



New Mexico's Public High School for the Arts

DRAFT Student Dress Policy

Pending Discussion and Possible Action by the New Mexico School for the Arts Governing Council at their August 16, 2023, meeting

The student and their parent/guardian hold the primary responsibility in determining the student's personal attire, hairstyle, jewelry, and personal items (e.g. backpacks, book bags). New Mexico School for the Arts is responsible for assuring that student attire, hairstyle, jewelry, and personal items do not interfere with the health or safety of any student and do not contribute to a hostile or intimidating environment for any student.

Core Values

In relation to student dress, NMSA's core values are the following:

- Students should be able to dress and style their hair for school in a manner that expresses their individuality without fear of unnecessary discipline or body shaming;
- Students have the right to be treated equitably. Dress code enforcement will not create disparities, reinforce or increase marginalization of any group, nor will it be more strictly enforced against students because of racial identity, ethnicity, gender identity, gender expression, gender nonconformity, sexual orientation, cultural or religious identity, household income, body size/type, or body maturity;
- Students and staff are responsible for managing their personal distractions; and
- Students should not face unnecessary barriers to school attendance.

Universal Dress Code

Students must wear:

- Top (shirt, blouse, sweater, sweatshirt, tank, etc.);
- Bottom (pants, shorts, skirt, dress, etc.); and
- Footwear.

This policy permits specific additional student attire requirements when necessary to ensure safety in certain school settings (e.g. arts block, physical activity, science courses).

NEW MEXICO SCHOOL FOR THE ARTS

Students may not wear clothing, jewelry, or personal items that:

- Are pornographic, contain threats, or that promote illegal or violent conduct such as the unlawful use of weapons, drugs, alcohol, tobacco, or drug paraphernalia;
- Demonstrate hate group association/affiliation and/or use hate speech targeting groups based on race, ethnicity, gender, sexual orientation, gender identity, religious affiliation, or other protected groups;
- Intentionally show private parts (nipples, genitals, buttocks). Clothing must cover private parts in opaque (not able to be seen-through) material;
- Cover the student's face to the extent that the student is not identifiable (except clothing/headgear worn for a religious/tribal or medical purpose); or
- Demonstrate gang association/affiliation.

Attire worn in observance of a student's religion or tribal affiliation is not subject to this policy.



www.nmschoolforthearts.org • T 505.310.4194 • 500 Montezuma Avenue • Santa Fe, NM 87501

STUDENT/FAMILY HANDBOOK

Approved by Governing Council on November 17, 2021

NMSA's purpose is to provide the highest standards of excellence in preparing New Mexico's artistically talented students to compete in the national arena for post-secondary education and/or professional careers in the arts. NMSA offers pre-professional instruction in the performing and visual arts with rigorous academics leading to a high school diploma."

NMSA, a public private partnership comprised of School for the Arts – NM and the New Mexico School for the Arts, admits students of any race, color, national and ethnic origin, gender, sexual orientation, culture and religion or with any disability to all of the rights, privileges, programs and activities generally accorded or made available to its students. NMSA does not discriminate on the basis of race, color, national or ethnic origin, gender, sexual orientation, culture, disability and religion in administration of its educational policies, admission policies, financial aid programs and arts and other programs.

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1. GENERAL INFORMATION

1.1. MISSION, VISION AND GOALS

1.1.1 Mission

NMSA provides access to a rigorous mastery arts and academic high school education for youth with passion and aptitude in the arts, leading to post-secondary learning, careers in the arts, and lives that contribute to society.

1.1.2 Vision

The primary vision of the School is to provide students with the tools to pursue a career in the arts, either as a practicing artist or in the arts industry, and to successfully receive a high school diploma. The School envisions its graduates to be productive members of the artistic and creative workforce and/or to be successful college students.

1.1.3 Goals

- Establish a caring community of artistic learners nurtured and engaged in self-discipline, citizenship, continuous improvement, and joyful learning in and through the arts.
- Provide access to mastery arts education and rigorous academics for New Mexico's talented young artists, regardless of home location or financial capacity.
- Provide innovative and creative curricula in arts and academics based on fundamental skills that include exposure to New Mexico arts and culture.
- Prepare students for higher education and/or careers in the arts and to participate in the cultural and creative economy.
- Through partnerships, collaborations and programming, serve as a statewide arts education leader working to encourage arts education throughout the state.

At NMSA students will:

- Receive an education up to, and including, college level instruction in the arts that is aligned with the requirements of entrance into higher education institutions and professional arts programs;
- Excel academically and artistically and graduate with a strong academic and arts education;
- Develop discipline, a standard of excellence, and self-efficacy in setting and achieving personal goals;
- Continue their education at post-secondary school or enter the arts work force;
- Develop a personal appreciation for the arts that will enrich their future lives.

Honor Pledge

As a member of the New Mexico School for the Arts community, I understand that I have been selected to be a part of a unique and diverse population. Out of respect for this opportunity, I will be honest and diligent in my personal and professional conduct, and be respectful of the rights, property, and opinions of others. I understand that I am expected to follow school policies, since they seek to create and support a productive learning, living, and working environment. I accept my personal responsibility for meeting these expectations, continuing to evaluate them, and encouraging others to do the same. I also commit to honor and embody the Promise, Passion and Aptitude which allowed my admittance to NMSA.

1.2 NMSA GOVERNING COUNCIL

The NMSA Governing Council makes policy decisions concerning the school and interviews and hires and evaluates the Head of School for his/her position. The members of the Governing Council operate according to its bylaws. The Council Members are volunteers who oversee the policies of the school, fiscal oversight and stewardship of the school and ensure that NMSA's charter's goals and missions are carried out. Regular meetings are held on the second Wednesday of the month at 3:00 p.m. unless otherwise indicated. Other meetings are convened to discuss school business. Notices of the NMSA Governing Council meetings will be posted at least seventy-two (72) hours prior to the meeting at the Administrative Office of the Charter School at 500 Montezuma, Santa Fe, New Mexico, and will be posted on the School's website at: www.nmschoolforthearts.org in a place and manner that is accessible to the public. Copies of the written notice shall be sent to all FCC-licensed broadcast stations and newspapers of general circulation that have made a written request for notice of meetings.

1.3 NMSA PARENT ASSOCIATION

The NMSA Parent Association is very active and works in many ways to support the education our students are receiving. PA meetings are generally held the 1st Saturday of each month from 9:00 a.m. to 10:30 a.m. at the school. Minutes are available on the NMSA website. For more information regarding the NMSA Parent Association Committees, please go to <https://www.nmschoolforthearts.org/parent-portal/>.

1.4 STUDENTS ARE UNDER THE CONTROL/DIRECTION OF THE SCHOOL

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

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

1.5 CALENDAR AND HOURS

For a complete and current events school calendar, go to <https://www.nmschoolforthearts.org/events/>. Students are to arrive no earlier than 8:00 a.m. and no later than 9:05 a.m. The opening of the school day is very important and we expect all students to be on time. Students entering after 9:10 a.m. must report to the Front Office for admittance into class. (See Tardy Policy, 2.7.8)

HOURS: The NMSA school day begins at 9:10 a.m. for all students. The day ends at 4:55 p.m.

