents from liability arising from the performance of the student's self-administration, carrying or storage of medication, supplies and medication-administration equipment.

The parent of a student who is allowed to carry and self-administer asthma medication,

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

THE SCHOOL SHALL NOT BE LIABLE AS A RESULT OF ANY INJURY ARISING FROM THE PERFORMANCE OF SELF-ASSESSMENT PROCEDURES AND THE SELF- ADMINISTRATION OF MEDICATION NOR FROM ANY INJURY ARISING FROM THE STUDENT CARRYING AND, IF APPLICABLE, DISPOSING OF THE MEDICATION OR SUPPLIES NEED TO ADMINISTER MEDICATIONS.

3.4 MEDICAL SITUATIONS AND EMERGENCIES

- *Emergencies.* In the event of a medical emergency or an accident, we will first attempt to contact the parent/guardian or the doctor of the student, unless TECS determines that the circumstances merit contacting 911 for emergency response. After 911 is called, TECS will make every effort to reach the student's parent/guardian, or other emergency contact prior to treatment, however, this may not always be possible. For this reason it is absolutely necessary that all contact information on the "Permission for Medical Attention" be completed and kept current.
- *Staff Aid.* Staff members are required to have current first aid and CPR certification. Should first aid be needed, a first aid-certified staff member or other person assigned to take care of a particular situation would administer first aid or give instructions for proper care. All staff members will follow these instructions carefully.
- *Incidents at School/Reports Home.* Health office visits will be charted and nurse pass slips describing the nature of health office visits will be sent home with students. Minor accidents (e.g., bruises, scratches, bumps, cuts, scrapes, etc.), which can be taken care of by staff members, will be attended to immediately. The staff member will document the accident on an "Accident Report" form. The staff member will sign the form and submit it to a school administrator for review and signature. A copy will be placed in the parent's file and in the student's file. Parents will be notified of any situation that involves trauma to the head
- *Accidental Poisoning.* In the case of poisoning, the staff member will call Poison Control immediately and follow their instructions carefully. Parents will be

notified and an "Accident Report" written. A first aid kit is readily available and all emergency numbers are posted.

3.5 EXCUSES FROM PHYSICAL EDUCATION

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

IV. SCHOOL RULES AND CONSEQUENCES

4.1 TECS POLICY ON DISCIPLINE. A primary responsibility of TECS and its professional staff shall be to instill in students an appreciation of our representative form of government, the rights and responsibilities of the individual or group and the legal processes whereby necessary changes are made. TECS is a community and the rules and regulations of our school are the laws of our community. All members of our community are subject to TECS rules, which carry corresponding obligations. The right to attend public school is not absolute. It is conditioned on each student's acceptance of the obligation to abide by the lawful rules of the school community until and unless the rules are changed through lawful processes. Teachers, administrators and other school employees also have rights and duties. Teachers are required by law to maintain a suitable environment for teaching in their classes and to assist in maintaining school order and discipline. The administration is responsible for maintaining and facilitating the educational program by ensuring an orderly, safe environment at TECS. In discharging their duties, all school employees have the right to be free from intimidation or abuse by all community members, including students, parents and visitors and to have their lawful requests and instructions followed.

4.2 AUTHORITY OF SCHOOL. TECS has both the authority and the responsibility to ensure that suitable rules of student conduct and appropriate disciplinary processes are established for TECS. Teachers and TECS staff shall administer discipline to students in accordance with the duties of their position, and in accordance with this Handbook and other TECS policies. With certain limits, TECS Governing Council has the discretion to develop such rules, policies and procedures, as it deems appropriate.

4.3 GENERAL STATEMENT OF CITIZENSHIP. Being a member of a school is like being a part of a family or a nation. In order for everyone to get along and to have freedom, all must share certain duties. Rights (freedom) and responsibilities (duties) go hand in hand; the most important rights and responsibilities you have while at TECS are as follows:

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

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

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

4.3.03 *Knowing the Rules* -The school has rules for all students, which you must know and follow. If you break a rule, you will be treated fairly. You will be allowed to tell your side of the story to your teacher or someone in the office. Punishment may include talking with you, talking with your parents or guardians, or your staying after school or more severe consequences depending on your behavior.

4. 3. 04 *Getting Together* - During free time, students may get together on school grounds or buildings if permission has been given and if it will not disturb others.

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

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

4.3.07 *Coming to School* - You must attend school each day and be on time.

When you are sick or have a family emergency, you may remain at home. When you return to school, be sure to have a note from your parent or guardian, explaining why you were absent and to ask your teachers about missed assignments.

4.4 DRESS CODE

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

- Attire or accessories which advertise, display or promote any drug, alcohol, tobacco, sexual activity, violence, disrespect or bigotry towards any group are not acceptable
- Unacceptable clothing includes: sagging/bagging pants, midriff length tops, and shorts/skirts shorter than finger-tips length, bare skin or underwear showing around the waste-line area.
- Students may be removed from class and be required to obtain appropriate dress before being allowed to return. Repeated violations of the student dress guidelines may result in additional consequences at the sole discretion of the Director or designee.

4.5 SPECIFIC PROHIBITED CONDUCT The following conduct is prohibited at TECS and will result in disciplinary actions as described in this policy. TECS gives notice that not all-inappropriate student behavior can be identified and consequently there may be other circumstances that result in a student being disciplined for his or her conduct.

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

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

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

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

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

4.5.06 *Theft or Pilfering* – Taking someone else’s belongings without his/her permission, no matter how small. A student involved in the act of stealing or in possession of stolen property may face criminal charges along with other disciplinary actions by TECS.

