



Student Handbook

2024-2025



**The Mission and Vision
Of
Alma d'arte Charter High School**

Mission Statement:

“To Graduate Artist-Scholars Prepared to Succeed”

This mission statement was a salient evolution in the school’s history several years ago. Its creation resulted from collaboration by all stakeholders in the Alma community- students, parents and staff. The statement intentionally defines the stature of our students upon completion of our program. All decisions in our school reference this mission.

Each portion of the Mission Statement is further defined within ensuing sections of this handbook. Briefly, **“To Graduate”** involves students completing required and elective credits and achieving passing scores in five Demonstration of Competency areas. An **“Artist-Scholar”** has learned and displayed abilities to create, perform and appreciate the arts. Finally, **“Prepared to Succeed”** relates to the student’s capability to pursue any avenue of post-secondary education and employment of their choosing.

Vision Statement:

“Our vision is to become the preeminent school for the Arts in the Southwest”

By definition, **“preeminent”** means **outstanding, foremost** and **greatest**. We can assess our progress towards preeminence by reviewing the status of achieving our Mission Statement. This does not involve comparing our school to other institutions. Rather, a diligent and purposeful approach to achieving our mission is the superior means of becoming the preeminent school for the Arts in the Southwest.



INTRODUCTION

Welcome to Alma d'arte Charter High School. The staff of Alma d'arte Charter High School is here to encourage, motivate and assist you in achieving your dreams of receiving a diploma and continuing with a post-Secondary education and a career. Do not hesitate to ask questions and expect guidance!

CHANGE OF RESIDENCE/EMERGENCY INFORMATION

It is the responsibility of parents, guardians and students over 18, to inform the school of any change of address, telephone number or emergency information. Parents must provide a manner to receive both written (US mail) and oral communication (telephone, cell phone) regarding their student.

Information needed, but is not limited to the following:

- Home Address and current telephone number, including cell phone number
- Employment/Business addresses and phone numbers
- Relative/Friend's name, address and telephone numbers authorized to pick up and care for the student in an emergency, if the parent/legal guardian cannot be reached.
- Parents of students with disabilities should also have the name of any other designated adult who can receive their son/daughter in case of an emergency.

Students will not be released to anyone not listed on the emergency card unless the parent/legal guardian has provided written authorization on a case-by-case basis. Parents are required to update this information as soon as it is changed.

The school is not responsible for a parent/guardian/student's failure to update contact information.

EQUAL OPPORTUNITIES/NONDISCRIMINATION STATEMENT

- A. **EQUAL OPPORTUNITY.** Alma is committed to providing a working and learning environment that is free from unlawful discrimination and harassment. Alma prohibits discrimination and harassment based on an individual's age, ancestry, color, disability (mental or physical), marital status, national origin, race, religion (including religious accommodation), sex (actual or perceived, including pregnancy, childbirth or related medical condition), sexual orientation, or based on a person's association with a person or group with one or more of these actual or perceived characteristics. This nondiscrimination policy covers admission or access to, or treatment, or employment in all Alma's programs and activities, including vocational education. The lack of English skills will not be a barrier to admission to or participation in Alma's programs or activities. Alma prohibits retaliation against anyone who files a complaint or who participates in a complaint investigation. Federal law, Title IX, State law and Alma's policy prohibit anyone from discriminating against any student based on actual or perceived sex, sexual orientation, and gender (including gender identity, marital status, pregnancy, childbirth or related medical condition). Students who feel that their rights are being violated have the right to act and should



not be afraid of trying to correct a situation by speaking to a school administrator, counselor, or trusted adult at school, or filling a complaint. Students are encouraged whenever possible to try to resolve their complaints directly at the school site.

B. PREGNANT OR PARENTING STUDENTS. Pregnant or parenting students, regardless of their marital status, have the right to attend school, and to participate in any program or activity for which they would otherwise qualify in an environment free from discrimination or harassment. Classes, programs and materials offered to pregnant and parenting students must be equal to those offered to other students and students must be provided access to those classes needed to complete their course of study. Pregnant and parenting students have a right to participate in school classes, programs and activities and it is the school's responsibility to make reasonable accommodations to keep pregnant students safe on campus and facilitate their continued participation.

C. BICYCLES, MOTORCYCLES, MOPEDS AND AUTOMOBILES.

Students who ride bicycles to and from school assume full responsibility for their care and use.

Students operating motorcycles, mopeds or automobiles to and from school assume the full responsibility for their care and use.

The director may deny the privilege of riding a bicycle to school or driving to school for any student who fails to comply with state law or school rules and regulations. Parents will be notified if privileges are revoked.

D. FOOD

Breakfast and Lunch are served for no charge to all students.

E. MAKE-UP WORK. Make-up work must be completed in a timely fashion. All make-up work will be graded as assignments are completed and submitted. Teachers manage this process, with oversight and support administration. It is the responsibility of the student to get from their teachers, all class work missed due to absences and to properly complete all work hand it in to their teacher on time.

F. STUDENT ENTRANCE REQUIREMENTS

Birth Documentation and Verification of Age and Residence, Immunization of Student

The parent or guardian of a student entering Alma for the first time must submit a birth certificate or other satisfactory evidence of age and legal name. A proof of address must also be submitted at time of registration.

New to-the-School Students- Entrance Age- School Admissions

Alma d'arte Charter High School is for all students 14 years (entering the 9th grade) .

Immunization of Students

Immunization records that include proof of immunization with appropriate doctor's signature or New Mexico Department of Health Official's signature are kept appropriately with student records.



Student and Parent must also sign and agree to STUDENT BEHAVIOR CONTRACT

in order to attend Alma d'arte.

- G. **STUDENTS WITH DISABILITIES UNDER SECTION 504.** Section 504 of the Rehabilitation Act of 1973 (Section) is a federal civil rights law that prohibits discrimination against individuals with disabilities in programs and activities that receive financial assistance from the U.S. Department of Education. Discrimination/harassment in any form toward individuals based on their actual or

perceived disability is unacceptable and will not be tolerated. Alma will promptly investigate all complaints of disability-based discrimination/harassment and take reasonable actions to stop future incidents of discrimination/harassment. Section 504 also requires that students with disabilities be provided a free and appropriate public education (FAPE), a program designed to meet the educational needs of students with disabilities as adequately as the educational needs of students without disabilities. For students who are not eligible for special education services but meet the federal definition of disabled under Section 504, a Section 504 Plan is developed which indicates the accommodations, supplementary aids and/or services that will be provided to assist the student in accessing the general education program. Parents or guardians must be notified in writing of any Alma's decisions regarding the identification, evaluation and/or educational placement of students and their right to participate in, and/or appeal these decisions under Section 504.

- H. **STUDENTS WITH DISABILITIES AND SPECIAL EDUCATION.**

Students learn in a variety of ways, with most students learning effectively in a traditional school setting. However, sometimes students with disabilities need services beyond accommodations and modifications to the general education program. Students with disabilities may be eligible to receive special education services as determined by an Individualized Education Program (IEP) team, which includes the student's parent/guardian. Special education services are designated to meet the unique educational needs of students with disabilities and are provided at no cost to parents. To the maximum extent appropriate, students with disabilities must be educated with their nondisabled peers in the general education environment at the school they would attend if they were not disabled. Parents of school aged students who suspect their son/daughter may have a disability who may need special education should contact the administrator. The **Handbook: Parental Rights and Special Education Procedures** is available at www.ped.state.nm.us/seo/parents.index.htm (Including Procedural Rights and Safeguards).



IMPORTANT NOTICE INFORMATION

A. PARENTS' RIGHT TO KNOW ABOUT TEACHERS' CREDENTIALS.

Parents may request to be notified of the professional qualifications of their son/daughter's teacher in core academic subjects. This information includes:

- The type of credential the teacher holds.
- The teacher's college degree(s) and major(s)

A parent may also request information regarding the professional qualifications of an educational assistant who provides services to his/her son/daughter. Additionally, schools must provide timely notice to the parents of a son/daughter who has been assigned to, or has been taught in, a core academic subject for four or more consecutive weeks by a teacher who does not meet the NMPED teacher requirements.

B. RESTITUTION/PARENT LIABILITY.

New Mexico Statutes Annotated 32A-2-27 provides that any act of willful misconduct of a minor which results in any injury to the property or person of another, the parent or guardian shall be liable for any damages resulting from willful misconduct.

C. SCHOOL AND PUPIL RECORDS FEDERAL AND STATE LAWS AFFECTING FAMILY EDUCATIONAL RIGHTS AND PRIVACY.

The Family Education Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. The privacy of school records is protected by federal and state laws which cover nearly every type of pupil record maintained by local schools or school district central offices. Such records might include information about attendance, health, grades, behavior, athletic ability or activities in class. The law generally prohibits the release of pupil records information without written consent of the parent or adult students (18 years or older). Records or information maintained by the school official exclusively for personal reference or use are not considered pupil records and are not subject to federal and state privacy laws. Unless otherwise prohibited by law, any natural parent, adopted parent or legal guardian may have access to and review the educational records of their son/daughter. School employees and officials who have a legitimate educational interest, including district or NMPED officials, have a right to access pupil record information without the consent of the parent or student. A "legitimate educational interest" is defined as a need for the employee/official to access pupil record information in order to perform his/her job duties. In



general, other individuals or agencies may be authorized to access, review and/or obtain pupil records by court order, parent/guardian consent or by statute.