FRONT OFFICE HOURS: Phones will be answered between the hours of 8:30 a.m. and 5:00 p.m.

The school day ends at 4:55 p.m., and unless attending a school-related activity, all students must exit the building by 5:30 p.m.

Daily Bell Schedules

A or B Day	Advisory A or B Day	10:00 am Start or Assembly
8:30-9:00 Office Hours	8:30-9:00 Office Hours	9:10-9:55 Assembly (if applicable)
9:10-10:35 Period 1	9:10-9:40 Advisory	10:00-11:15 Period 1
10:35-10:40 Passing	9:40-9:45 Passing	11:15-11:20 Passing
10:40-12:00 Period 2	9:45-11:00 Period 1	11:20-12:30 Period 2
12:00-12:40 Lunch	11:00-11:05 Passing	12:30-1:10 Lunch
12:40-12:45 Passing	11:05-12:20 Period 2	1:10-1:15 Passing
12:45-2:05 Period 3	12:20-1:00 Lunch	1:15-2:25 Period 3
2:05-2:15 Passing	1:00-1:05 Passing	2:25-2:35 Passing
2:15-4:55 Arts Block	1:05-2:20 Period 3	2:35-4:55 Arts Block
	2:20-2:30 Passing	
	2:30-4:55 Arts Block	

1.6 VISITORS

All visitors must enter through the front door of the school located on Montezuma Street, and sign in and out in the Front Office.

1.7 ON-GOING COMMUNICATION

Communication is the lifeblood of a school community. At NMSA the goal is to “keep all the lines open” among parents, guardians, students, teachers and staff, thus maintaining an atmosphere that is as transparent and accessible as possible. To this end, NMSA adopted PowerSchool, which is a fully integrated, web-based, cross-platform student information system with a parent portal to facilitate increased family involvement. Other strategies to promote good communication include newsletter, emails, automated texts and phone calls in case of emergency, and the school’s website. The Front Office can assist you with inquiries.

2. ADMISSIONS AND ATTENDANCE

2.1 ADMISSION AND DISCIPLINE CHANGE

For information concerning admissions, please refer to <https://www.nmschoolforthearts.org/admission/apply/>. NMSA does not discriminate against any student based on race, color, national or ethnic origin, sex, gender identity, sexual orientation, culture, religion or disability. The school is nonsectarian in its programs, admission policies, and employment practices.

A student who wishes to change art discipline must reapply online and attend auditions/portfolio reviews with other applicants for the upcoming school year. Only rising 10th and 11th graders can change art discipline.

FAQ’s concerning re-admission:

- Students will not lose their place in the discipline of original acceptance.
- Students may complete the re-admission procedure only one time.

- Students will be ranked for acceptance with other applicants for their upcoming grade.
- Students accepted into the new discipline will start in that discipline in the fall of the next school year.

2.2 REGISTRATION

Registration is completed or updated each year to ensure that all information is current for each student. Registration is completed through an online form that is made available to families a few weeks prior to the start of the school year. The system allows NMSA to verify all demographic, emergency, and medical information. Parents are also able to sign annual permission forms electronically.

In addition to completing online registration, new students will need to provide their most recent transcript.

All students, new or returning, need to provide Immunization Records or an approved Immunization Exemption each year.

State law requires that all students be in compliance with state immunization requirements, be in the process of receiving the immunization series, or meet exemption criteria before starting school. Exemptions are permitted for religious reasons. Proof of an exemption must be provided in lieu of immunizations records to be allowed to enroll. A Certificate of Religious Exemption from School/Daycare Immunization Requirement Form must be filed and approved with the New Mexico Department of Health prior to the start of the school year. Students will not be allowed to begin the school year unless up-to-date Immunization Records or an approved Immunization Exemption are provided.

2.3 LANGUAGE USAGE SURVEY

Under Title VI of the Civil Rights Act of 1964 and subsequent federal and state mandates, all districts in New Mexico must screen, identify, and provide services to students who are English learners. The Language Usage Survey will be administered for new students who have not taken the survey before. The survey is used to identify students in need of language assistance services. Please contact the School Counselor for more information on the English Learner program at NMSA.

2.4 PARENT CUSTODY

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

The custodial parent(s) are responsible for:

- providing a copy of the signed and certified court order to the school; and
- providing the school with any revisions/updates to the court order that affect custody, visitation, or student record-access rights.

The school is responsible to:

- maintain a copy of the relevant sections of the court order;
- inform appropriate school personnel of the provisions or restrictions in the court order; and
- abide by the provisions and/or restrictions ordered, and the non-custodial parents requests that are consistent with the order.

The school is not required to hold a separate conference for each parent. Please be sure that the school has appropriate contact information for both parents to ensure consistent communications. Unless prohibited by a certified court order, and upon request, the school will:

- send duplicate correspondence to the non-custodial parent and/or both custodial parents;
- arrange for review of school records by the non-custodial parents;
- keep non-custodial parents apprised of major school events.

2.5 CHANGE OF CONTACT INFORMATION

It is most important that parents notify the school immediately of any change in their contact information, including their physical address, telephone number(s), and email address(es). Send any changes to the Registrar at registrar@nmschoolforthearts.org.

2.6 ATTENDANCE

NMSA students are expected to arrive on time and adequately prepared for their day. Classes begin at 9:10 a.m. and end at 4:55 p.m. If your student is absent or late, please contact the school at (505) 310-4194 or by e-mail at attendance@nmschoolforthearts.org by 12:00 p.m. on the day of the absence in order to avoid an unexcused absence. If your student is late (all arrivals after 9:10 a.m.), then he/she will need to report to the Front Office, sign in and receive a tardy slip. (See Tardy Policy, 2.7.8).

The school day ends at 4:55 p.m., and unless attending a supervised school-related activity, all students must exit the building by 5:30 p.m. NMSA is a closed campus. Students may not receive permission to leave campus during lunch.

NOTE: School-related field trips, activities, and performances are recorded as “school activity” and not counted as an absence. Students will be given the opportunity to make up missed work without loss of credit or penalties.

NOTE: As long as the student lives with his/her parent(s)/guardian(s), the parent(s)/guardian(s) continue to be responsible for the attendance of their child, even after he/she turns 18. All absence notifications must continue to come from the parent(s)/guardian(s).

SCHEDULED ABSENCES: If you know of an absence ahead of time (college visits, auditions, etc.), please notify the office, complete the appropriate paperwork, and collect assignments.

MAKE-UP WORK: It is the responsibility of the student to contact his/her teacher and make arrangements to make up work, including participation points missed due to an excused absence. This must be done in a timely manner. Make-up work for missed participation points might consist of but not be limited to the following: written work, extra project, extra tutoring, assigned out of school study hall, open studio, documented practice time, etc.

Note: Students will not automatically receive the opportunity for make-up points in the case of unexcused absences.