4.5.07 *Student Possession of Tobacco/E-Cigarettes/Vapes on School Grounds* - While at school or a school sponsored event, students shall be prohibited at all times from smoking or having tobacco in any form in their possession. E-Cigarettes, “vapes” and other smoking-related paraphernalia are likewise prohibited on School grounds and during School events. Punishment shall include definite corrective action.

4.5.08 *Vandalism and Tampering* - Any abuse of school or private property shall be considered vandalism. The parent or guardian shall be requested to meet with the school officials to make arrangements to pay for the damage caused by the student. Criminal charges may be filed along with other disciplinary actions by TECS.

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

4. 5. 10 *Gang Related Activities* – Means, for example; wearing clothing, displaying paraphernalia, and altering one’s appearance, the display of gang signs, symbols, monikers or signals, that signifies or exhibits an individual’s affiliation with, or representation of, a gang. Also included is recruitment, harassment, intimidation, posturing, bullying, tagging or marking, assault, battery, theft, trespassing, or extortion, or criminal activity performed by an individual affiliated with, or on behalf of a gang. Gang affiliation and/or intent can be implied from the character of the individual’s acts as well as the circumstances surrounding the misconduct.

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

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

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

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

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

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

- *A firearm* is any device which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device; or any machine gun. Weapon includes firearms of any kind (operable or inoperable, loaded or unloaded, commercial or homemade); including but not limited to hand, zip, pistol, rifle, shot gun, starter gun, flare gun, or tear gas gun.
- *A destructive device* is any bomb, grenade, mine rocket, missile, pipe bomb, or similar device containing some type of explosive that is designed to explode and is capable of causing bodily harm or property damage.
- *Knife/Cutting Instrument* includes, but is not limited to dagger, dirk, stiletto, shank, knife, razor, box cutter, or Exact-o knife.
- *Other weapons* means the possession or intention of using any instrument or object to inflict harm on another person, or to intimidate any person, including, but not limited to chains (even if not being used for the purpose for which it was normally intended and capable of harming an individual), pipe (any length or metal not being used for the purpose it was normally intended), pointed instruments (including pencils, pens), nunchakus, brass knuckles, Chinese stars, Billy-clubs, bludgeons, slingshots, portable devices or weapons directing electrical current (stun guns), impulse, wave, beam or chemicals, BB pellets, CO2 firing devices, or dart guns, bows, explosives, or propellants. Any other dangerous or deadly weapons. Students must immediately report knowledge of weapons and threats of violence by students and staff to the Director or designee. Failure to report such knowledge may subject the student to immediate suspension and potential expulsion from school. The Director or designee shall immediately report to the appropriate law enforcement agency if a dangerous weapon is found or is suspected to be in the possession of a School employee or a visitor.
- *Exception* Items pre-approved in writing by the Director or designee as part of a class or individual presentation or a theatrical prop used under adult supervision, if used for the purpose and in the manner approved, would be an exception to this policy; working firearms and any ammunition will never be approved as part of a presentation.

4.5.17 *Possession, Sale and/or Use of Alcoholic Beverages, Narcotics, Illegal Drugs, and/or Prohibited substances.* TECS prohibits students from using, possessing, distributing or trafficking tobacco (includes “vapes” and e-cigarettes), alcohol and/or illegal drugs on school property, at school, or at school- sponsored activities. Students, while on school property or attending a school- sponsored

activity, which use, possess, distribute, or sell tobacco, alcohol, and/or other drugs or related paraphernalia shall be subject to intervention, discipline, suspension, expulsion and/or other appropriate alternatives.

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

4.5.19 *Bomb Threats or Terroristic Threats and Throwing Explosives or Noxious Substances* – means making threats, placing, discharging, or throwing a destructive explosive item or noxious substance, or makes a terroristic threat while in or on TECS property, or on school-sponsored transportation, or during school-sponsored activities.

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

4.5.21 *Inciting Others or Disruptions* – The act of encouraging or helping a student to cause a riot, disrupt school activities, or to be absent or otherwise violate school rules, or who disrupts or interferes with the lawful administration or functions of the school activities.

4.5.22 *Assault or Battery on School District Personnel* – Causing bodily harm to or threatening to cause bodily to a school official or a teacher.

4.6 ELECTRONIC DEVICES AND CELL PHONES Teachers and administrators will take appropriate actions if an electronic device becomes a problem during the school day, or if such devices disrupt the instructional setting. Disciplinary actions may include: immediate confiscation, a parent conference, in-school suspension or suspension, and loss of privileges. Moreover, TECS will not be responsible for loss or damage to devices brought on campus by students.

4.7 CYBER BULLYING

Cyber bullying defined as a situation when a student is repeatedly harassed, humiliated, threatened, and intimidated, or otherwise targeted by another person through the use of digital technologies, including but not limited to, instant and text messaging, email, blogs, social websites (e.g. Facebook, Instagram), and chat rooms, therefore, affecting the student's learning environment. TECS is committed to providing a safe, positive, productive, and nurturing educational environment for all of its students. TECS encourages the promotion of positive interpersonal relations between members of the school community. Aggressive behavior toward a student, whether by other students, staff, or third parties using social networking technologies is strictly prohibited and will not be tolerated. TECS will not tolerate any gestures, comments, threats, or actions, which cause or threaten to cause bodily harm or personal degradation using these social

networking technologies. This policy applies to all activities at TECS, including activities on school property or while in route to or from school sponsored activities and during any school-sponsored, school-approved or school-related activity or function, such as field work or athletic events where students are under the school's control, where an employee is engaged in school business, or if occurring off school property if the activity disrupts the school environment or another student's access to a safe and healthy school environment.