D. STUDENTS LEARNING PROGRAM.

Alma provides learning programs for **high school age students**. Each of our student learning programs involve instructional oversight and personal academic advisement on campus.

E.

F. **DIRECTORY INFORMATION.** Directory information is routine information maintained by Alma about students. It is this special category of student record information that does not require the same level of confidential treatment as educational record information. Under the law, the school may identify certain categories of information as directory information and may publish directory information to certain individuals, officials and organizations without consent. Parents and/or adult students have the right to limit or deny the release of any portion of directory information. All the following items of directory information relating to a pupil may be released unless a written request is on file to withhold its release. See attached form.

- [Name
- [Address
- [Telephone
- [Date of Birth
- [Dates of Attendance
- [Previous School(s) attended

ADMINISTRATING MEDICINES TO STUDENTS

PRESCRIPTION OR OVER THE COUNTER MEDICATION. Alma d'arte Charter High School does not administer medication to students. If a student is required to take a prescription medication, they must check it in with the front desk staff. We do encourage that the student takes the medication before coming to school. We do not administer any over the counter medication.

ATTENDANCE POLICY

Students must attend classes each day, as their educational plan and attendance contract mandate. Also, New Mexico law requires that class attendance be taken for every instructional day in every public school. Attendance at Alma d'arte is essential for each student to be successful.

TARDY POLICY. All tardies are considered unexcused unless excused by an administrator. A student who is more than 20 minutes late to class will be marked absent from that class, unless authorized by an administrator to be counted present or another designation. Students who are repeatedly tardy will have a conference with the Director or Principle. Enrollment at Alma d'arte Charter High School is a **CHOICE**, and students may not have habitual tardiness, as per the signed enrollment contract.

ABSENCES. All absences must be documented. Parent phone calls or notes are required for all absences.

SCHOOL TRUANCY POLICY:



NOTIFICATION OF ABSENCES: The following actions will be taken to ensure that parent(s)/guardian(s) are aware of student absenteeism and school attendance policies:

- Third unexcused absence- 1st letter will be mailed and a phone call to the parent/guardian or student over 18 explaining Alma's attendance policy and New Mexico's Compulsory Attendance law.
- Fifth unexcused absence- 2nd letter will be mailed out to the parent/guardian or student over 18 explaining Alma's attendance policy and New Mexico's Compulsory Attendance law.
- Seventh unexcused absence- 3rd letter is sent out to the parent/ guardian or student over 18 explaining Alma's attendance policy and New Mexico's Compulsory Attendance law.
- Tenth unexcused absence- Final letter is sent and a final phone call to the parent/guardian or student over 18 explaining Alma's attendance policy and New Mexico's Compulsory Attendance law.
- **After Alma d'arte Charter High School has exhausted the above-described efforts to keep the student in the educational setting, without a meaningful attempt on the part of the student to attend school, students 18 years old or above will be dropped from the school's roll after ten consecutive days of unexcused absences. Students under 18 years old will have Court papers filed with the JPO office.**

Student and Parent/Guardian must sign an ATTENDANCE CONTRACT in order to attend Alma d'arte.

APPEALS OF ATTENDANCE-RELATED ACTIONS: Actions taken by a student's teacher due to absences may be appealed to the Dean of Students.

WITHDRAWAL AND TRANSFERS

Students must check out officially through the Registrar's office to clear records for release to another school, the military, etc. All students are also required to "checkout" of school on the last day of the school year including graduating seniors. Check out forms will be distributed by teachers and collected at the end of the final day. Seniors will collect their checkout form from the Registrar's office and returned to Alma's Director/Principle.

MISSING PANELS AND FINAL EXAM PROCEDURES/GRADING

Any student missing panels, finals or leaving school without prior permission before taking panels or finals will receive a grade of "F" or "0" for the panel or final exam missed. Except under extenuating circumstances arranged in advance with the Director/Principle, Finals or Panels will not be given to any student earlier than scheduled. If the student disenrolled before Panels and Final Exam, the grade will reflect an "F" or "0" for the Panels and Final Exams. This procedure is followed at all grade levels.

LEAVING CAMPUS

Any student ages 14-17 years old must be signed out by parent/guardian before leaving campus. The school must be notified by a letter or phone call to allow the student to leave with someone else other than the parent/guardian or relatives that are able to pick them up. **Under no circumstances will a student be able to leave without being signed out at the front desk with the attendance clerk.** Students 18 years old and older can sign themselves out when leaving campus. Alma d'arte is a closed campus and no



student should be leaving campus without permission. If a student is caught leaving campus without permission the following steps are taken:

- First attempt: Parent/ Guardian are notified that the student has left campus.
- Second attempt: Parent/Guardian is notified that student is in ISS (Inner school suspension) for three days
- Third attempt: Parent/Guardian is called in for a conference with the Director/ Principle and is suspended for three days.

LUNCH: Alma d'arte is closed campus for lunch for grades 9th-11th. Seniors must fill out an Off-Campus Privilege form to leave campus for lunch. This form must have a parent/guardian signature and the approval of the Director/Principle. Also, must sign out at the front desk with the Attendance Clerk.

DRESS CODE

ATTIRE- Article or aspects of personal appearance including, but not limited to clothing, headwear, jewelry or accessories, wearable technology, book bags, body art, tattoos, or sunglasses.

The student dress code will be implemented equitably regardless of students' race, color, creed, national origin, immigration status, religion, physical, mental or educational disability, pregnancy, age, gender expression, gender identity, genetic information, sexual orientation, marital status, veteran status, socioeconomic status, body type, body size or personal style.

1. Students will wear attire that contributes to a safe school environment conducive to learning.
2. Students may wear attire of their choice that is otherwise not prohibited.
3. Students may wear attire that aligns with their gender, gender expression or gender identity.
4. Students may wear religious attire without fear of discipline or discrimination.
5. Students must wear:
 - Shirt
 - Bottom (e.g., pants, sweatpants, shorts, skirt, dress and leggings)
 - Shoes (curricular- specific and activity-specific shoe requirements are permitted)
6. Students are permitted to wear:
 - Hats, hoods and headwear (so long as the student's face is visible and wearable technology is visible to ensure it is not interfering with instruction and student safety)
 - Ripped Jeans, as long as undergarments are not exposed
 - Tank tops, including spaghetti straps, halter tops and strapless tops
 - Athletic attire
 - Clothing with commercial or athletic logos

Certain body parts must be covered for all students. Clothes must be worn in a way such that the chest, midriff, pelvic/groin area and buttocks are covered opaque material.

Students are **NOT PERMITTED TO WEAR ATTIRE**, including wearable technology that is disruptive to the school environment, that promotes illegal or harmful activities, or that could endanger the health or safety of that student or others during school hours and school-related activities.

PROHIBITED ATTIRE INCLUDES, BUT NOT LIMITED TO:



- Attire that depicts profanity, hate speech, obscenity, the use of weapons, or violence
- Attire that promotes use of tobacco, drugs, alcohol, or other illegal or harmful products
- Attire that promotes, implies or contains sexually suggestive messages
- Attire that exposes or reveals the chest, midriff, pelvic/groin area and buttocks
- Visible underwear or bathing suits (Visible waistbands or straps on undergarments worn under other clothing are not a violation.)
- Helmets or headgear that obscure the face, except as a religious obligation, observation of a religious holiday, or for a school related activity
- Attire that depicts gang affiliation
- Attire that contains language or symbols that demean an identifiable person or group or otherwise infringes on the rights of others.
- Attire that causes or is likely to cause a material disruption, a substantial disorder to school activities or the orderly operation of the school, or an invasion of the rights of others
- May damage school property
- Wearable technology and other attire when it interferes with instruction or student safety.

If a parent or student believes that the student, for religious obligations or medical reasons, must wear attire prohibited by this policy, the parent or student will consult with the Director/Principle.

The administration will determine what is and is not acceptable attire. **WARNING: YOU MAY BE REQUIRED TO ALTER YOUR ATTIRE BEFORE BEING ALLOWED TO ATTEND CLASS.**

VIOLATIONS OF DRESS CODE will result in the following consequences:

- **First Violation:** Conference with the Director/Principle, attire adjusted to follow dress code.
- **Second Violation:** Conference with the Director/Principle and parent(s), attire adjusted to follow dress code, student placed on a second behavior contract.
- **Third and Subsequent Violations:** In accordance with the behavior contract

VISITORS TO SCHOOL CAMPUS

Visitors must sign in with the Attendance Clerk/Front Desk. During class time, no visitors are allowed, unless with the approval of an administrator.