2.7 REMOTE ATTENDANCE

NMSA students are expected to arrive on time and adequately prepared for their day. Classes begin at 9:10 a.m. (Advisory days at 9:30 a.m.). If your student is absent or late, please contact the school at

(505) 310-4194 or by e-mail at attendance@nmschoolforthearts.org by 12:00 p.m. on the day of the absence in order to avoid an unexcused absence.

NOTE: As long as the student lives with his/her parent(s)/guardian(s), the parent(s)/guardian(s) remain responsible for the attendance of their child, even after he/she turns 18. All absence notifications must continue to come from the parent(s)/guardian(s).

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MAKE-UP WORK: It is the responsibility of the student to contact his/her teacher and make arrangements to make up work, including participation points missed due to an excused absence. This must be done in a timely manner. Make-up work for missed participation points might consist of, but not be limited to, the following: written work, extra projects, extra tutoring, assigned out of the school study hall, open studio, documented practice time, etc.

Please Note: During remote learning all attendance markings in PowerSchool will be preceded by “R”, indicating remote learning. For example: RM, RU, RPE, RT, etc.

2.7.1 Additional PowerSchool Attendance Indicators During Remote/Hybrid Learning

RTI – Technical Issues

RO – Student is meeting with other staff persons

2.8 COMPULSORY ATTENDANCE POLICY

NMSA is committed and legally obligated to enforce the New Mexico Compulsory School Attendance Law. The following attendance requirements are consistent with a student’s obligation to attend and a parent/guardian’s obligation to ensure that their student attends school. NMSA hopes that parents will consider regular and timely attendance to be imperative to their student’s educational success.

2.8.1 Excused Absences

A parent/guardian must provide notice of an excused absence by phone, e-mail (attendance@nmschoolforthearts.org), or a signed written note describing one of the reasons listed below. The Head of School or Designee shall in his/her sole discretion determine whether there is a sufficient basis to excuse the absence. Whenever possible, notification of a student’s absence should be given prior to missing school. However, when circumstances dictate, the information concerning a student’s absence should be provided by 12 p.m. on the day of the absence in order to avoid an unexcused absence (**RU). Absences will only be excused for the following reasons:

- Doctor’s Appointment
- Technology Issues
- Therapy Appointment
- College Travel
- Tribal Ceremonies/Religious Commitments
- Illness
- Diagnostic Testing
- Auditions
- Death of Family/Bereavement

A doctor's note from the medical provider or therapist treating the illness is required in order to mark absences as medical (**RM). Whenever possible, schedule doctor's and therapy appointments outside of regular school hours.

Students will be allowed no more than 5 (five) parent-excused absences per class per semester. After five (5), all absences will be **RPEO unless documentation is provided.

We understand that emergencies arise and these will be handled on an individual basis. Absences due to extenuating circumstances may be excused by the Head of School or Designee. The Head of School or Designee may request additional documentation to substantiate an "excuse" for an absence at his/her discretion.

Each student must be present to take their semester finals, juries or department conferences at the time they are scheduled at the end of each semester. Vacations should not be scheduled at those times, as they will not be approved.

2.8.2 Partial-Day Absences

Attendance for both academics and arts is mandatory. Students may not be absent from the academic block alone, nor only the arts block. Exceptions will be made for documented appointments or other legitimate reasons (as decided by the Head of School or Designee's discretion) that a student must miss part of the school day. Absences for either block will be marked accordingly.

2.8.3 Missed Assignments Due to Excused Absences

The student is responsible for obtaining his/her work from his/her teacher and completing it within the time frame determined by the teacher.

2.8.4 Unexcused Absences

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

2.8.5 Students in Need of Early Intervention

A student will begin to be deemed "in need of intervention" if he/she begins to demonstrate a pattern of absenteeism and/or disengagement.

2.8.6 Habitual Truancy

A student is deemed "habitually truant" if he/she accumulates ten (10) or more absences in a school year, cumulative excused and unexcused.

2.8.7 Notification and Cooperation

NMSA will attempt to identify students and families early on when there is a problem with a student's regular attendance and to assist when feasible both the student and his/her parent/guardian to improve attendance.

The following process will be applied accordingly:

Step #	Qualifier:	Required Actions:
#1	1 st RU or RPEO	A staff member will meet with the student to discuss attendance procedures and next steps.
#2	2 nd RU or RPEO per class	A member of the NMSA Student Support Team will be in contact with the student and family to discuss attendance expectations, supports, assigned Working Wednesday, and next steps.
#3	3 rd RU or RPEO per class	The counselor will contact the student's parent/guardian(s) to discuss attendance expectations, supports, assigned Working Wednesday, and next steps.
#4	4 th RU or RPEO per class	An attendance meeting will be scheduled between the counselor, parent/guardian(s), principal, and student to develop a corrective action plan that clearly identifies attendance expectations, supports, and next steps including, but not limited to, assigning Working Wednesday attendance.
#5	6 th RU or RPEO per class	An attendance meeting will be scheduled between the counselor, parent/guardian(s), principal, and student to revisit the corrective action plan that more clearly identifies attendance expectations, supports, and next steps including, but not limited to, assigning Working Wednesday attendance. Compulsory School Attendance Law interventions may be initiated. (Note: NMSA is required by law to report absences totaling 40 unexcused absences)*.

***Compulsory School Attendance Law**

Level	Intervention
1	The parent/guardian will be notified via certified mail when a student has accumulated five (5) unexcused absences (days**) during the school year.
2	The parent/guardian will be notified via certified mail when the student has accumulated seven (7) unexcused absences (days**) during the school year.
3	The parent/guardian will be notified via certified mail when the student has accumulated ten (10) unexcused absences (days**) during the school year. A referral packet will be prepared for submittal to the Juvenile Probation office.

**** Four (4) equate to a day of school. Twenty (20) class absences equate to 5 days absent; twenty-eight (28) class absences equate to 7 days absent; and forty (40) class absences equate to 10 days absent.**

2.8.8 Tardy Policy

“Tardy” is defined as a student arriving to the classroom after the class has begun and within 15 minutes of the class start. After missing the first 15 minutes, the tardy becomes an absence.

“Tardy Unexcused (**RTU)” means a late arrival to class(es) for which the student does not have an allowable excuse pursuant to the Compulsory School Attendance Law or the policies and procedures of the school.

The following process will be applied accordingly:

Step #	Qualifier:	Required Actions:
#1	1 st RTU or RTO in any class	A staff member will be in contact with the student to discuss attendance expectations, supports, and next steps.
#2	3 rd RTU or RTO in any class	A member of our Student Support Team will be in contact with the student and family to discuss attendance expectations, supports, and next steps.
#3	6 th RTU or RTO in any class	A member of our Student Support Team will be in contact with the student and family to discuss attendance expectations, supports, and next steps including, but not limited to, assigning Working Wednesday attendance.
#4	9 th RTU or RTO in any class	A follow-up attendance meeting is scheduled between the counselor, parent/guardian(s), principal, and student to revisit and revise the corrective action plan that more clearly identifies attendance expectations, supports, and next steps including although not limited to assigning Working Wednesday attendance.

2.9 LEAVING SCHOOL BEFORE DAY'S END

No student is permitted to leave the class before regular dismissal unless a parent/guardian has notified the school about their student leaving early. To avoid an unexcused absence, email the office at attendance@nmschoolforthearts.org or call (505) 310-4194.