4.8 SEARCHES AND SEIZURE

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

4.8.02 *Search of Person* - Unless there is an immediate threat of health or safety of the student or others, parents/guardians of the student will be called prior to any search of a student's person. Search of a student's person shall be conducted by a person of the student's gender, in the presence of another staff member of the same gender, and only in exceptional circumstances – that is - when the health or safety of the student or of others is immediately threatened. Except as provided below, a request for the search of a student or a student's possessions will be directed to the Director or designee who shall seek the freely offered consent of the student to the inspection. Search of a student's person, will involve, at most, a "pat down" of the students outer clothing. Whenever possible, the Director or designee in the presence of the student's parent and a staff member other than the

Director or designee will conduct the search of a student's person. A search prompted by the reasonable suspicion that health and safety are immediately threatened will be conducted with as much speed and dispatch as may be required to protect persons and property. In no event shall a TECS student be subjected to a "strip search."

Authorized persons may seize 4.8.03 Seizure of items - Illegal items, legal items that threaten the safety or security of others and items, which are used to disrupt or interfere with the educational process. Seized items shall be released to appropriate authorities or a student's parent or returned to the student when and if the administrative authority deems appropriate.

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

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

4.9 VIOLENT OR AGGRESSIVE BEHAVIOR.

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

4.9.02 *Duty to Report* - Any student who believes he/she has been or is the victim of aggressive behavior should immediately report his/her concerns to a teacher or counselor who will be responsible for notifying the Director or designee. Complaints against the Director or designee should be filed with the counselor, the Business Manager, or the Governing Council President. **Every student is encouraged, and every staff member is required, to report any situation that**

they believe to be aggressive behavior directed toward a student. Reports may be made to those identified above.

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

4.11 CONSEQUENCES

Students have certain rights, but also have the responsibility to respect the rights and property of others. If a student fails to do this, disciplinary action will follow. The Director or designee may impose disciplinary consequences, in addition to consequences developed by the classroom teacher, for violations of school rules. The Director or designee has the right to impose discipline in his/her reasonable discretion, in accordance with the circumstances presented. Some of the potential consequences include:

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

4.12 DETENTIONS, SUSPENSION, AND EXPULSION TECS, along with the cooperation of the student and his/her parent/guardian, seek to avoid having to impose any stronger measures of discipline than contemplated in Section 4.11 above. However, when prior efforts to correct behavior or if the situation warrants, TECS may choose to impose detentions, suspension and/or pursue expulsion.

4.13 DUE PROCESS/REFERRALS

4.13.01 *Due Process* - In disciplinary cases, each student is entitled to due process. This means students:

- Will be informed of accusations against them.
- Will have the opportunity to accept or deny the accusations.
- Will have explained to them the factual basis for the accusations.
- Will have a chance to respond to the facts presented against them.
- The extent of the due process required will depend upon the severity of the infraction and the related consequence.

4. 13. 02 *Referrals* - All discipline referrals submitted to the Director or designee/designee will begin with a conference with the student. In the case of suspensions/expulsions, parents will be notified of consequences by a personal phone call accompanied by a written referral form. If attempts to notify parents by telephone are unsuccessful, parents will be notified by written referral form only. Parent involvement is an important part of the discipline at all levels.

4.14 SHORT TERM SUSPENSIONS

A short-term suspension is a mandatory absence from school for a period of 10 days or less. If the Director or Assistant Director decides that the alleged misconduct warrants a consequence of a suspension for 10 days or less, the Director or Assistant Director shall give the student an informal due process hearing and shall examine all the pertinent facts to determine whether or not a violation did occur. The student shall be afforded due process rights including the opportunity to present to the Director or Assistant Director his or her defense or position concerning the alleged violation. After the conclusion of the investigation, the Director or Assistant Director, upon the basis of all facts and information learned, shall determine if the student committed a conduct violation. If the student is found to have committed a violation, a consequence or suspension may be imposed for a period of time not to exceed 10 days.

The school reserves the right to impose consequences on a case-by-case basis as the Director or Designee imposing the suspension shall keep a record of the aforementioned proceedings. A parent may request an administrative review of the discipline data and decision to suspend. Homework can be provided at the request of the parent. There is no level of appeal higher than the Director or Assistant Director for a suspension of 10 days or less.

4.15 LONG TERM SUSPENSION

A long-term suspension is a mandatory absence from school for a period exceeding 10 days and up to the balance of the school year. If the Director or Assistant Director decides that the alleged misconduct is sufficiently serious so that the consequence should be a suspension in excess of 10 days or expulsion, the accused student shall be afforded his or her due process rights. There shall be an investigation to determine if there is sufficient probable cause to charge the student with an act of misconduct, which may result in a suspension in excess of 10 days or an expulsion. When the Director charges a student or Assistant Director with misconduct which may result in long-term suspension or expulsion, the parent(s) or guardian of the student shall be informed within a reasonable time period by telephone or letter of the charges against the student.

4.16 PROCEDURES FOR LONG TERM SUSPENSION/EXPULSION

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

4.16.01 *Notice* - If the Director believes that a long-term suspension may be warranted because of alleged misconduct of a student, the Director or Assistant Director will notify the parent(s) in writing of the grounds for the proposed suspension and the date, time and location of the suspension hearing. Notice will be given by certified mail return receipt, email or by personal delivery addressed to the student and his/her parents/guardians. The notice shall contain:

- The time, date and place of the hearing
- The name of the hearing officer
- A description of the alleged misconduct, the standard of student conduct allegedly violated and the proposed discipline
- A copy of 6. 11. 2 NM AC, “Students Rights and Responsibilities”
- A clear statement that the hearing will take place as scheduled unless the hearing officer grants a delay or the student and parent agrees to waive the hearing and comply voluntarily with the proposed disciplinary action or with a negotiated penalty, and a clear and conspicuous warning that a failure to appear will not delay the hearing and may lead to the imposition of the proposed penalty by default. Note: Expulsion hearings may not be waived.