STUDENT PARKING

Students who drive to school can park in the perimeter around the school. We advise them to lock their vehicle and take all personal belongings with them. Alma d'arte Charter High School will not be held responsible for lost or stolen items.

STUDENT DISCIPLINE/RESTORATIVE PRACTICES POLICY

The vision for our restorative system has three goals:

- 1) take behaviors offstage that get in the way of other students' learning,
- 2) build capacity for self-regulation and reflection,



3) a logical and efficient consequence that encourages positive choices in the future.

Each interaction students have with the principal leaves the student more aligned: their actions, aspirations, and feelings are all aligned. Teachers will transition to using Merit-Reminder-Deduction language to support the Restorative System.

Reflection Days are designed for scholars to look back at the harm they caused, plan a way to mend it and reconnect with the best version of themselves. There are three types of Reflection Days:

- **In-Class Reflection Day:** Scholars spend a day in a quiet space and work with the principal or designated person to complete a reflection packet during non-instructional time. Examples of behaviors leading to this consequence include broadly offensive language and dangerous behavior (such as throwing objects) that is not directed at a specific person.
- **In-School Reflection Day:** Scholars spend a full day in In-School Suspension (ISS) and work with the principal to complete a reflection packet throughout the day. Students do not participate in academic instruction but are required to complete their classwork independently in ISS. Examples of behaviors leading to this consequence include, but are not limited to, offensive language and physical altercations directly specifically at others, major and permanent vandalism, substantial theft (where not admitted).
- **Out-Of-School Reflection Day:** Students spend a full (or multiple) days out of school and complete a reflection packet remotely, with a phone call from the principal or designated person during the reflection period and an in-person meeting prior to returning to their classroom community. Examples of behaviors leading to this consequence include, but are not limited to, threatening substantial harm with detailed means, escalated physical altercation, possession of contraband.

Students receiving interventions will have behavioral and academic data tracked by the principal or designated person. If after 6 to 7 weeks of interventions a student does not demonstrate improvement, the principal or designated person might conduct a formal Functional Behavior Assessment (FBA). The FBA is based on behavior data and may include an analysis of the student's behavior at home and at school, with input from parent and student, as well as teachers. This analysis helps the team to determine the causes, or triggers, that contribute to behaviors that distract from learning. The FBA enables the school to create a more robust intervention plan to support that student.

All restorative plans are evaluated each Data Day and decisions will be made to either (1) discontinue or de-scaffold plans because of student success, (2) move a student into a more supportive tier of Behavior MLSS, or (3) revise a plan to make it more effective for the student.

When students successfully complete their intervention, they'll have the opportunity to reflect and share about this experience with the principal or designated person. These questions include:

1. What skills did you learn while participating in this restorative process?



2. Can you share a time where you put these skills into practice?
3. What went well in your time with the Restorative Team?

4. What advice do you have for a new student going through this Restorative process?
5. How can you support your classmates now that you've been through the restorative process?

Parents are notified by phone first (more serious situations, the parents are asked to come in and visit with the administrator in person) after the investigation with all parties about the incident. A Redirection form is given to the parent, student, and Platica teacher to sign the day the incident happens, unless an arrangement is made with the parent to have the student take the form home and return the following day.

A parent can appeal the decision after the redirection form has been discussed and formal documentation is provided of the decision to appeal. Please see the appeal process in this handbook.

ANTI BULLYING/HAZING AND HARASSMENT POLICY

Effective education of our students requires a school environment in which students feel safe and secure. Alma is committed to maintaining an environment conducive to learning in which students are safe from violence, threats, name calling, intimidation and unlawful harassment. Alma will not tolerate bullying or any behavior that infringes on the safety or well-being of students, employees, or any other persons within the school's jurisdiction; and will not tolerate retaliation in any form when bullying or harassment has been reported. This rule governs conduct while in school, at school events, and traveling to and from school.

*****BULLYING and HARASSMENT*****

DEFINITION OF HARASSMENT means knowingly pursuing a pattern of conduct that is intended to annoy, alarm or terrorize another person and can include but is not limited to verbal or physical conduct based on a student's actual or perceived race, color, national origin, gender, religion, disability, age or sexual orientation and any other protected class which has the purpose or effect of substantially interfering with a student's educational performance or creating an intimidating, hostile or offensive environment. Sexual Harassment of students and hazing are further addressed below.

EXAMPLES OF HARASSING BEHAVIOR (NOT A COMPLETE LIST):

- **Telling, passing around or forwarding by technology; offensive jokes, stories, etc.**
- **Teasing or kidding with sexual, racist or bigoted overtones or innuendo.**
- **Use of offensive, coarse language, including slurs, slang and vulgarity; or displaying offensive or suggestive objects or pictures, cartoons, calendars, etc.**
- **Inappropriate physical contact**



DEFINITION OF BULLYING is an aggressive behavior that involves an imbalance of real or perceived physical or psychological power among those involved. Bullying behavior includes any repeated and pervasive written, verbal or electronic expression, physical act or gesture. **Typically, the behavior is repeated over time and includes the use of hurtful words and/or acts.**

Examples of bullying behaviors are:

- **VERBAL:** Hurtful name-calling, teasing, gossiping, making threats, making rude noises or spreading hurtful rumors.
- **NONVERBAL:** Posturing, making gang signs, leering, staring, stalking, destroying property, using graffiti or graphic images, or exhibiting in appropriate and/or threatening gestures or actions.
- **PHYSICAL:** Hitting, punching, pushing, shoving, poking, kicking, tripping, strangling, hair pulling, fighting, beating, biting, spitting or destroying property.
- **EMOTIONAL(PSYCHOLOGICAL):** Rejecting, terrorizing, extorting, defaming, intimidating, humiliating, blackmailing, manipulating friendships, isolating, ostracizing, using peer pressure, or rating or ranking personal characteristics.
- **CYBER BULLYING:** Sending insulting or threatening messages by phone, e-mail, web sites or any other electronic or written communication.

DEFINITION OF NAME CALLING means the chronic, habitual or recurring use of names or comments to or about a student regarding the student's actual or perceived physical or personal characteristics when the student has indicated by his or her conduct that the names or comments are unwelcomed, or when the names or comments are clearly unwelcome, inappropriate or offensive.

PROHIBITIONS:

- It is the policy of Alma to prohibit violence, threats, name-calling, bullying, unlawful harassment, intimidation, assault, battery, extortion, robbery, vandalism and other victim-based misconduct that creates an intimidating, hostile, or offensive environment, regardless of motive or reason. Alma will not tolerate such victim-based misconduct by student or staff.
- No person shall be subject to reprisals for good faith reporting or participating in the investigation of a potential violation of this policy.
- No employee or student may knowingly give false reports or information under this policy.

REPORTING:

- It is the express policy of Alma d'arte to encourage students who are victims of or witnesses to such physical or verbal misconduct to report such claims. Students or their parents may report such conduct to the director/Principle, teacher or member of staff.
- Any person (student, staff or faculty) who, as a result of personal observation or a report, has reason to believe that a student is a victim of bullying, harassment or other conduct prohibited by this policy, whether the conduct is by another student or by an employee, shall notify the Dean of Students / Chief Academic Officer of such observation immediately.

INVESTIGATION:



- Any Staff Member who receives complaints of conduct which violates this policy shall report the complaints to the Dean of Students.
- All reports of misconduct in violation of this policy shall be promptly investigated by the Dean of Students or his/her designee.
- In assessing the existence of a violation of this policy and the appropriate discipline, the Dean of Students or Designee shall consider the nature and extent of the conduct, the age of the student(s) involved, the context in which the alleged conduct occurred, and any prior history of conduct prohibited by this policy on the part of the violator.
- If crimes/delinquent acts are suspected or discovered, Dean of Students / Chief Academic Office shall notify law enforcement authorities.
- Retaliation against someone who reports bullying/harassment or who cooperates with an investigation is prohibited.

CONFIDENTIALITY:

- The identities of those reporting violations of this policy and those cooperating in the investigation of alleged violations shall be kept confidential to the extent consistent with the requirements of a full and fair investigation, the due process rights of persons charged with violations and state and federal law.

SANCTIONS:

- Any student who is found to have engaged in conduct prohibited by this policy shall be subject to discipline, including but not limited to =, suspension or expulsion, subject to applicable procedural requirements, and to any applicable limitations imposed by state and federal disabilities law.
- Knowingly making false reports shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

*****HAZING*****

HAZING is dangerous to the physical and psychological welfare of students and is prohibited.

DEFINITION OF HAZING includes but is not limited to: Engaging in offensive or dangerous physical contact, restraint, abduction, isolation or subjecting a student to any dangerous, painful, offensive or demeaning conduct, or conduct likely to terrorize or create extreme mental distress, for any purpose, including as a condition of membership or initiation into any class team, group or organization sponsored by or permitted to operate under the auspices of the school.

PROHIBITION:

Hazing is prohibited at Alma at any time and any place while on Alma d'arte campus. Any conduct that could be construed as hazing is prohibited during school, during all school sponsored activities and events, whether held on or off school property.