2.10 PARKING, DROP OFF, PICK UP

A limited number of parking spaces are available on campus for staff and visitors. No student parking is available on campus. Paid parking in the underground Railyard lot is available through the Parking Division Office (505) 955-6581. Monthly passes are \$35 for students.

Student drop off and pick up should occur following the pattern in Addendum 6.

2.11 ABBREVIATED DAY

2.11.1 Notice

On days when weather or some unforeseen event prevents school from beginning on time, students and parents should stay tuned to the three major news television stations or their websites. NMSA will post information on:

- KOB TV Channel 4
- KOAT TV Channel 7
- KRQE TV Channel 13

NMSA will update the school web site and use an automated messaging system to notify students and families.

Students commuting by Rail Runner or other public transportation outside of Santa Fe should take the later train or bus to allow them to find out if the delay has turned into a cancellation.

Because it is impossible for NMSA staff to monitor the weather conditions for all of the surrounding areas, students who live outside of Santa Fe should follow the local school cancellation/delay procedures. Absences will be excused.

DO NOT RISK TRAVELING IN DANGEROUS CONDITIONS. SAFETY COMES FIRST.

2.11.2 Early Dismissal

The following emergency procedures will be followed at NMSA in the event of early dismissal due to inclement weather or other unforeseen events.

- Parents/guardians will be notified by phone, and/or
- Parents/guardians will be notified through an electronic message system that students will be dismissed early, and/or
- NMSA will update the www.nmschoolforthearts.org website.
- NMSA will keep students in a safe place at the school site until parents/guardians or their listed designee arrives for them or until the next bus and/or train departure time.
- Office Staff will request identification of any person they do not recognize as the parent/guardian or designee before releasing the student.

Under some emergency situations, it may not be possible to notify everyone by telephone or electronic messaging, but we will do our best.

3. ACADEMICS AND ARTS – DUAL CURRICULUM

3.1 MANDATORY PARTICIPATION IN DUAL CURRICULUM

NMSA offers a dual curriculum in the Academics and the Arts. Students must participate in both programs every year that they attend NMSA.

3.2 GRADUATION COURSE REQUIREMENTS

Students must complete every year as a full-time student, including their senior year. The chart below lists the courses required for graduation.

NMSA students will typically take six units, or the equivalent, per semester.

Mathematics	4.0 credits (one credit = or > Algebra II)
English	4.0 credits
Science	3.0 credits (2 w/ lab)
Social Sciences	3.5 credits
Language other than English	1.0 credit
Physical Education	1.0 credit
Health	0.5 credit
9 th Grade Academy	1.0 credit
Senior Seminar	1.0 credit
Senior Humanities or Science Elective	1.0 credit
Arts/Electives	6.0 credits
Total	26.0 credits

One (1.0) of the above credits must be Advanced Placement, Honors, Dual Credit, or Distance Learning (online). It is best to fulfill this requirement by the end of the 11th grade.

3.3 GPA, RANKING, AND TRANSCRIPTS

- The cumulative Grade Point Average (GPA) is calculated on semester grades beginning with the Freshman year. The GPA is based on a 4-point system (A=4, B=3, C=2, D=1). In advanced placement (AP) and Honors classes, an additional point is granted for grades of A and B (A=5, B=4).
- **New Mexico School for the Arts does not rank its students for the purpose of college application.**
- Official transcripts can be requested from the Registrar's Office. Final transcripts are released after all outstanding balances have been paid in full.

3.4 EVALUATION OF STUDENT WORK

The principles that underlie evaluative standards at NMSA are as follows:

- The evaluative process will be a part of the learning process, not an end in itself. The overriding goal of instruction at NMSA is that all students will learn what is taught and will benefit from the experience; the system of evaluation is designed to implement that goal.
- Students will be evaluated with reference to established course content and skill criteria which will be known to students in advance. Criteria for each course will be in keeping with broader learning outcomes established by each Department. These outcomes reflect Common Core State Standards.
- While individual teacher flexibility in the evaluative process itself is permitted, uniform grading standards will be applied by all instructors.
- Grading standards will be applied in a manner which is clear and informative.
- Student progress will be reviewed and evaluated regularly. It is crucial that work be graded and returned in a timely fashion so that students know where they stand and can respond to the evaluations.
- Each student will be evaluated on the basis of individual achievement relative to course criteria, not on the basis of a predetermined grade distribution.
- Evaluative instruments will be appropriate to the discipline; they will be, so far as is possible, flexible, creative, and varied.
- The evaluative process will challenge and encourage students without threatening them.
- A complete evaluative system includes timely written and personal contact between teacher, student, and parents/guardians.

Grading Standards

Grade	GPA	Standard
A+	4.0	Distinguished achievement. Demonstrates a comprehensive understanding of subject matter, thorough daily preparation, timely submission of work, seriousness of purpose, valuable contribution to class, and a mastery of required skills.
A		
A-		
B+	3.0	Significant achievement with no serious deficiency. Demonstrates sound grasp of subject matter, constructive class participation, good class preparation, strong competence in required skills.
B		
B-		
C+	2.0	Satisfactory achievement. Demonstrates moderate grasp of subject matter, but inconsistent class preparation and participation, and mixed competence in required skills.
C		
C-		
D+	1.0	Passing. Demonstrates minimal grasp of content, unsatisfactory daily preparation, inadequate class participation, and significant deficiencies in required skills. May prevent advancement in subject area.
D		
D		
F	0.0	Failure. Demonstrates inadequate grasp of content, unsatisfactory class preparation, inability or unwillingness to master required skills. No course credit awarded.

3.5 SCHEDULE CHANGES AND COURSE WITHDRAWAL

- At the beginning of each semester, students may drop a course during the first 15 instructional days with nothing noted on the transcript.
- If a course is dropped after the first 15 instructional days of the semester and before the last 15 instructional days of the semester, a W (withdrawal grade) will be entered on the transcript. A W does not impact the GPA.
- If a course is dropped during the last 15 instructional days of the semester, an F will be entered on the transcript and will impact the GPA.

3.6 REPORT CARDS AND PROGRESS REPORTS

Course grades are calculated at the end of each Quarter, with reports issued on a quarterly basis for all students. Progress Reports are issued at the end of Quarter 1 and Quarter 2. Report Cards are issued at the end of Semester 1 and Semester 2. Progress Reports are issued at the end of a quarter and provide an opportunity to raise concerns about a student's academic progress. Mid-quarter notifications are sent where the grade at this point is a D or an F. Students should use this notification as a call to work toward improving performance and not as a prediction of the quarter grade. The absence of the mid-quarter notification should not be interpreted as a level of success that will automatically continue through the remainder of the course, because the second part of a term may tend to be more demanding. As the weeks of the school year progress, students should be continually aware of their progress, strengths, and weaknesses based on assessment feedback. The letter grade and accompanying comments are the formal way of recording the assessment of the teacher. At any time, a parent or a student may check on progress through PowerSchool where grades are frequently updated.