- A statement that notices must be given to the Director or Assistant Director at least 72 (seventy-two) hours before the hearing if the student or his parent(s) will have an attorney present.
- Contact information for person from who the parent may request a delay or additional information and.
- A description of the hearing proceedings.

4.16.02 *Hearing Officer* – Long-term Suspension and Expulsion hearings will be conducted by the School Director. The School Director will not participate in investigations involving students who are scheduled for a Disciplinary Hearing. Decisions made at the hearing are final.

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

4.16.04 *Decision* – The Hearing Officer may announce a decision at the close of any hearing or up to 24 hours after. The Hearing Officer will also prepare a written decision, which should include reasoning for the penalty imposed. The decision may include suspension or withdraw from TECS, resulting to return to a regular school zone assignment.

4.17 LONG-TERM SUSPENSION/EXPULSION APPEAL

A student aggrieved by the hearing officer's decision has the right to have the decision reviewed if the penalty imposed was at least as severe as a long-term suspension or expulsion, an in-school suspension exceeding one school semester or a denial or restriction of student privileges for one semester or longer. The appeal shall be to the Governing Council or its designee. The Governing Council may grant a right of review for less severe penalties. A student/parent request for review must be submitted to the Governing Council President within ten (10) school days after the student is informed of the hearing officer's decision.

4.17.01 *Conduct of review* - The Governance Board shall have discretion to modify the hearing officer's decision by including imposing any lesser sanction deemed appropriate. The Governance Board shall be bound by the hearing authority's factual determinations unless the student persuades the Governance Board that a finding of fact was arbitrary, capricious or unsupported by substantial evidence or that new evidence which has come to light since the

hearing and which could not with reasonable diligence have been discovered in time for the hearing would manifestly change the factual determination. Upon any such finding, the Governance Board shall have discretion to receive new evidence, reconsider evidence introduced at the hearing or conduct a new hearing. In the absence of any such finding, the review shall be limited to an inquiry into the appropriateness of the penalty imposed.

4.17.02 *Form of review* - The Governance Board shall have discretion to conduct a review on the written record of the hearing and decision in the case, to limit new submissions by the aggrieved student and school authorities to written materials or to grant a conference or hearing at which the student and his or her representative, and school authorities may present their respective views in person.

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

4.17.04 *Decision* - The Governance Board may announce a decision at the close of any conference or hearing held on review. In any event, the Governance Board shall prepare a written decision, including concise reasons, and mail or deliver it to the Director or his/her designee, the hearing authority and the student, through the parent, within ten (10) working days after the review is concluded.

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

4. 17. 06 *NMPED Compliance* – The process followed by TECS shall conform to 6.11.2 NMAC, and to the extent any provision of this section conflicts with the NMPED regulation, the regulation shall govern.

4.18 CLASSROOM CONTROL/CORPORAL PUNISHMENT A teacher or other member of the certificated staff shall assume such authority for the control of students who are assigned to him/her by the Director or designee or designee and shall keep good order in the classroom. To that end, each classroom teacher shall establish classroom rules that each student must follow. The use of corporal punishment is *prohibited*. Alternative disciplinary procedures, which may include peer review or other forms of positive reinforcement, should be used to bring about appropriate student classroom behavior. Students whose behavior is not corrected by appropriate teacher discipline must be referred to the Director or Assistant Director.

4.19 DISCIPLINE OF STUDENTS WITH DISABILITIES

Students with disabilities are subject to school disciplinary processes. They are also not

entitled to remain in a particular educational program when their behavior substantially impairs the education of other students in the program. However, state law and regulations (6.11.2 NMAC) requires TECS to meet the individual educational needs of students with disabilities as described by their IEP.

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

4. 19. 02 *Temporary Suspension* – Temporary suspension of students with disabilities may be imposed in accordance with the normal procedures prescribed in Subsection D of Section 6.11.2.12 NMAC, provided that the student is returned to the same educational placement after the temporary suspension and unless a temporary suspension is prohibited under the provisions of Subsection G, Paragraph (3) of 6.11.2.10 NMAC.

4.19.03 *Program Prescriptions* - A student with a disability's individualized education program (IEP) need not affirmatively authorize disciplinary actions, which are not otherwise in conflict with the regulation. However, the IEP Committee may prescribe or prohibit specified disciplinary measures for an individual student with a disability by including appropriate provisions in the student's IEP. Administrative authorities shall adhere to any such provisions contained in a student with a disability's IEP, except that an IEP Committee may not prohibit the initiation of proceedings for long-term suspension or expulsion, which are conducted in accordance with this regulation.

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

4.20 BULLYING PROHIBITION POLICY

TECS believes that providing an educational environment for all students, employees, volunteers, and families, free from harassment, intimidation, or bullying supports a total learning experience that promotes personal growth, healthy interpersonal relationships, wellness, and freedom from discrimination and abuse. The safety and well being of all students is of primary importance. TECS does not permit and it is the school's goal of preventing and responding to acts of bullying, intimidation, violence, and other similar disruptive behavior.

4.20.01 Definitions-

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

4.20.02

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

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

4.20.03 *Reporting and Complaints* - Students and parents may file verbal or written complaints concerning suspected bullying behavior to school personnel and administrators. See “Bullying Complaint Form” attached at the end of the Student &

Family Handbook. Students, parents and/or staff should use the following guidelines when reporting bullying.

- Any student who believes he/she has been the victim of harassment, intimidation, bullying, or hazing by a student or school personnel, or any person with knowledge or belief of such conduct that may constitute harassment, intimidation, bullying, or hazing toward a student should immediately report the alleged acts.
- The report may be made to any staff member including a teacher or the Director or Assistant Director. If a student makes the complaint, to a staff member he or she will assist the student in reporting to the Director or Assistant Director.
- Teachers and other school staff who witness acts of bullying or receive student reports of bullying are required to promptly notify the Director or Assistant Director. Reports should be made in writing using the Bullying Complaint Form. A copy of this form will be submitted to the Director or Assistant Director. If a student makes a verbal report to a teacher, the teacher should complete the form or take the student to the Director or Assistant Director where a form will be completed on the student's behalf.