ENFORCEMENT AND REPORTING:

School officials, employees and volunteers

- Shall not permit or tolerate hazing



- Shall intervene to stop hazing that is threatened, found or is reasonably known or suspected to be occurring
- Shall report known or suspected hazing to the School Director/Principal.

Any student who believes he or she or another person has been the victim of hazing shall report the matter to the Dean of Students / Principal / Chief Academic Officer.

INVESTIGATION:

- All reports of hazing shall be investigated by the School Director/Principal or his/her designee.
- Upon completion of the investigation, the Director shall prepare a written report and decide regarding student discipline. Where violations of law may have occurred, the Director/Principal shall notify the appropriate law enforcement agency.
- Retaliation against someone who reports hazing or who cooperates with an investigation is prohibited.

DISCIPLINE:

Students found to have engaged in hazing shall be subject to discipline by the Director/Principal according to applicable procedural requirements. Such discipline may include suspension or expulsion.

*****SEXUAL HARASSMENT*****

DEFINITION OF SEXUAL HARASSMENT is inappropriate or unwelcome conduct of sexual nature.

Conduct of a sexual nature may include, but is not limited to:

- Verbal or physical sexual advances, including subtle pressure for sexual activity.
- Repeated or persistent requests for dates, meetings and other social interactions.
- Repeated or persistent use of obscene, profane or words having sexual connotations after being asked to stop such conduct including, but without limitation, writing or drawing graffiti on school property containing sexual content.
- Sexually oriented touching, pinching, patting, staring, pulling at clothing, or intentionally brushing against another.
- Taking, showing or giving sexual pictures, photographs, illustrations, messages, or notes, this includes but is not limited to “sexting” (the act of sending a nude or sexually suggestive photo or video of oneself or an explicit text message to another person’s cell phone).
- Comments or name calling to or about a student regarding alleged physical or personal characteristics of a sexual nature.
- Sexually oriented kidding, teasing, double-entendres and jokes.
- Any harassing conduct to which a student is subjected because of or regarding the student’s sex.

REPORTING:

Students who feel they have been sexually harassed by a school employee or by another student or students should report such claims.

REPORTING SEXUAL HARASSMENT BY A SCHOOL EMPLOYEE:



- Any student who believes he/she has been subjected to sexual harassment/conduct of a sexual nature by a school employee should tell the Director/Principal.
- If a student believes he/she has been sexually harassed by a school employee feels uncertain about who to tell, or feels uncomfortable telling staff, an administrator or the Director/Principal, the student should tell his/her parent(s) about the problem and ask for the parent(s) help in reporting the sexual harassment to appropriate school personnel.
- If a student believes he/she has been sexually harassed by the Dean of Students / Principal / CAO or by an any other administrator, the student should report the conduct to the Governing Board or seek the assistance of his/her parent(s) in reporting such harassment to the Governing Board.

REPORTING SEXUAL HARASSMENT BY A STUDENT OR STUDENTS:

- Any student who believes he/she has been subjected to sexual harassment/conduct of a sexual nature by another student or other students should report the conduct to a teacher, administration or Director/Principle.
- If a student believes he/she has been sexually harassed by another student or students, and feels uncertain about who to tell, or feels uncomfortable telling the Dean of Students / Principal / CAO, the student should tell his/her parent(s) about the problem and ask for the parent(s) help in reporting the sexual harassment to appropriate school personnel.

INVESTIGATION:

All reports of sexual harassment of students will be appropriately and promptly investigated by the Dean of Students / Principal / CAO or his/her designee. In determining whether alleged conduct constitutes sexual harassment, the totality of the circumstances, the nature of the conduct and the context in which the alleged conduct occurred will be investigated. Retaliation against anyone who reports harassment or cooperates with an investigation is prohibited.

SANCTIONS

Any student found to have engaged in sexual harassment will be subject to discipline, including but not limited to, suspension or expulsion. If crimes/delinquent acts are suspected or discovered, the Director/Principal shall notify law enforcement authorities.

DRUG AND ALCOHOL-FREE CAMPUS

ALMA D'ARTE CHARTER HIGH SCHOOL IS TOBACCO, DRUG AND ALCOHOL FREE.

Possession or use of any tobacco and/or vape products or substitutes, lighters and/or matches by students is prohibited in school and in all school grounds or any school activities whether on or off campus.

STUDENT DRUG AND ALCOHOL POLICY

DEFINITIONS:

- ALCOHOL- Any liquor, wine, beer or other beverages containing alcohol.
- DRUG-Any drug including illegal drugs, marijuana, inhalants, legal-prescription and over-the-counterdrugs used for unauthorized purposes and counterfeit (look-alike) substances.
- DRUG PARAPHERNALIA, EQUIPMENT OR APPARATUS- Any item designed for or used for the purpose of measuring, packing, distributing or facilitating the use of drugs.



USE PROHIBITED:

It is a violation of the Alma d'arte drug and alcohol policy to possess, sell or use or be under the influence of alcohol or drugs (except as medically prescribed), or to possess drug paraphernalia, lighters, equipment or apparatus on school property or while involved in school activities on or off campus. A student may be searched by the Administrator/Principal if suspected of suspicion of carrying or drug use. Drug dogs may be utilized for searches.

BASIS FOR DISCIPLINARY ACTION:

A student may appropriately be disciplined by administrative authorities for violating Drug, Alcohol and Substance Policy. The existence of a specific rule is not a prerequisite for disciplining a student for policy violations which endangers the health or safety of students, school personnel, or others for whose safety the public charter school is responsible for.

SELECTION OF DISCIPLINARY SANCTIONS:

Within legal limits, the Governance Council has the discretion to determine the appropriate consequences to be imposed for violations of rules. The Governance Council authorizes administrative authorities to make such determinations at such levels and in such decisional framework(s) as appropriate.

SCHOOL DISCIPLINE AND CRIMINAL CHARGES

Appropriate disciplinary actions may be taken against students regardless of whether criminal charges are also filed in connection with an incident.

NONDISCRIMINATORY ENFORCEMENT

Administrative authorities shall not enforce school disciplinary rules or impose punishments in a manner which discriminates against any student based on race, color, religion, age, sex, national origin, ancestry, disability, marital status, sexual orientation or political affiliation, except to the extent otherwise permitted or required by law or regulation. This policy shall not be construed as requiring identical treatment of students for violation of the same rule; it shall be read as prohibiting differential treatment, which is based on race, color, religion, age, sex, national origin, ancestry, disability, marital status, sexual orientation or political affiliation, rather than on other differences in individual cases of students.

DETENTION, SUSPENSION AND EXPULSION

Where detention, suspension and/or expulsion is determined to be the appropriate penalty, it may be imposed only in accordance with procedures that provide at least the minimum safeguards prescribed below. Suspensions or expulsions of special education students shall be subject to the further requirements as required by law.

DISCIPLINE OF SPECIAL EDUCATION STUDENTS

Special Education students are not immune from school disciplinary processes, nor are they entitled to remain in a particular educational program when their behavior substantially impairs the education of other children in the program. However, the individual educational needs of exceptional children must be met to the extent that state and federal law requires. Accordingly, before a long-term suspension or expulsion may be imposed on a special education student, school authorities shall seek to determine whether the objectionable conduct is caused by a failure to provide the student with an appropriate



educational plan. It is the policy of Alma d'arte Charter High School Governance Council to comply with all state and federal regulations governing the discipline of students with disabilities, as set forth in the code of conduct.

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

IMMEDIATE REMOVAL: Nothing herein shall be construed as limiting the administrative authority's ability to remove a special education student from school immediately under emergency conditions. However, the IEP Team meeting shall be held within ten (10) days of removal to determine whether the misconduct is part of the student's handicapping condition. If the behavior is part of the student's handicapping condition, an alternative placement must be implemented prior to accumulation of ten (10) days of suspension.

ENFORCING CONSEQUENCES* FOR VIOLATION OF STUDENT DRUG, ALCOHOL AND SUBSTANCE POLICY:

CONSEQUENCES and ACTIONS may include, but not limited to, one or more of the following:

- Investigation of violation by administrative staff.
- Student conference and monitoring.
- Parent/Student conference.
- Referral counseling.
- Referral for needed student support.
- In School Suspension
- Short term suspension (1-10 days).
- Long term suspension (11 days to one semester)
- Expulsion (Suspension for more than one semester)
- Alternative educational program offered.
- Document actions and supports offered by school and/or outside agency.

*It is important to note that students suspended long term (up to one semester) or expelled (suspended for more than one semester, not allowed to return to Alma d'arte) will be provided an appeal hearing. This due process policy will be given to parent (hard copy) and explained to the parent and student during conference with a school official.

PROHIBITED CONDUCT/STUDENT ITEMS AT SCHOOL

PROHIBITED CONDUCT. Any student found to have committed any of the acts below will be subject to a full investigation and, if applicable, all appropriate disciplinary actions, which may include detention suspension, expulsion, and/or referral to law enforcement.