Incomplete quarter grades remaining on the books longer than two weeks will be converted into an "F" unless exempted by the Head of School.

3.7 HONORS ADMISSION POLICY

3.7.1 Requirements for students in grade 9

- A grade of "A" in the previous semester of the subject area.
- A short letter stating why the student wishes to enroll in honors.
- Approval of current subject-area teacher.

3.7.2 Requirements for students in grades 10-12

- A grade of "A" in the previous semester of the subject area ("A" or "B" if previous semester was an honors course).
- Recommendation of previous subject-area teacher.

Any student wishing to take more than two honors courses must meet with the School Counselor, and receive written approval from the Head of School or Designee.

3.7.3. NMSA Honors Add/Drop Policy

- Students have until the 15th instructional day of the semester to switch in and out of honors courses.
- If a student does not demonstrate the ability and willingness to satisfactorily complete honors coursework during the first 15 instructional days, s/he may be dropped from honors on the 15th day at the teacher's discretion.
- After the first 15 instructional days of the semester, a teacher will need to complete an Honors Course Add/Drop Form and submit it to the School Principal for approval.
- A student who does not earn a grade of "A" or "B" in an honors course is dropped from honors for the subsequent semester.

3.8 SEMESTER FINALS

Each student must be present to take semester finals at the time they are scheduled at the end of each semester. No vacations should be scheduled at those times. Final exams may not be taken early. Semester finals weigh from 10% to 20% in the overall semester grade.

4. SCHOOL HEALTH

4.1 ILLNESSES/CONTAGIOUS DISEASES

For the protection of all, your student should be kept at home if he/she has any of the following symptoms: fever of 101.0 or greater, diarrhea, vomiting, or a rash. Parents/guardians should exercise every caution and keep their student home should other unusual symptoms occur. If a student becomes ill while at school, a parent will be called to pick up the student immediately.

If your student has been exposed to a contagious disease, he/she should be kept at home and the occurrence of his/her condition should be reported to the school immediately. Chicken pox, ear infections, giardia, hepatitis, measles, mumps, scarlet fever, and viral infections are among those conditions categorized as "highly contagious".

4.2 MEDICATIONS POLICY

Diagnosis, treatment of illness, or prescribing drugs and medications are never responsibilities of a school and should not be practiced by any school personnel. School personnel will only dispense Tylenol, Ibuprofen, and cough drops if permission has been given by the parent/guardian in the Medical

Release Form. School personnel will dispense medications that have been prescribed by a physician only if the parent/guardian provides the front office with a Permission for Administering Medication in School form giving permission to administer and provide dosage instructions. When possible, medication doses should be given at home to avoid interruptions in the school day. If medication is needed during the school day, the policy is as follows:

- *Inform.* Parents/guardians must inform the Front Office staff when a student requires medications during the school day. Students observed by school personnel self administering unauthorized medications shall be reported to their parents/guardians.
- *Written Permission.* A written statement is required from the parent/guardian and physician authorizing the administration of all medications and releasing school personnel from liability should reactions result from the medication. The written statement must include the student's name, diagnosis, name of medication, dose, time to be given, and signatures of parent/guardian and physician. Forms are available from the office.
- *Labeled Containers.* Medication must be provided in pharmacy labeled containers that indicate pharmacy name and telephone number, student's name, physician, name and dosage of medication. The dispensing pharmacy must split medication into duplicate bottles if it is necessary to give medication during school hours. One bottle will be kept at home and the other at school under the care of school authorities.
- *Administration.* Front office personnel will oversee the student self administration of prescribed medication. Students will be allowed to carry and self-administer medications only with a physician's and/or parent's written permission, in cases of potential emergency. An Agreement for Medication Self Administration form must be completed by the parent/guardian and will be kept on file. (See additional requirement below).
- *Tylenol, Ibuprofen, and Cough Drops.* Tylenol or other over-the-counter medicines will be administered to students only with the parent/guardian's authorization given in the Medical Release Form as required above. Again, parents are urged to administer such medication at home when possible. Over-the-counter medicines will be administered for conditions such as mild fever, headache, muscular ache, toothache, symptoms of seasonal allergies, menstrual cramps, sore throat, and for no more than 3 consecutive days unless a medical authorization is obtained from a primary care provider. Over-the-counter medication administered will follow manufacturer's label directions for dose, indication for use, and age and weight guidelines unless medical authorization is obtained.
- *Disposal.* When the medication is no longer needed, it will be returned to the parent or guardian, or destroyed. Medications requiring refrigeration will be kept in a closed and clearly identified container in the refrigerator.

4.3 SELF-ADMINISTRATION OF CERTAIN DRUGS

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

- The health care provider has instructed the student in the correct and responsible use of the medication;
- The student has demonstrated to the health care provider and the school official the skill level necessary to use the medication and any device that is necessary to administer the medication as prescribed;

- The school official or health care provider, with input from the parent/guardian and based on the student's health care practitioner's medical orders, has formulated a written treatment plan for managing the student's care and for medication use by the student during school hours or school-sponsored activities, including transit to or from school or school-sponsored activities; and
- The student's parent has completed and submitted to the school any written documentation required by the school, including the treatment plan required in paragraph (3) above and a statement relieving the school and its employees and agents from liability arising from the performance the student's self-administration, carrying or storage of medication, supplies, and medication-administration equipment.

The parent of a student who is allowed to carry and self-administer asthma medication, emergency anaphylaxis medication, or diabetes medication/equipment must provide the school with backup medication and equipment that shall be kept in a location to which the student has immediate access in the event of an asthma, anaphylaxis, or diabetes emergency. A Permission for Administering Medication in School form must be completed by the parent/guardian and kept on file.

The school shall not be liable as a result of any injury arising from the performance of self-assessment procedures and the self-administration of medication nor from any injury arising from the student carrying, and, if applicable, disposing of the medication or supplies needed to administer medication.

4.4 MEDICAL SITUATIONS AND EMERGENCIES

- *Emergencies.* In the event of a medical emergency or an accident, we will first attempt to contact the parent/guardian or the doctor of the student, unless NMSA determines that the circumstances merit contacting 911 for emergency response. After 911 is called, NMSA will make every effort to reach the student's parent/guardian, or other emergency contact prior to treatment. *Staff Aid.* Should first aid be needed, a designated staff member or other person assigned to take care of a particular situation will administer first aid or give instructions for proper care.
- *Incidents at School/Reports Home.* Front Office visits for illness and injury will be logged. Minor accidents (e.g., bruises, scratches, bumps, cuts, scrapes, etc.) that can be taken care of by staff members will be attended to immediately. The staff member will document the accident on a Student Accident/Illness Report form. A copy will be placed in the office medical recording book. Parents will be notified of any situation that involves trauma to the head. In the event of a serious accident, a NMPSIA "Incident Report" form will be completed by a school administrator.
- *Accidental Poisoning.* In the case of poisoning, a staff member will call Poison Control immediately and follow their instructions carefully. Parents will be notified and a NMPSIA "Incident Report" written.