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

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

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

4.20.07 *Outcome* - The investigation shall be completed as soon as possible. The Director or Assistant Director (or investigator) shall make a written report concerning the

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

4.20.08 *Consequences* - Verified acts of bullying shall result in intervention by the Director or Assistant Director that is intended to ensure that the prohibition against bullying behavior is enforced. While conduct that rises to the level of "bullying" as defined above will generally warrant disciplinary action against the perpetrator of such bullying, whether and to what extent to impose disciplinary action (detention, in and out-of-school suspension, expulsion, or other consequences to be determined) is a matter for the professional discretion of the Director or Assistant Director. Certainly, repeated offense will warrant increasingly severe consequences, up to and including expulsion.

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

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

4. 20. 11 *Anti-Bullying included in Health Education Curriculum*. "Health Education" is the instructional program that provides the opportunity to motivate and assist all students to maintain and improve their health, prevent disease, and reduce health related risk behaviors. It allows students to develop and demonstrate increasingly sophisticated health-related knowledge, attitudes, skills, and practices. It meets the content standards with benchmarks and performance standards as set forth in 6.30.2.19 NMAC. Bullying behavior is mentioned specifically in many areas of the Health Education performance standards, in all grade levels. All students need to be aware of bullying behavior throughout their school years. It is imperative that students are comfortable with understanding, describing, and recognizing bullying behaviors, and then in the later grades being able to analyze those behaviors and role-play refusal skills. Our curriculum does recognize the importance of bully prevention skills in all grade levels.

4.21 ANTI-DISCRIMINATION AND HARASSMENT POLICY

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

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

4. 21. 02 *Other Forms of Harassment* - Other prohibited harassment includes conduct which has the purpose or effect of creating an intimidating, hostile, discriminatory, or offensive learning environment; substantially or unreasonably interfering with an individual's academic performance; or otherwise adversely affects an individual's academic opportunities on the basis of race, color, religious creed, age, sex, national origin or ancestry, mental or physical disability, medical condition, sexual orientation, gender identity and/or any other legally protected characteristic. Students shall at all time refrain from using racial slurs, hate-related nicknames, bullying and any other name-calling or put-downs.

4.21.03 *Strictly Prohibited* - The harassment by a student of a staff member, fellow student of TECS or third party (e.g. visitor, volunteer, parent, etc.) is strictly forbidden. In all cases, school personnel will take immediate action to protect the victim of alleged abuse. Any student who is found to have harassed a staff member, third party, or student will be subject to discipline in accordance with law and the Student/Parent Handbook.

4. 21. 04 *Reporting Violations of Harassment or Discrimination Policy* - A student who believes he/she has been a victim of discrimination and/or harassment and any third persons with knowledge of such conduct shall report the alleged act immediately to the Director or Assistant Director. TECS will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the obligation to investigate, to take appropriate disciplinary action, and to conform to any discovery or disclosure obligations.

4.21.05 *Investigation and School Action* - In determining whether alleged conduct constitutes harassment, the totality of the circumstances, the nature of the conduct, and the context in which the alleged conduct occurred will be investigated. A

substantiated charge against a student, employee, visitor, vendor or other individual on TECS premises for harassment shall subject that individual to disciplinary action or other consequences. Disciplinary action may include, but may not be limited to the following: written warning, detention, written reprimand, suspension, and/or expulsion. The severity of the disciplinary action will depend on the frequency, circumstances, and severity of the offense.

4.21.06 *Retaliation* - TECS will discipline any individual who retaliates against any person who reports, testifies, assists or participates in any manner in any investigation, proceeding or hearing related to complaints of harassment or discrimination. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

4.21.07 *Notification* - It shall be the responsibility of the Director or Assistant Director to ensure that all employees and students receive appropriate training related to the implementation of this policy. In addition, students, employees, volunteers, and vendors shall receive appropriate information related to this policy, including the name of designated person to contact to file a complaint and/or receive information related to this policy.

4.22 WEAPONS

State and federal law requires public school to expel students for one year for carrying guns, knives, or any items used as weapons. To avoid misunderstanding or unintended consequences, do not bring toy weapons or “look alikes” to school. TECS will report any such violation to the student’s parents AND the appropriate legal authorities.

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

4.24 **VIOLATION OF STUDENT RIGHTS** Students believing their rights have been violated should report their concerns to their parents/guardian or the Director or Assistant Director. If the Director or Assistant Director does not resolve the concern, a report should be made to the Governing Council using the Parent Concern Policy About Student in Section 5.8 below.

V. GENERAL SCHOOL INFORMATION

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

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

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

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

1. The student/parent must complete and submit to the Director a signed, written “Grade Change Request” form stating reasons for the course grade change request, within **five days** of receipt of the course grade.
2. Upon request, the student/parent will be permitted to review any available records and documents belonging to the student related to the determination of how the grade was awarded.
3. The Director will consult with the teacher to determine if there has been any clear mistake or clerical error, or if there has been any misidentification of the student.
4. In further consultation with the teacher, the Director will determine if a change in final course grade is merited for any other justifiable reason, such as extenuating circumstances articulated and demonstrated by the student/parent, additional graded work submitted by the student, additional or make-up testing, or other

meaningful criteria that can be verified.