THE FOLLOWING ACTS ARE NOT PERMITTED:



- **WEAPON POSSESSION:** Weapon means: (1) Any firearm that is designed to, may readily be converted to or will expel a projectile by the action of an explosion; and (2) Any destructive device that is an explosive or incendiary device, bomb, grenade, rocket having a propellant charge

of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine or similar device. **Other types of weapons are knife, brass knuckles, sharp objects or any object that can cause bodily harm.**

- **ASSAULT OR THREAT** against Teachers, Employees or Other Students. A threatened assault is any willful attempt or threat to inflict injury, coupled with an apparent present ability to do so, such as would give the victim reason to fear or expect bodily harm. A physical assault is the willful use of actual force or physical violence against a teacher, school employee or other student.
- **EXTORTION.** Using intimidation or the threat of violence to obtain money, information or anything else of value from another person.
- **THEFT.** Students will respect the property rights of others. Those students who take property belonging to others without owner(s) permission are subject to disciplinary action.
- **GRAFFITI.** Gang, drug, weapon symbols or vulgar pictures in writing or other markings in student possession including notebooks, clothing, lockers and other items can result in disciplinary action. If school property such as desks or books is defaced, students should notify their teachers immediately.
- **VANDALISM AND PROPERTY DAMAGE.**
STUDENTS WHO DESTROY OR VANDALIZE SCHOOL PROPERTY WILL BE REQUIRED TO PAY FOR LOSS OR DAMAGES. Parent(s)/guardian(s) will be held responsible for losses. In addition, students' who willfully destroy school property will be subjected to disciplinary action. If something is damaged by accident, it should be reported to a teacher or the office immediately.
- **FIGHTING:** Students who are involved in fighting on school grounds or school related activities on/off campus may be suspended from school immediately. Students who instigate or promote the start or continuation of a fight by spreading rumors, carrying messages, crowding around, cheering or other means are also subject to disciplinary action.
- **CHEATING OR PLAGIARISM.** Students shall receive a zero (0) for the work on which they were found cheating or plagiarizing. Teachers shall notify the student's parent(s)/guardian(s). Cheating can be cause for further disciplinary action. Plagiarism is the unauthorized use or close imitation of the language and thoughts of another author and the representation of them as one's own original work.
- **PUBLIC DISPLAYS OF AFFECTION: STUDENTS MAY NOT DISPLAY AFFECTIONATE BEHAVIORS SUCH AS KISSING, HUGGING AND OTHER**



PHYSICAL CONTACT. Parent(s)/Guardian(s) will be notified when the administration determines that disciplinary action is implemented.

- GANG ACTIVITY. See section Below
- INTIMIDATION AND/OR HARASSMENT, see page 13 of handbook
- REFUSAL TO COOPERATE WITH SCHOOL PERSONNEL
- REFUSAL TO COOPERATE WITH EMERGENCY PROCEDURES
- GIVING SCHOOL PERSONNEL FALSE INFORMATION
- ALTERING SCHOOL DOCUMENTS PROVIDING A FALSE SIGNATURE ON DOCUMENTS OR USING ANOTHER STUDENT PASSWORD OR I.D.
- REFUSAL TO ADHERE TO THE DRESS CODE, see page 11 of handbook
- REFUSAL TO IDENTIFY ONESELF OR FALSELY IDENTIFYING ONESELF
- ACADEMIC DISHONESTY
- OBSCENITY, PROFANITY, LIBEL, SLANDER AND FIGHTING WORDS OR SYMBOLS
- SEXUAL HARASSMENT, see page 16 of handbook
- INTERFERING WITH THE EDUCATIONAL PROCESS
- THROWING OBJECTS AT OTHER PERSONS OR PROPERTY

WEAPON FREE SAFE SCHOOL. Any student who is determined to have knowingly possession of a weapon while on school premises or to a school sponsored activity shall be subject to expulsion from school, for a period of not less than one year. POSSESSION includes, but is not limited to, storage in lockers, purses, backpacks, automobiles. Alma's Governing Board or Director/Principal may modify the expulsion requirement on a case-by-case basis; the special rule provisions of set forth below apply to students with disabilities.

GANG ACTIVITIES PROHIBITED. Alma recognizes that a school must create and maintain a safe and orderly environment in which learning can take place. The presence of gangs, gang affiliations and gang related activities within a school disrupts that learning environment by threatening the safety of students, staff and parents in the school building and causing a disruption to and interference with the academic process. As a result of those beliefs, Alma hereby bars all gangs, gang affiliations and gang related activities from school buildings, school related activities and school property always.

GANG is defined as: A formal or informal ongoing organization, association or group of three or more individuals or person who:

- Have a common name or common identifying signs, colors or symbols
- Have a common interest and/or activity characterized by the commission of or involvement in, a pattern of criminal or delinquent conduct.
- Are generally perceived by others or themselves as being a denotable group, association or organization.

PROHIBITED GANG-RELATED ACTIVITIES



- No gang insignia may be worn, possessed, used, distributed, displayed, carried or sold by any student on school grounds or at school related activities at any time. This includes, but is not limited to literature, photographs, hats, caps, jackets, headbands, shirts, or other clothing that have come to be identified with a gang.
- Tattoos or other material imprinted on the body which are either intended to be permanent or are easily removed will not be allowed to be displayed by any student on school grounds or at school related activities at any time.
- Medallions or other jewelry which identify gang members or gang affiliation, or which have come to represent a gang may not be worn, possessed, used, distributed, displayed, carried or sold by any student on school grounds or a school related activities at any time.
- Students are not permitted to send gang signs either through their body language or in the matter in which they wear their clothing.
- Gangs are not permitted to meet or congregate on school premises or at school related activities at any time. Such a meeting or congregation is contrary to, disrupts and interferes with the purpose of an educational institution and will be considered trespassing. Trespassers will be fully prosecuted according to law.
- Activities including recruitment, initiations, hazing, intimidation, retaliation and/or related activities which could potentially cause bodily danger, physical harm, personal degradation or disgrace and result in physical or mental harm to students will not be allowed on school grounds or at school related activities at any time.
- Any other attributes that lead school officials to reasonably believe that such behavior, apparel, activities, acts or other attributes are association related and would disrupt or interfere with the school environment or activity and/or education objectives will not be allowed on school grounds or at school related activities at any time.

EMPLOYEE REPORTS. All employees have the responsibility to report to their immediate supervisor any suspected gang related activities. Furthermore, the reporting employee shall be without fear of reprisal from the administrator as a result of such reporting.

REPORTING OF GANG AFFILIATION. If an administrator verifies a student's involvement in gang activity, the parent or guardian will be informed and referred to an appropriate social service agency, or other community resource. A record of all known gang activity on school grounds or at school related activities will be compiled and held by school personnel. This record will contain the names of all those involved in known gang activity. These records will be maintained by the administrator as confidential behavioral records pursuant to FERPA and state law and shall only be disclosed as authorized by law. Nothing in this policy prevents school personnel from contacting appropriate law enforcement officials to investigate a violation of or enforce any local, state or federal law on school grounds or at district sponsored activities.

Consequences for gang related activities. Students violating this policy may be subject to appropriate disciplinary action, including suspension and/or recommendation for expulsion review.



USE OF CELL PHONES, IPODS, EARPHONES, EAR BUDS, HEADPHONES AND OTHER ELECTRONIC DEVICES

Use of cell phones, iPods, any listening device and other electronic devices is **ALWAYS PROHIBITED IN ALL CLASSROOMS**, as they disrupt the learning environment and distract students from the primary purpose of education. Therefore, cell phones, iPods, listening devices and other electronic devices may only be used during lunch. If cell phones, iPods, listening devices or other electronic devices are used by the student during class, the item(s) will be confiscated for the remainder of the day and returned at the end of the day. Continued violation of this policy will result in a suspension and/or expulsion from school. Information stored in a student's cell phone/electronic device shall not be accessed by the school absent reasonable suspicion necessitating search/seizure. See Search/Seizure Policy.

SCHOOL COMPUTER AND TECHNOLOGY USE. Students will use school computers for educational purposes **ONLY**, any access to unauthorized websites is prohibited. Students violating this policy may be subject to appropriate disciplinary action, including suspension and/or recommendation for expulsion review.

PERSONAL ITEMS AT SCHOOL. DO NOT BRING VALUABLE PERSONAL ITEMS TO SCHOOL.

The school is not responsible for a student's personal items if lost, stolen or damaged on school property or during a school sponsored event. Items that are not permitted in class include, weapon look alike including squirt guns, fireworks, lasers, stink bombs, stereos, headphones, two-way radios, paintballs, MP3/4 players, iPod, DVD players and similar electronic devices.

LOST AND FOUND. Articles found in the school should be turned into the "lost and found" at the Front Office.

CONSEQUENCES FOR VIOLATING SCHOOL RULES

SEARCH AND SEIZURE.