4.5 EXCUSE FROM PHYSICAL EDUCATION, THEATER, MUSIC, VISUAL ARTS AND DANCE CLASSES

Please send a written request to the teacher if your student needs to be excused from Physical Education and/or Theater, Music, Visual Art or Dance classes. Written instructions are required from the student's physician if the student is to be excused for more than two days, and the instructions must include a re-entry date.

4.6 USE OF SERVICE ANIMALS

No animals are allowed in the school facility, except for service animals. A service animal, by definition, is any dog that is individually trained to do work or perform tasks for the benefit on an individual with a disability. See 28 CFR* 35.104 (*code for federal regulations).

A service animal is not an emotional support or companion under the Title II of the ADA. For instance, a dog that does not perform work or tasks related to the student's disability but makes the student feel better is not a service animal.

5. SCHOOL RULES AND CONSEQUENCES

5.1 NMSA POLICY ON DISCIPLINE

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

5.2 AUTHORITY OF NMSA

NMSA has both the authority and the responsibility to ensure that suitable rules of student conduct and appropriate disciplinary processes are established for NMSA. With certain limits, NMSA's Governing Council has the discretion to develop such rules, policies and procedures as it deems appropriate.

5.3 GENERAL STATEMENT OF CITIZENSHIP

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

5.3.1 Respect/Responsibility/Safety

Respect:

- Following directions
- Respecting the personal space of others
- Respecting the property of the school and others
- Exhibiting respectful behavior and language

Responsibility:

- Actively participating in classes
- Being prepared for class
- Putting forth best effort

- All students are required to keep an agenda, either hardcopy or electronic, to monitor assignments, due dates, and test dates

Safety:

- Staying on school grounds in assigned areas (NMSA is a closed campus)
- Using equipment and materials appropriately. This includes textbooks
- Following direction during drills

5.3.2 Pledge of Allegiance

The School Patriot Act (passed soon After September 11, 2001) requires schools to recite the pledge daily. Those who choose not to recite it must “respect the rights of those pupils electing to participate” in the pledge. Students choosing not to recite the pledge may quietly sit or stand during this time.

5.3.3 Textbooks and Other School Materials

Students shall take proper care of all school material entrusted to them. These materials include, but are not limited to, books, computers, Chromebooks, and calculators. Lost or damaged school materials are the financial responsibility of the parents/guardians and students.

Textbooks are essential educational tools. A substantial amount of the school’s budget is devoted to purchasing them. They are the property of the school. Students are responsible for keeping textbooks issued to them in the same condition they received them in. Students are also responsible for returning textbooks to their teacher when no longer taking a class.

A \$5.00 fine will be assessed to the student’s account if a book is returned damaged (minor writing, damage to cover).

If a book is lost, stolen, or damaged beyond repair (broken binding, missing pages, excessive writing, water damage), the student will be responsible for the full replacement cost of the book. The cost can vary up to \$200.00.

Some classes have workbooks that students are allowed to write in and keep. In the event that a workbook is lost, the student is responsible for the replacement cost.

Responsibility of the Student:

- Put a cover on all hardcover books
- Put name in front cover in book upon receipt
- No writing in pen, highlighting, or permanent marking is allowed in textbooks
- Keep books in a secure place when not in use

5.3.4 Email Communication

Students will be assigned a Gmail account which will be used by teachers and staff for school communication.

5.3.5 Free Speech

All students have the right to express for themselves as long as it does not hurt others.

5.3.6 Knowing the Rules

The school has expectations of appropriate behavior (rules) for all students, which you must know and meet. If you fail to meet expectations, you will be treated fairly. You will be allowed to

tell your side of the story to your teacher, Counselor, Principal, or Head of School. Consequences may include talking with you, talking with your parents or guardians, serving detention, or facing more severe consequences depending on your behavior.

5.3.7 Learning in School

NMSA aims to help you grow into a productive and successful adult. To do this, you must take part in all of your classes and other activities to the best of your ability. The entire school staff is here to help you do your best. If you have any questions or problems, ask for help. Students who disrupt others and make it hard for them to learn may be removed from the classroom and sent to the Front Office. The teacher will notify the Head of School or Designee; the Head of School or Designee will determine if additional consequences should be given.

5.3.8 People Who Are Different

Everyone is different in his or her own way. We expect everyone in the NMSA community to treat all people fairly, as we would like to be treated. Bullying in any form is not tolerated at NMSA.

5.3.9 Coming to School

You must attend school each day and be on time. When you are sick or have a family emergency, you may remain at home. When you return to school, it is your responsibility to ask teachers about missed assignments.

5.3.10 Audience Etiquette

Students are expected to display appropriate audience behavior throughout each school performance that they attend:

- Do not enter during a performance
- Turn off cell phones and electronic devices
- Do not leave during a performance
- Do not bring food or beverages
- Do not show disrespect for performers by reading, talking, or placing feet on the chair in front of you
- Applaud according to the dictates of the type of performance. For example, it is appropriate to applaud a jazz soloist immediately upon the conclusion of the solo, but it is not appropriate to do so between the movements of a sonata
- Do not scream, yell or whistle
- Assume that each performer is doing his/her best and that each one needs your understanding and support
- Do make every effort to attend performances in areas other than your own

5.4 DRESSING AND GROOMING POLICY

The NMSA dress code is designed to encourage professionalism, neatness and comfort without sacrificing individual expression, and is designed to support the instructional environment. A dress code teaches students how to dress in a variety of situations. A student's dress should reflect good personal grooming and hygiene habits, avoid unkempt appearances, and demonstrate respect for the academic setting.

Without limiting the generality of these principles, the following guidelines will be observed:

- No attire or accessories that advertise, display or promote any drug, alcohol, tobacco, sexual violence, disrespect, or bigotry towards any group are permitted.
- Tops that show more than three inches of bare midriff or sheer tops without an undershirt are not acceptable.
- Shorts should cover the bottom of the buttocks by at least 3 inches; skirts and dresses shall extend to the tip of the fingertip when arms are extended by the side.
- Shirts that are backless, shirts with low necklines, sheer or spaghetti strapped tops must also have an undershirt along with appropriate undergarments.
- Undergarments should not be visible.
- Shorts, spandex, or tights must be worn under all skirts or dresses that are above the knee to avoid the exposure of undergarments.
- Appropriate shoes, such as sneakers for PE and closed toed shoes for laboratory work, are required. Students who do not comply may be asked by faculty to not participate.
- Shoes must be worn at all times, unless otherwise instructed.
- Visual Art students must wear closed toed shoes at all times while working during the Arts Block.
- Unacceptable clothing includes: sagging/baggy pants, tube tops, spandex shorts or excessively tight tops, ripped or excessively/inappropriately tattered clothing, pants, dresses, shirts or shorts that expose underwear.

Students who do not present themselves according to the dress code will be asked by a teacher, staff, or faculty member to obtain appropriate clothing and the student may be removed from class until appropriate clothing is worn before being allowed to return. After 3 violations of the student dress code, students will be referred to the Head of School or Designee for further disciplinary action.

Note: Department Chairs may require students to wear various attire or articles of clothing during their art block as needed for participation or safety.