5. The teacher who issued the course grade shall provide to the Director his/her reasons to support or oppose the requested grade change and shall not be pressured into or retaliated against for making a certain recommendation.
6. As part of fact-finding, the Director will meet with the student/parent and the teacher, together or separately, to determine the validity of the student's/parent's request.
7. A written, signed response, which includes the Director's findings and decision, will be provided to the student/parent within five days of the meeting. The response shall include whether the request is denied or allowed and the grade entered if allowed. If a grade change is allowed, the Director's response shall articulate the reasons and basis for the grade change.
8. The Director will be the final determinant of the decision.
9. If the Director decides that a grade change is merited, in addition to the student or parent, the Director shall comply with any NMPED notification requirements.
10. If the Director decides that a course grade change is merited for a particular student, the grade change must be equally available and applied to all students who are similarly situated.
11. The "Grade Change Request" form and a copy of the Director's decision shall be placed in the student's permanent cumulative record file. The student/parent may request of the Director that the documents be removed and destroyed upon the student transferring or graduating from the school. The Director has full discretion in complying with the student's/parent's request.

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

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

Adherence to FERPA requirements and regulations regarding student records and information shall be required of all school personnel.

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

5.2 REPORT CARDS Report cards are given out quarterly.

5.3 FIELD WORK

Fieldwork is considered an important part of TECS' educational program and trips will be taken periodically to nearby places to carry out such work. The school will provide adequate and responsible adult supervision. TECS must have on file an individual permission form for off-campus work before students will be allowed to participate. Parents will be notified in advance of the location of upcoming fieldwork and travel arrangements.

While on schoolwork fieldwork assignments, students must follow school rules and guidelines. Students shall at all times follow instructions and directives of teachers, sponsors, bus drivers and chaperones in charge of the field trip. Misbehavior may result in disciplinary action.

5.4 LUNCH

Lunch is paid for via a nonrefundable lunch fee paid at registration and is provided throughout the year. No outside food is permitted. The Director or designee reserves the right to allow outside food onto TECS campus. Should you need assistance with paying lunch fees, see the Director.

5.5 LOST AND FOUND

All lost items are to be turned into the Lost and Found located in the office. Students are encouraged to check for all lost items there. Due to the lack of storage space, clothing items in the Lost and Found may be donated to local charities as often as monthly and definitely at winter and spring breaks.

5.6 PERSONAL PROPERTY

If your student does bring an item of personal property to school and loses it, he/she may check in the Lost and Found. The school is not responsible for lost or stolen items. Please remind your student that many personal items are not permitted at school and to otherwise leave personal items at home. They can disrupt the learning environment and create safety problems. Also, there is a risk of items being broken, lost or stolen. Students should not bring electronic games. They will be taken from the student and kept in the office until the student's parent/guardian come to the school to retrieve them. It will be up

to the parent/guardian to contact the school about the confiscated property.

5.7 PARENTAL CONCERN/GRIEVANCE POLICY ABOUT STUDENTS

TECS encourages parents/guardians to attempt to resolve unsatisfactory situations concerning their student at the lowest possible level. However, it is recognized that sometimes an intermediary is helpful for both sides to move beyond an impasse. Therefore, the following policy is provided for resolving situations that are

not otherwise covered by formal dispute resolutions process (e.g. student suspensions, special education matters or discrimination/harassment complaints).

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

Step 2. If a resolution cannot be reached at this level, then the parent or guardian may contact the person's supervisor (likely the Director or Assistant Director) and request a meeting with the Director or Assistant Director and the other TECS employee with whom there is a disagreement. If it is the Director or designee with whom there is a disagreement, then move to Step 3.

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

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

5.8 GRIEVANCE POLICY TO ADDRESS NON-STUDENT CONCERNS

5.8.01 *Initial inquiry* - Inquiries or concerns from a community member, parent or student regarding a specific TECS staff member or program (NOT A STUDENT)

should first be directed to the staff member involved or responsible for such program. If a community member, parent or student (hereinafter “community member”) is not sure who is the responsible staff member, or, if the community member has an inquiry or concern of a broad nature, the community member should contact the Director for clarification on the steps to follow.

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

5. 8. 03 *Governing Council Review* - The Governing Council, in its sole discretion, may decide whether any particular issue submitted to them is appropriate for Governing Council intervention. Typically, the Governing council will NOT review administrative decisions regarding the following: student discipline less than a long term suspension or expulsion, student placements (in special education or regular education classes), complaints about a staff member’s performance (except the Director), matters particularly within the expertise of the educational staff and administration. The following procedure shall be followed for a Governing Council Review:

1. The community member may submit his/her grievance in writing to the TECS Governing Council President within five days of receiving the Director or Assistant Director’s statement concerning the good faith effort to resolve the dispute.
2. The letter must be in writing, signed by the community member and delivered to the Governing Council at the school. A copy of the Director or Assistant Director’s statement should be enclosed.
3. If the community member does not submit a written grievance within five days from the date the written summary prepared by the administrator is delivered to the community member, the complaint will be deemed “resolved.”
4. The grievance submitted to the Governing Council should include specific reasons why the community member is not satisfied with the administrator’s decision; any specific school policy that the member believes has been violated, and any other relevant information and documentation that supports the

grievance. The written grievance must be dated and signed by the person submitted the complaint.

5. The Governing Council will decide at the first meeting immediately following receipt of the written grievance whether it will hear the matter, and if it agrees to hear the matter, it will schedule a time for the meeting, which shall not be unreasonably delayed. Depending on the substance of the complaint, the Governing Council will also decide whether the grievance shall be heard as an informal meeting of the concerned parties, an informal hearing with each party being allowed to present his/her side of the story or any other procedure the Governing Council deems appropriate.