Who may search: An "Authorized Person" (defined as the Director/Principal, Social Services Coordinator, Administrative Assistant, or any designated staff member by Director/Principal) may conduct a search of a student, student property located on school property, school property assigned to a student or property under the authority of the school when:

- There is a reasonable suspicion that a crime or other breach of disciplinary rules is occurring or has occurred



- There is reasonable cause to believe that a search is necessary to help maintain school discipline

Conduct of searches, witnesses. The following requirements govern the conduct of permissible searches by authorized persons:

- School property may be searched with or without student(s) present. When student(s) are not present for searches, another authorized person shall serve as a witness whenever possible.

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

The administrative authority shall have discretion to notify the local district attorney or other law enforcement officers when a search discloses illegally possessed contraband material or evidence of some other crime or delinquent act.

STUDENT MISCONDUCT. Any student who engages in conduct that conflicts with school policies or directives, who engages in behavior which disrupts or has the potential to disrupt the educational process, who engages in conduct prohibited by law or regulation, who refuses to cooperate with school personnel, and/or who engages in conduct which endangers or reasonably threatens to endanger the health and safety of students, school personnel, or others for whose safety the school is responsible, will be subject to disciplinary action.

CONSEQUENCES FOR MISCONDUCT. Alma will impose discipline in accordance with state regulations. Administrative response to misconduct/unacceptable behavior may vary, depending upon the circumstances: however, every effort shall be made to respond consistently and appropriately to each infraction. Alma will make a good faith effort to notify the parents or legal guardian of the student in any circumstances where the school's disciplinary response will exceed administrator/ student contact, when making a report to the authorities.

At the discretion of Alma administration, the following sanctions may be imposed: including, confiscation of prohibited item(s), exclusion from class/school, parent notification/conference, removal from school, suspension (in-school or out-of-school), police notification, verbal reprimand, detention, loss of privileges, legal action (referral to city/district attorney) and expulsion.

SUSPENSION/EXPULSION. Suspension is the removal of a student from a class or classes and all school related activities for any period of time and includes long-term removals up to one year or longer.

- The school administration will provide verbal and/or written notification to each of a student's teachers and to the student's parents/legal guardians within one (1) school day of imposing any form of suspension.



- The school administration will keep on file a copy of the notification for any suspension occurring during a school year.
- The school administrator is responsible for notification, compliance and documentation.
- Any student suspended from school shall be delivered directly by a school official to the student's parent/guardian or an adult designated by the parent/guardian or kept on school grounds until the usual end of the school day if a parent/guardian cannot be reached.

SHORT-TERM SUSPENSION. Short-term suspension will be at the discretion of the school's administrator and will address unsafe behaviors and those that disrupt the educational process. Only a rudimentary hearing (notice of violation and opportunity to state his/her side of the matter) to a school administrator, is required and will be given prior to imposing short-term suspension. Short-term suspension will be limited to no more than ten (10) days.

IMMEDIATE REMOVAL. Students whose presence poses a continuing danger to persons or property or an ongoing threat of interfering with the educational process may be immediately removed from school. A rudimentary hearing with the Administrator shall follow within one day, after which the student shall either be reinstated or short-term suspended. The school shall make reasonable efforts to inform the parent/guardian of the charges against the student and the action taken as soon as practicable. If the school has not communicated with the parent/guardian by telephone or in person by the end of the school day following the immediate removal, the school shall on that day mail a written notice with the required information to the parent/guardian's address of record.

LONG-TERM SUSPENSION. Long-term suspension is defined as the removal of a student from instruction and all school-related activities for more than ten (10) days and up to the balance of the semester or longer in cases which are near the end of a given semester.

- A student receiving a long-term suspension will lose credit for the semester.
- A student may be given the opportunity for a due process hearing prior to suspension.
- The student may, at his/her expense, choose to be represented by an attorney at the hearing.
- At the Director's discretion, students may be suspended pending a due process hearing for up to ten (10) days.

EXPULSION. Expulsion is the removal of a student from the school for a period exceeding one (1) semester. In some cases, expulsion may be a permanent removal from the school.

- A student receiving an expulsion will lose credit for the semester in which the expulsion occurs.
- A student must be given a hearing prior to expulsion.

REFERRAL FOR LEGAL ACTION. Any illegal action by a student taking place at school or a school sponsored or school related activity will be referred to the appropriate authorities or law enforcement agency.



SUSPENSION FROM EXTRA-CURRICULAR PRIVILEGES. Students may be removed, at the discretion of the administrator, from any part or all extra-curricular privileges for time periods up to one (1) semester.

- Participation in extracurricular activities is a privilege offered to and earned by students.
- Student conduct is expected to exemplify high standards at all times.

Participation in extracurricular activities is not a student right, and suspension of such privileges for one semester or less does not require a hearing or review procedure. Removals for longer than one semester are subject to the long-term suspension procedure and review process described below.

PROCESS FOR SUSPENSION AND EXPULSION

SHORT-TERM SUSPENSION. A student facing in-school or out-of-school suspension for fewer than ten (10) days is not entitled to a formal hearing, but is entitled to notice and an opportunity to be heard as follows:

- Before the student is placed on short-term suspension, the student shall meet with the Administrator or designee and shall be informed of the charges against him or her and, if(s) he/she denies them, shall be told what evidence supports the charge(s). The student shall be given an opportunity to present his or her version of the facts and refute the charges in the meeting. The administrative authority is not required to divulge the identity of information, although (s) he/she should not withhold such information without good cause. The administrator or designee shall disclose the substance of all evidence on which (s) he/she proposes to base a decision in the matter. The meeting may be an informal discussion and may follow immediately after the notice of charges is given.
- If the student denies the charge (S), the Administrator or designee may delay the suspension in order to conduct further investigation but is not required to. The discussion with the student may take place and a temporary suspension may be imposed within minutes after the alleged misconduct has occurred.
- The school shall make reasonable efforts to inform the student's parent(s)/guardian(s) of the charges against the student and the possible or actual consequence as soon as practicable. If the school has not communicated with the parent(s)/guardian(s) by telephone or in person by the end of the first full day of suspension, the school shall on that day mail a written notice with the required information to the parent/guardian's address on record.

IN-SCHOOL SUSPENSIONS. Of any length shall be accomplished in the same manner as short-term suspensions, provided that in-school suspensions exceeding one semester may be appealed to the Governing Council Due Process Committee pursuant to the process described in subsection of the long-term suspension section below. Any student placed in an in-school



suspension which exceeds ten (10) school days must be provided with an instructional program that meets both state and local educational requirements.

INTERIM PLACEMENT. Where prompt action to suspend a student long-term is deemed appropriate, a short-term suspension may be imposed while the procedures for long-term suspension or expulsion are activated. However, where a decision following the required formal long-term suspension hearing is delayed beyond the end of the short-term suspension, the student must be returned to school pending the outcome unless waived by the parent(s)/guardian(s).

APPEAL PROCESS FOR SUSPENSION AND EXPLUSION

SHORT TERM SUSPENSION. Decisions to impose a short-term suspension may be a final decision made by the Director/Principal. No appeals may be made.

LONG-TERM SUSPENSION AND EXPULSIONS. A student recommended for long-term suspension (more than ten (10) days) suspension shall be scheduled by the school for a hearing before a third-party Hearing Officer designated by the Governing Council. The Hearing Officer hears the matter and makes binding factual findings, and if appropriate, recommends sanctions to the Administrator. The Administrator may accept or reject any sanction recommended by the Hearing Officer.

- **WAIVER OF FORMAL HEARING:** A student may waive his or her right to a long-term suspension hearing, or the parent/guardian may choose to waive the student's right to a hearing before the Hearing Officer, and comply voluntarily with the proposed penalty, or they may waive the hearing and review and negotiate a mutually acceptable penalty with the Administrator. Such a waiver and compliance agreement shall be made voluntarily, with knowledge of the rights being relinquished, and shall be in writing signed by the student, the parent/guardian and the Administrator.

EXPULSION HEARINGS ARE REQUIRED AND CANNOT BE WAIVED.

HEARING OFFICER.

- The Hearing Officer is the person designated by the school Governing Council to hear recommendations for long-term suspensions and expulsions. No person shall act as Hearing Officer or reviewing authority in cases where he/she was directly involved or witnessed the incident(s) in question, or if he/she has prejudged disputed facts or is biased for or against any person who will actively participate in the hearing.
- **TRANSCRIPT.** A tape recording or transcript of the proceedings before the Hearing Officer shall be recorded and kept at the school for a period of one year, after which the recording/transcript will be destroyed, except in cases of expulsion where records are kept for longer periods.

HEARING OFFICER PROCEDURE.