5.5 TRANSGENDER BATHROOM POLICY

Students shall have access to the restroom that corresponds to their gender identity at school. Where available, a single staff bathroom may be used by any student who desires increased privacy, regardless of the underlying reason. The use of such a single stall bathroom shall be a matter of choice for the student, and no student shall be compelled to use such bathroom.

5.6 SPECIFIC PROHIBITED CONDUCTS

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

5.6.1 Cheating or Plagiarism

Means, for example, taking a test in a dishonest way, copying somebody's homework, accessing improper sources to answers on classroom assignments, tests or homework, or copying work done by somebody else and claiming it to be your own. If a teacher has evidence of academic dishonesty in arts or academics, including cheating or plagiarism, the student will be referred to the Principal. The Principal will address the first and second incidents. The third incident will be referred to the Head of School or Designee. Copies of all paperwork will be sent to the Head of School.

5.6.2 Misconduct

Actions by students that are insubordinate or show disrespect for others or general misconduct that disrupts the learning situation.

5.6.3 Violation of Dress Code

Instances in which students deliberately defy the NMSA dress guideline.

5.6.4 Public Display of Affection

In order to maintain a respectful atmosphere on campus, students are to refrain from overt public displays of affection while on school grounds and at school events. This includes sitting on laps, groping, lengthy kissing, etc. If a student has a question as to what is appropriate, he or she may discuss it with a school administrator. NMSA staff will intervene when displays of affection are inappropriate.

5.6.5 Verbal Abuse or Profanity

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

5.6.6 Video and Audio Recording Without Consent

Except for during public events, students may not create, duplicate or by any means (e.g. texting, emails or any other social media platform) make a video or audio recording of another individual while at school or during any school-sponsored activity or event without the express written consent of each individual being recorded. Consequences for violation of this policy may include loss of privilege of bringing a smartphone or other personal electronic device on campus or to school-sponsored events. In addition, anyone violating this policy will be required to delete and remove from circulation recordings made in violation of this policy.

5.6.7 Theft or Pilfering

Means taking someone else's belongings without his/her permission, no matter how small. A student involved in the act of stealing or in possession of stolen property may face criminal charges along with other disciplinary actions by NMSA up to and including suspension or expulsion. If it is school property, NMSA will press charges and student will make financial restitution.

5.6.8 Student Possession of Tobacco on School Grounds

While at school or a school sponsored event, students shall be prohibited at all times from smoking (including but not limited to E or vapor cigarettes, nicotine containers, chewing tobacco, cigars, snuff, dip, hookahs, and pipes) or having tobacco in any form in their possession. Punishment shall include definite corrective action.

Possession:

1. If a student is found in possession of tobacco, (including but not limited to E or vapor cigarettes, nicotine containers, chewing tobacco, cigars, snuff, dip, hookahs, and pipes) the student must surrender the tobacco and parents will be notified.
2. Second possession offense – Possible 1 day In-School-Suspension and meeting with the School Counselor regarding effects of smoking and the opportunity to learn about smoking cessation options. Parents/guardians will be notified.

3. Third possession offense – Possible 2 days In-School-Suspension and meeting with the School Counselor regarding effect of smoking and the opportunity to learn about smoking cessation options. Parents/guardians will be notified.

Use: if a student is found using tobacco on school grounds, then the student must surrender the tobacco. Parents/guardians will be notified, students may receive a one day In-School-Suspension, student will be referred to the School Counselor for smoking cessation discussion.

5.6.9 Vandalism and Tampering

Any abuse of school or private property shall be considered vandalism. The parent or guardian shall be requested to meet with the school officials to make arrangements to pay for the damage caused by the student. Criminal charges may be filed and other disciplinary actions may be taken by NMSA up to and including suspension or expulsion.

5.6.10 Violent Behavior

Acts of assault, violence, intimidation, fighting, or extreme antagonism toward other persons shall immediately be reported to the Head of School or Designee. Criminal charges may also be filed along with other disciplinary actions by NMSA. See, 4.5.16, below.

Physical Aggression: Any incident of physical aggression may result in a 10 day Out-of-School-Suspension (OSS) with a recommendation to expel. Local law enforcement may be called and a citation could be issued.

5.6.11 Gang-Related Activities

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

5.6.12 Threats

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

5.6.13 False Accusations

Accusations or charges made by a student, teacher, administrator, or other school personnel against a teacher, another student, administrator, or other school personnel shall be reported to the Head of School or Designee, who shall conduct a complete investigation of the accusations or charges made. Any student, teacher, administrator, or other school personnel found to have intentionally made false accusations or charges that jeopardize the professional reputation, employment, or professional certification of a teacher, administrator, other school personnel, or student shall be subject to disciplinary action for a serious breach of conduct.

5.6.14 Failure to Report Serious Offenses

Students who are aware of serious offenses must report that information to a teacher, Head of School or Designee, at their earliest opportunity. Failure to report serious offenses may be cause for disciplinary action. Serious offenses include, but are not limited to: bullying (including cyber-bullying), possession of weapons, possession of firearms, or possession of drugs.

5.6.15 Bullying and/or Harassment

If, upon investigation by the School Counselor, in consultation with the Head of School or Designee, a student has been found to have committed an act(s) of bullying and/or harassment, including cyber-bullying, the student may be referred to the Head of School or Designee and suspended or recommended for expulsion. Criminal charges may also be filed if warranted.

Students who are victims of bullying or harassment should report the incident to the School Counselor and complete a Bullying Complaint Form. The School Counselor, after meeting with the student submitting a Bullying Complaint Form, will consult with the Head of School or Designee to determine whether a disciplinary investigation and/or consequences, up to and including suspension or expulsion, are warranted.

See Section 5.20, Bullying Prohibition Policy, for definitions, report, investigation and consequences of bullying.

5.6.16 Cyber Bullying Policy

Cyber bullying is defined as a situation in which a student is repeatedly harassed, humiliated, threatened, and intimidated, or otherwise targeted by another person through the use of digital technologies, including but not limited to, instant and text messaging, email, blogs, social websites (e.g. Snapchat, Facebook), and chat rooms, therefore, affecting the student's learning environment.

Law enforcement may be contacted if a threat of physical aggression is identified.

NMSA is committed to providing a safe, positive, productive, and nurturing educational environment for all of its students. NMSA encourages the promotion of positive interpersonal relations between members of the school community. Aggressive behavior toward a student, whether by other students, staff, or third parties using social networking technologies is strictly prohibited and will not be tolerated. NMSA will not tolerate any gestures, comments, threats, or actions that cause or threaten to cause bodily harm or personal degradation using these social networking technologies. This policy applies to all activities at NMSA, including activities on school property or while en route to or from school sponsored activities and during any school-sponsored, school-approved or school-related activity or function, such as field trips or athletic events where students are under the school's control, where an employee is engaged in school business, or if occurring off school property if the activity disrupts the school environment or another student's access to a safe and healthy school environment.