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

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

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

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

5.9 FIRE DRILLS

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

5.10 BOOKS AND OTHER SCHOOL MATERIALS

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

5.11 ACCESSIBILITY FOR PARENTS/GUARDIANS To ensure equal access to Parent-Teacher Organization meetings, Governing Council meetings, school plays, teacher conferences, etc., and in accordance with the Americans with Disabilities Act (ADA), TECS will provide appropriate auxiliary aids and services in appropriate circumstances. These auxiliary aids and services for a parent/guardian may include but are not limited to the following:

- Sign Language Interpreter
- Braille
- Mobility Access
- Assistive Listening System
- Large Print Please notify the TECS administration office in advance if
- you require any of these services/aids.
-

VI. STUDENT SUPPORT INFORMATION

6.1 STUDENT SUPPORT When students are struggling with learning or behaviors that interfere with learning at TECS, we use the Response to Intervention (RTI) process that finds and uses strategies that will work with the student. We look at how students are making progress with the current instruction in the classroom to find more effective ways to help students make academic and functional progress at school. We also look at what may contribute to difficulties. Together with families we will work to develop interventions aimed at increasing the likelihood that students can be successful and maintain their placement in the general education setting. Struggling students are identified through classroom, school-wide and statewide screening/testing processes as well as other means, such as teacher observation or parent concern. Struggling students are brought before the Student Assistance Team (SAT) that will address problems, design and recommend interventions that will help to alleviate or resolve the situation prior to referral for a multidisciplinary evaluation. In many cases, the SAT is able to assist students who need interventions in order to succeed, but who are not necessarily disabled and therefore do not qualify for special education services or Section 504 accommodations. In other words, the SAT is a “support group” for the regular education teachers and students in need. If you have concerns about your student’s progress, please let the classroom teacher know. If the classroom teachers have concerns, they will bring

them to your attention and determine if a SAT meeting is warranted.

6.2 SECTION 504 Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against persons with disabilities by organizations receiving federal assistance. Included in the regulation is the requirement that handicapped students be provided with a "free appropriate public education" (FAPE). These regulations require identification, evaluation, provision of appropriate service, and procedural safeguards in all public schools. Individuals who have been determined to be with disabilities under Section 504 may or may not be disabled under special education (IDEA). Section 504 services could apply to any school age student who (1) has had a physical or mental impairment, which substantially limits a major life activity, or (2) is regarded as having a disability by others. Major life activities include walking, seeing, hearing, speaking, and breathing, learning, working, caring for oneself and performing manual tasks. Parents who have concerns or questions regarding Section 504 services should contact the student's teacher or the Director or Assistant Director.

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

6.4 EDUCATIONAL SERVICES FOR GIFTED STUDENTS SCHOOL TECS offers services to students who qualify as gifted through the Special Education program. For information on referral/screening procedures, eligibility requirements and program options, contact the Director or Assistant Director or special education teacher. Teachers and parents can refer students to the RTI Team for consideration and evaluation. For additional information see the Director or designee.

6.5 ABUSE AND NEGLECT

If any member of the TECS staff suspect's student abuse or neglect, appropriate authorities will be notified. The call and report will be made as soon as any sign of abuse is noticed. Any member of the staff can make the call and does not have to wait for approval. Calls may remain anonymous. Signs of suspected abuse or neglect would be documented and sent to the Director and appropriate state authority.

6.6 STATEMENT OF RIGHTS PARENTS/GUARDIANS UNDER FERPA

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

TECS provides the following notice regarding those rights:

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

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

If TECS decides not to amend the record as requested by the parent or eligible student, TECS will notify the parent of the decision and advise of the parent's right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent when notified of the right to a hearing.

6. 6. 03 *Disclosure/Consent* – A parent has the right to consent to disclosures of personally identifiable information contained in the student's education records. Note that FERPA authorizes disclosure without the parent's consent to school officials with legitimate educational interests. A "school official" is a person employed by TECS as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Governing Council; a person or company with who TECS has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate education interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

6. 6. 04 *Directory Information – Right to Opt Out*. TECS classifies the following as Directory Information: student's name, parent's name, address, telephone listing, electronic mail address, date and place of birth, participation in officially recognized activities, awards received, student's photograph, and the most recent previous school attended by the student. School officials may release this information to any person without the consent of the parents or the student. **Any**

parent or eligible student who objects to the release of any or all of this information without his consent must notify, in writing, the Director or designee of the school where the records are kept by no later than September 15 each year. The objection must state what information the parent or student does not want to be classified as directory information. If no objection is received by September 15 of each year, information designated above will be classified as Directory Information until the beginning of the next school year. ***By signing that you received this policy in connection with the Student/Family Handbook, you acknowledge that you have received your annual notice of FERPA rights as required by federal law.*** If you chose to opt out for permitting your student's directory information from being released, please sign the attached "Exclude the Release of Directory Information" form attached to this handbook.

6.6.05 *Complaint* - You have the right to file a complaint with the U.S. Department of Education concerning alleged failures by TECS to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-4605.

6.7 TRANSFER OF STUDENT RECORDS

When a student withdraws to enroll in another school and records are officially requested by the new school, the following records (if applicable) are forwarded: continuous record of academic progress; health data sheet with health notes; special education records; 504 Plan; individual remediation plan; individual health plan/emergency plan; attendance reports; standardized test results/state testing results; indicator of grades and credits received from other schools (if applicable); listing of disclosure and transfer of student records; relevant legal documents and documentation of suspensions and expulsions. TECS may withhold release of a student's records if the parent has an outstanding balance for unpaid fees.

VII. TECHNOLOGY USE POLICY

7.1 SCHOOL TECHNOLOGY USE POLICY

At TECS our students have access to many valuable instructional technology tools as well as Internet access. Our goal is to teach students to utilize these electronic resources to enhance our school's instructional goals. TECS has taken precautions to ensure that students are using the Internet and other electronic resources for appropriate educational means. An adult will supervise student use of the Internet and multimedia resources at all times. However, we cannot guarantee that students will refrain from locating inappropriate sources.