- **NOTICE.** School authorities shall prepare and serve the student and his/her parents or legal guardian with a written notice of the long-term suspension or expulsion, and the date, time and place of the hearing thereon, hand-delivered or by certified mail, return receipt requested. The notice shall contain notice of the school rule(s) alleged to have been violated, a concise statement of the alleged acts of the student, a statement of the possible penalty, the date/time/place of the hearing, a statement that both student and parent are entitled and/or urged to be present, a clear statement that the hearing will take place as scheduled unless the Hearing Officer grants a delay, 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, a statement that the student has the right to be represented at the hearing by legal counsel, a parent or some other representative designated in a written notice filed at least 72 hours before the hearing, a description of the procedures governing the hearing, the name/business address/ telephone number of a contact person through whom the student, parent or representative may request a delay or seek further information, and any other information/materials/instruction deemed appropriate by the administrative authority preparing the notice. The school shall provide copies of documents supporting its actions and a list of its witnesses to the student and his/her parents/legal guardians at least (2) working days in advance of the hearing.

- **SCHEDULING.** The hearing shall be scheduled no sooner than five (5) days and no later than ten (10) school days from the date of receipt of notice by the parents or legal guardians. The Hearing Officer shall have discretion to grant or deny a request by the student or the school to postpone the hearing for valid reasons given.

BURDEN OF PROOF.

- The hearing is an administrative hearing, not a trial, and formal rules of evidence shall not govern the conduct of the hearing.
- The burden of proof of misconduct is on the school authorities.

WITNESS AND TIME LIMITS.

- The student may, at his/her own expense, choose to be represented by legal counsel or other designated representative during the hearing
- The student or his/her counsel may present evidence and shall have the right to call witnesses on his/her behalf and to question witnesses against him/her, subject to exclusion of evidence/testimony deemed irrelevant or redundant by the Hearing Officer.
- The school authorities including legal counsel, shall have the right to call witnesses and to question any witnesses who testify.
- The Hearing Officer must schedule adequate time to hear the matter but may impose reasonable time limits on the parties' presentations.



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

The school's Administrator may observe but may not participate in the proceedings at a formal hearing.

DECISION OF HEARING OFFICER.

- The Hearing Officer shall determine first whether the alleged act (s) of misconduct have been proved by a preponderance of the evidence presented at the hearing. If the misconduct is so proved, the Hearing Officer then shall decide upon the appropriateness of the disciplinary action taken, or in the case of a proposed expulsion is appropriate. The decision shall be based solely on the evidence presented at the hearing and the applicable legal rules, including the student handbook.
- The Hearing Officer shall report its findings, together with any recommended sanction, to the Administrator promptly after the hearing. The Hearing Officer may announce a decision on the question of whether the allegations of misconduct have been proved at the close of the hearing. The Administrator may thereupon also announce his/her decision at that time.
- The Hearing Officer shall serve its written decision on the parties stating a summary of the evidence upon which the Hearing Officer based its factual findings, and its findings, conclusions and recommended sanctions, by certified mail, return receipt request and/or by hand-delivery, within five (5) school days after the hearing.
- Upon receipt of the Hearing Officer's written decision, the Administrator shall prepare a written decision, including the penalty imposed and the reasons therefore, and send via certified mail or hand deliver it to the student, through the parent/guardian, within five (5) working days of receipt of the Hearing Officer's decision.
- If the Hearing Officer decides that no allegations of misconduct have been proved, or if the Administrator declines to impose a penalty despite a finding that an act or acts of misconduct have been proved, the matter shall be closed.
- The Administrator's decision shall take effect immediately upon notification of the student and his/her parent/guardian and shall continue in force during any subsequent appeal. If the notification is by mail, the parent/guardian shall be presumed to have received the notice on the fifth calendar day after the date of mailing, unless a receipt for certified mail indicates an earlier date of receipt.

APPEAL TO THE GOVERNING COUNCIL DUE PROCESS COMMITTEE.

- The student, parent or guardian may appeal the decision of the Hearing Officer to the school Governing Council Due Process Committee by serving a written Notice of Appeal to the Council President or designee within five (5) days after the Hearing Officer's decision has been served.



- The Governing Council Due Process Committee shall be a three-member committee composed of and appointed by the members of the Governing Council to hear due process appeals.
- The Due Process Committee shall then review the record of proceedings before the Hearing Officer, the decisions of the Hearing Officer, and a summary of the transcript, within ten (10) calendar days of receipt of the Notice of Appeal.
- No new information shall be considered in the appeal, and the Due Process Committee shall be bound by the Hearing Officer's Findings of Fact, unless the student persuades the Governing Council Due Process Committee 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 would not with reasonable diligence have been discovered in time for the hearing would manifestly change the factual determination. Upon any such finding, the Due Process Committee shall have the discretion to receive new evidence, reconsider evidence introduced at the hearing or conduct a de novo hearing. In the absence of such finding, the review shall be limited to an inquiry into the appropriateness of the sanction(s) imposed.
- After reviewing the record and all materials presented at the hearing before the Hearing Officer, the Due Process Committee shall render a decision within fifteen (15) school days after a student's written request for review is received, which affirms, overrules or modifies the decision of the Hearing Officer.
- The Due Process Committee shall prepare a written decision, including concise reasons, and mail or deliver it to the Administrator, the Hearing Officer and the student through the parent/guardian, within ten (10) working days after the review is concluded.
- The Due Process Committee may modify or overrule the Hearing Officer's decision but may not impose a harsher punishment.
- The Due Process Committee decision is the final administrative review to which a student is entitled.

DISCIPLINARY CONSIDERATION FOR STUDENTS WITH DISABILITIES

SPECIAL EDUCATION STUDENTS. Special education students are not immune from the school's disciplinary process once placement procedures are properly followed.

- **Immediate removal.** Students whose presence poses a continuing danger to persons or property or an ongoing threat of interfering with the educational process may be immediately removed from school pursuant to the process outlined above.
- **Short-term suspension.** Students with disabilities may have short term suspension imposed in accordance with the "Suspension/Expulsion" section herein, provided that the student is returned to the same educational placement after the short-term suspension, and unless a short-term suspension is prohibited pursuant to the student's IEP. Students may be suspended or removed to an appropriate interim alternative educational setting or another setting for not more than 10 consecutive school days. Additional removals may occur in the same school year for separate incidents of misconduct, if those removals do



not constitute a change in placement pursuant to 34 CFR Sec.300.536 and 6.11.2.11(G) NMAC.

- **Long-term suspension/expulsion/disciplinary changes of placement.** Since the exclusion of a student with disability from his/her education program for more than a total of ten (10) days during a school year may constitute a significant change in placement, the following considerations must be addressed:
 - **Manifestation Determination:** when considering long-term suspension or expulsion or disciplinary changes of placement as specified in 34 CFR 300.530 through 300.536, an Individualized Education Program (IEP) Team must first determine whether the behavior that gave rise to the violation is a manifestation of the student's disability, or whether the conduct in question was the direct result of the school's failure to implement the IEP.
 - If the IEP Team determines that the behavior is related to the student's disability or was the direct result of the school's failure to implement the IEP, then no further disciplinary proceeding shall occur. Any deficiencies in IEP implementation shall immediately be remedied and the IEP Team shall comply with 34 CFR 300.530 (f).
 - If the IEP Team determines that the behavior is not a manifestation of the student's disability, disciplinary actions may be taken in accordance with the procedures above in the same manner and for the same duration as the procedures would be applied to students without disabilities, provided that a student with a disability who is removed from the student's current placement continues to receive special education and related services pursuant to the provisions of 34 CFR Sec.300.530 (d)
 - The decision to change a student from his/her current placement must be made on an individual basis. Changes in placement occur if the student is removed from the student's current placement for more than ten (10) consecutive days, if the student is removed from current placement for more than ten (10) school days in a school year, or other reason specified in 34 CFR 300.536.
 - On the date on which the decision is made to make a removal that constitutes a change of placement of a student with a disability because of a violation of a code of student conduct, the school shall notify the parents of that decisions, and provide the parents the procedural safeguards notice described in 34 CFR Sec. 300.504.

Removal to Interim Alternative Educational Setting without Manifestation Determination. In accordance with 34 CFR Sec. 300.530 (g) and (i), school personnel can remove a student to an interim alternative educational setting (as determined by the student's IEP Team) for not more than 45 school days without regard to a manifestation determination (described below), if the student (1) carries a weapon to or possesses a weapon at school, on school premises, or to or at a school function; (2) knowingly possesses or uses illegal drugs, or sells them at school; (3) has



inflicted serious bodily injury upon another person while at school, on school premises, or at a school function. The student's IEP team determines the interim alternative educational setting for services.

Appeals. The parent/guardian of a student with a disability who disagrees with any decision regarding a disciplinary-related placement or the manifestation determination, or an administrative authority that believes that maintaining the current placement of a student is substantially likely to result in injury to the student or others, may appeal the decision by requesting a hearing pursuant to the procedures specified in 6.31.2.13 NMAC.

When an appeal has been filed by either the parent/guardian or the administrative authority, the student must remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the disciplinary time period, whichever occurs first, unless the parent/guardian and administrative authority agree otherwise.