7.2 GENERAL RULES FOR STUDENT USE : Student use of instructional media must be in support of grade appropriate school instruction.

- Students will use respect and show proper care and handling of all equipment. Any student found to be intentionally damaging any software or hardware will be cited for school property abuse and the student's parent or guardian will be financially responsible for any damages.
- Students are expected to respect and not attempt to by-pass security in place on computers. Changing or attempting to change a computer's settings is a violation of acceptable use of our equipment.
- Students will observe software copyright laws. No students will bring software from home to copy on school workstations, nor will students copy school software for personal use.
- When using the Internet, students' actions will be closely supervised. They will be held responsible for information viewed, received, and sent.
- Students are expected to respect the work and ownership rights of students, staff, and people outside the building. Attached to this Student/Family Information Book is the "Tierra Encantada Charter School at Alvord Technology Acceptable Use Agreement Form" that you and your student will be required to sign before your student will be permitted to use TECS technology and related equipment. Violation of the computer use policy may result in a student losing his/her privileges.

7.3 NO EXPECTATION OF PRIVACY School network spaces are analogous to student desks or lockers and may be inspected when network maintenance becomes necessary or if students are suspected of abusing access rights, and to ensure compliance with TECS policy and applicable laws and regulations.

PARENT/SCHOOL COOPERATIVE AGREEMENT

As the parent(s)/guardian(s) of _____ attending Tierra Encantada Charter School (“TECS”), I/we want and expect to be active participants in our student's education.

I/We support the high academic and performance standards of TECS. I/We understand that we need to facilitate our students' on time arrival and preparedness for all classes.

I/We understand that exceptional attendance is crucial to the educational process, and the students should miss no more than 10 days during the school year with written excuses from parents or authorization by TECS administration.

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

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

I/We have received and reviewed the TECS Student & Parent Handbook. I/We understand the policies set forth in the handbook and agree to abide by TECS policies and procedures and to ensure that our student follows the rules of the school.

Parent/Guardian (Print) Parent/Guardian (Signature) Date

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT ANNUAL NOTICE

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that TECS, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your student's education records. However, TECS may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the TECS to include this type of information from your student's education records in certain school publications. Examples include:

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

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

listings - unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent. If you do **not** want TECS to disclose directory information from your student's education records without your prior written consent, you must notify TECS in writing by_____. TECS has designated the following as directory information:

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

By signing this document I, _____, parent/guardian of _____, a student at Tierra Encantada Charter School at Alvord, acknowledge that I have read and understand the FERPA policy stated above. I am requesting that TECS does *NOT* disclose directory information about my student such as name, address, telephone number, email address, date, place of birth, honors and awards, and dates of attendance. I understand that this directive shall remain in effect until I withdraw or modify it in writing.

Printed Name: _____

Signature: _____

Date: _____

TIERRA ENCANTADA CHARTER SCHOOL

Bullying Complaint Form

STUDENT INFORMATION:

Name

Grade

COMPLAINT FILED AGAINST

Name

INCIDENT

Date

Location

Is this the first time this has happened? YES NO

Is this the first time you are reporting this? YES NO

DESCRIPTION- PROVIDE AS MUCH DETAIL AS POSSIBLE WITNESSES (IF APPLICABLE)

Name

REPORT INFORMATION Today's Date

Did anyone help you fill out this form? YES NO

If yes, who?

OFFICE INFORMATION Who received this complaint form?

Position

Date Received

_____ .
ID#

Phone Number

Home Address

Grade (or position if not a student) _____

Time

Grade/position _____

Phone number

Grade/position _____

Phone number

Grade/position _____

Phone number

TIERRA ENCANTADA CHARTER SCHOOL

Technology Acceptable Use Agreement Form

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

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

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

- I understand that all computer use must be for educational purposes as directed by my teacher.

- I will not download or play any non-educational games on a school computer.
- I will not use any instant messaging or chat programs.
- I will not download or play music or videos from the Internet, unless directed by my teacher.
- I will not use any non-school email address while at school.
- I will respect personal privacy for others and myself.
- I will not give out any personal information about anyone else (home address, Telephone number, etc.)
- I will get permission from my teacher before giving out any personal information about myself.
- I will not give my password(s) to any other users.
- I will only use my computer account and won't use anyone else's login id and/or password.
- I will not copy, change, read or use files that belong to another user.
- I will not copy any personal software onto any computer at school. I understand that educational technology is available for the use of all students.
- I will not deface, damage or destroy the equipment.
- I will not waste or take supplies such as paper, printer supplies or diskettes provided by the school.
- I will follow the school's computer use rules.
- I will follow the rules of network etiquette, which include use of appropriate language and polite responses.
- I understand that abusive language (including name calling and swearing) and bullying is prohibited.
- I understand that I must follow state and federal rules when using technology.
- I will not try to bypass the security measures of any computer equipment.

- I will not knowingly create or introduce any virus to TECS equipment.
- I will not send or distribute unethical, illegal, immoral, inappropriate or unacceptable information of any type through electronic mail or telecommunications.
- I will follow the rules listed above or lose my computer privileges and face other consequences.

- I understand that copyright laws protect software and ideas.
- I will not copy information received from any source and say that it is my work.
- I will list all sources of information that I use in my projects and work.
- I will not make copies of any software found on TECS equipment or on the Internet.
- I understand that I have not expectation of privacy in connection with my use of school computers.

SCHOOL at TIERRA ENCANTADA IS A PRIVILEGE, NOT A RIGHT

STUDENT ACKNOWLEDGEMENT :

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

Student Signature _____ Date _____ Grade _____

PARENT OR GUARDIAN

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

Parent or Guardian names

(Please print) _____

Parent or Guardian _____ Date _____

School Year _____ Signature _____