Disciplinary Considerations for Students under Section 504- Students with 504 accommodations are not immune from the school's disciplinary process once identification and placement procedures are properly followed. Students with Section 504 accommodations being considered for removal from school for 10 or more days must also receive a manifestation determination review prior to action. The committee must determine if the conduct in question was caused by or had a direct and substantial relationship to the student's disability, and whether the conduct in question is the direct result of the school's failure to implement the student's 504 Plan. If the behavior is a manifestation of the disability, any disciplinary recommendation for a change of placement should be withdrawn. If the behavior is not a manifestation of the disability, the student may be disciplined in the same manner as non-disabled students.

COMPLAINT RESOLUTION PROCESS

INFORMAL RESOLUTION. Inquiries or concerns from a parent or student regarding a specific Alma staff member or program (NOT A STUDENT) should first be directed to the staff member involved or responsible for such program. If a parent or student (hereinafter "parent/student") is not sure who is the responsible staff member or if the parent/student has an inquiry or concern of a broad nature, the parent/student should contact the administrator for clarification on the steps to follow.

REFERRAL TO NEXT LEVEL. If the parent/student feels the issue has not been satisfactorily handled at the individual staff member level, the issue should be referred to the administrator. A written summary of a good faith effort between the parent/student and the administrator shall be prepared and delivered to the parent/student, if the matter is not resolved. If the parent/student feels the issue has not been satisfactorily resolved at the administrative level the parent/student may take the issue to the Alma Governing Council for disposition. The Governing Council, in its sole discretion, may decide whether any 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 (10 days or more) 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.

REVIEW BY GOVERNING COUNCIL.

The parent/student may submit his/her grievance in writing to the Alma Governing Council within five days of a failed good faith effort to resolve the dispute. The letter must be in writing, signed by the parent/student and delivered to the Governing Council at the school. If the parent/student does not submit a written grievance within five days from the date the written summary prepared by the administrator is delivered to the parent/student, the complaint will be deemed "resolved."

The grievance submitted to the Governing Council should include specific reasons why the parent/student is not satisfied with the administrator's decision; any specific school policy that the member believes has been violated, and any other relevant information and documentation that supports the grievance. The written grievance must be dated and signed by the person who submitted the complaint.

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 grievances 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.

Alma 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 excuse necessary to provide the complaining parent/student a fair consideration of the grievance.

Any meeting or hearing concerning a matter that relates to personnel issues, that is confidential or that implicates an individual's privacy rights may be held in a closed meeting in accordance with the Open Meetings Act.

A decision will be established by a majority vote of the members of the Alma Governing Council hearing the issue. The Alma 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.

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.

ADVERTISING/SOLICITING

Alma will not be an advertising agent for outside groups. The administration must approve all activities, fundraisers and items posted in or around the school campus. In addition, any fundraisers using the Alma logo will not be permitted unless approved by the Director/Principal.

F.E.R.P.A NOTICE

STUDENT RECORDS

Student Records, Policies and Procedures for

ALMA D'ARTE CHARTER HIGH SCHOOL

SCHOOL DEFINITIONS

DEFINITIONS

For the purpose of this policy, Alma d'arte Charter High School has uses the following definitions:

Students- Any person who attends or has attended Alma d'arte Charter High School.

Eligible Student- A student or former student who has reached age 18 or is attending a postsecondary school.

Parent- Either natural parent of a student, a guardian or an individual acting as a parent or guardian in the absence of the student's parent or guardian.

Education Records- Any record (in handwriting, print, tapes, film or other medium) maintained by Alma, or an agent of Alma which contains information directly related to a student except:

ANNUAL NOTIFICATION

Parents will be notified of their FERPA rights annually by publication in their son/daughter's student handbook.

PROCEDURE TO INSPECT EDUCATION RECORDS

Parents or eligible students should submit to the student's school Director a written request which identifies as precisely as possible the record or records he or she wishes to inspect.

The Director will make the needed arrangements for access as promptly as possible and notify the parent or eligible student of the time and place where the records may be inspected. Access will be given in 45 days or less from the date of receipt of the request.



When a record contains information about students other than a parent's son/daughter or the eligible student, the parent or eligible student may not inspect and review the portion of the record which pertains to other students.

REFUSAL TO PROVIDE COPIES

Alma reserves the right to deny a parent or eligible student a copy of the student's education records in the following circumstances, unless failure to provide a copy would effectively prevent the parent or eligible student the right to inspect and review the records:

- The parent or student has an unpaid financial obligation to Alma d'arte.
- The education record requested is an exam or set of standardized test questions. (An exam or standardized test which is not directly related to a student is not an education record subject to FERPA's access provisions.)

DISCLOSURE OF EDUCATION RECORDS F.E.R.P.A. NOTICE

Alma may disclose educational records to the following individuals without prior consent of the parent or student:

To school officials who have a legitimate educational interest in the records.

A School official is:

- A person employed by the school as an administrator/ principal, instructor, support staff member including health and medical staff.
- A person elected to the Alma Governing Council.
- A person employed by or under contract to Alma to perform a special task, such as an attorney, auditor, medical consultant or therapist.
- A person who is employed by School Resource Officer.
- A student serving on an official committee, such as a disciplinary or grievance committee, or who is assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official is:

- Performing a task that is specified in his or her position description or by a contract agreement.
- Performing a task related to a student's education.
- Performing a task related to the discipline of a student.
- Providing a service or benefit relating to the student or student's family, such as healthcare, counseling, job placement or financial aid.
- Maintaining the safety and security of the campus.

To officials of another school, upon request in which a student seeks or intends to enroll.



To certain officials of the U.S. Department of Education, the Comptroller General and State and local educational authorities, in connection with audit or evaluation of certain State or federally supported education programs.

In connection with a student's request for or receipt of financial aid to determine the eligibility, amount or conditions of the financial aid or to enforce the terms and conditions of the aid.

To State and local officials or authorities if specifically required by a state law that was adopted before November 19, 1974.

To organizations conducting certain studies for or on behalf of Alma.

To accrediting organizations to carry out their functions.

To parents of an eligible student if the student is a dependent for income tax purposes.

To comply with a judicial order or a lawfully issued subpoena.

To appropriate parties in a health or safety emergency.

To individuals requesting directory information so designated by Alma.

RECORD OF REQUESTS FOR DISCLOSURE

Alma will maintain a record of all requests for and/or disclosures of information from a student's education records. The record will indicate the name of the party making the request, any additional party to whom the information may be disclosed, and the legitimate interest the party had in requesting or obtaining the information. The record may be reviewed by the parents or eligible student.

DIRECTORY INFORMATION

Alma designates the following items as Directory Information: student name, parent's name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of member of athletic teams, dates of attendance, degrees, awards received, most recent/previous school attended and photograph. Alma may disclose any of those items without prior written consent, unless notified in writing to the contrary by (see form)

CORRECTION OF EDUCATION RECORDS

Parents or eligible students have the right to ask to have records corrected that they believe are inaccurate, misleading or in violation of their privacy rights. Following are the procedures for the correction of records:



- Parents or the eligible student must ask Alma to amend a record. In so doing, they should identify the part of the record they want changed and specify why they believe it is inaccurate, misleading or in violation of the student's privacy rights.
- Alma may comply with the request, or it may decide not to comply. If it decides not to comply, Alma will notify the parents or eligible student of the decision and advise them of their right to a hearing to challenge the information believed to be inaccurate, misleading or in violation of the student's privacy rights.
- Upon request, Alma will arrange for a hearing, and notify the parent's or eligible student, reasonably in advance of the date, place and time of hearing.
- The hearing will be conducted by a hearing officer who is a disinterested party; however, the hearing officer may be an official of Alma. The parents or eligible student shall be afforded full and fair opportunity to present evidence relevant to the issue raised in the original request to amend the student's education records. The parents or student may be assisted by one or more individuals, including an attorney.
- Alma will prepare a written decision based solely on evidence presented at the hearing. The decision will include a summary of the evidence presented and the reasons for decision.
- If Alma decides that the information is inaccurate, misleading or in violation of the

Student's right of privacy, it will amend the record and notify the parents or eligible student, in writing that the record has been amended.

- If Alma decides that the challenged information is not inaccurate, misleading or in violation of the student's right of privacy, it will notify the parents or eligible student that they have a right to place in the record a statement commenting on the challenged information and/or statement setting forth reasons for disagreeing with the decision.
- The statement will be maintained as a part of the student's education records if the contested portion is maintained. If Alma discloses the contested portion of the record, it must also disclose the statement.



Alma d'arte Charter High School
ACKNOWLEDGEMENT OF RECEIPT

We, _____ and my parents/guardian _____ have

received a copy of and have read the Alma d'arte Student Handbook. We fully understand our responsibilities as a family with a student attending Alma d'arte Charter High School. We understand and agree that if at any time we have a question regarding the policies and procedures of Alma d'arte that we will contact the administration office and seek further clarification.

Student's Signature

Date

ACKNOWLEDGED AND AGREED:

Parent's Signature

Date

****** Sign and return this page to the front desk, to be placed in the student's file. ******