5.6.17 Possession of Dangerous or Disruptive Items

Any item in the possession of or being used by a student which disrupts the class, distracts his/her attention from the class, defaces school property, or in any way endangers the safety of himself/herself or others shall be taken by the teacher and held until proper disposition of the item(s) can be made. Teachers are not to destroy such items. Students who refuse to cooperate shall be reported to Head of School or Designee for further action. Possession or use of a dangerous or disruptive item while on school property or in attendance at a school function may be grounds for suspension and/or expulsion and referral to proper law enforcement agencies. Please refer to our Cell Phone Policy (5.7) regarding disruptive items.

5.6.18 Weapons

NMSA prohibits students from possessing, storing, making, carrying, concealing in a backpack or on their persons, or using a weapon or other devices designed to inflict serious bodily harm in any setting that is under the control and supervision of NMSA. This includes school activities,

property leased, owned, or contracted for by NMSA, a school-sponsored event, and/or while in school sponsored transportation. The term “weapon” includes a firearm, parts of a weapon, destructive device, knife/cutting instrument, and other weapon as defined herein and including toys or facsimiles.

- *A firearm* is any device which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device; or any machine gun. Weapon includes firearms of any kind (operable or inoperable, loaded or unloaded, commercial or homemade); including but not limited to hand, zip, pistol, rifle, shot gun, starter gun, flare gun, or tear gas gun.
- *A destructive device* is any bomb, grenade, mine rocket, missile, pipe bomb, or similar device containing some type of explosive that is designed to explode, including fireworks and firecrackers, and is capable of causing bodily harm or property damage.
- *Knife/Cutting Instrument* includes, but is not limited to dagger, dirk, stiletto, shank, knife, razor, box cutter, or Exact-o knife that is outside of the student’s art box or studio.
- *Other weapons* means the possession or intention of using any instrument or object to inflict harm on another person, or to intimidate any person, including, but not limited to chains (even if not being used for the purpose for which it was normally intended and capable of harming an individual), pipe (any length or metal not being used for the purpose it was normally intended), pointed instruments (including pencils, pens), nunchuks, brass knuckles, Chinese stars, billy-clubs, bludgeons, slingshots, portable devices or weapons directing electrical current (stun guns), impulse, wave, beam or chemicals, BB pellets, CO2 firing devices, or dart guns, bows, explosives, propellants, or flash pots. Any other dangerous or deadly weapon.

Students must immediately report knowledge of weapons and threats of violence by students and staff to a teacher, the Head of School, or his/her Designee. Failure to report such knowledge may subject the student to immediate suspension and potential expulsion from school. The Head of School or Designee shall immediately report to the appropriate law enforcement agency if a dangerous weapon is found or is suspected to be in the possession of a school employee or a visitor.

Exception: Items pre-approved in writing by the Head of School or Designee upon request of a teacher as part of a class or individual presentation, or a theatrical prop used under adult supervision, if used for the purpose and in the manner approved, would be an exception to this policy; working firearms and any ammunition will never be approved as part of a presentation.

5.6.19 Possession, Sale and/or Use of Alcoholic Beverages, Narcotics, Illegal Drugs, Electronic Cigarettes or Vapor Devices, Nicotine Containers and/or Prohibited Substances

NMSA prohibits students from using, being under the influence of, possessing, distributing or trafficking tobacco, alcohol and/or illegal drugs on school property, at school, or at school-sponsored activities. Students, while on school property or attending a school-sponsored activity, who use, are under the influence of, possess, distribute, or sell tobacco, alcohol, and/or other drugs or related paraphernalia shall be subject to intervention, discipline, suspension, expulsion and/or other appropriate alternatives.

5.6.20 Odor of Alcohol and Illegal Substances

Students may not be at school or at a school-sponsored event if they have the odor of alcohol or illegal substances on their person or possessions. If a student has the odor of alcohol or illegal substances on his or her person or possessions, but is determined not to be in possession of or

under the influence of alcohol or illegal substances, the student will be sent home to change clothes or take the necessary action to eliminate the odor of alcohol or illegal substances. In order to ensure the student's safety, the student's parent/guardian will be called, and the student will only be released to a parent/guardian or designee. Once the student no longer has the odor of alcohol or illegal substances on his or her person or possessions, he or she may return to school.

5.6.21 Extortion

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

5.6.22 Bomb Threats or Terroristic Threats and Throwing Explosives or Noxious Substances

Means making threats, placing, discharging, or throwing a destructive explosive item or noxious substance, or makes a terroristic threat while in or on NMSA property, or on school-sponsored transportation, or during school-sponsored activities.

5.6.23 Arson

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

5.6.24 Inciting Others or Disruptions

The act of encouraging or helping a student to cause a riot, disrupt school activities, or to be absent or otherwise violate school rules, or to disrupt or interfere with the lawful administration or functions of the school activities.

5.6.25 Assault or Battery on School District Personnel

Causing bodily harm to or threatening to cause bodily harm to a school official or a teacher. Consequences for such behavior are at the discretion of the Head of School or Designee.

5.6.26 Racialized Aggression

Racialized aggression (defined broadly as hostility/aggression toward, or denigration/invalidation of, a different racial group or member(s) thereof), involving any student or school personnel, is strictly prohibited.

5.7 CELL PHONES

5.7.1 Daily Cell Phone Use

A student may only use his/her phone before and after school hours, between classes, and during the student's lunch period. The cell must be turned off or on silent mode during the school day. The cell phone may only be used in class with explicit permission from the teacher to use it for instructional purposes. The cell phone may be used in the administration office with permission to call a parent, guardian or designated person for an emergency or other appropriate reason. Misuse of the cell phone rules will result in confiscation of the phone.

- First Offense: Cell phone is surrendered to the Front Office until the end of the school day.
- Second Offense: Parent(s)/guardian(s) are notified and the cell phone is surrendered to the Front Office for two days during school hours. The student may pick up the phone at the end of the first day but MUST return it to the office at the beginning of the second day.

- Third Offense: Parent(s)/guardian(s) are notified and the cell phone is surrendered to the Front Office. The cell phone must be picked up by the parent(s)/guardian(s).
- Further infractions of the cell phone policy will result in the student's loss of cell phone use at school for the remainder of the semester.

5.7.2 Cell Phones During Testing

Students may not be in possession of cell phones during testing. Before testing, teachers will collect and secure any cell phones that have been brought to class. At the end of testing, cell phones will be returned to students. A student found to be in possession of a cell phone during the administration of a test may have the test invalidated.

5.8 SEARCH AND SEIZURE

5.8.1 Search of Property

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

5.8.2 Search of Person

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

5.8.3 Seizure of items

Illegal items, legal items which threaten the safety or security of others, and items which are used to disrupt or interfere with the educational process may be seized by authorized persons.

Seized items shall be released to appropriate authorities or a student's parent/guardian or returned to the student when and if the Head of School or Designee deems appropriate.

5.8.4 Notification of law enforcement authorities

The Head of School or Designee shall have discretion to notify the local student's court attorney, district attorney or other law enforcement officers to conduct the search when search for possession of an illegal substance or item is suspected. If the school conducts the search and it discloses illegally possessed contraband material or evidence of some other crime or delinquent act, local law enforcement will be called.

5.8.5 Record Keeping

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

5.9 VIOLENT OR AGGRESSIVE BEHAVIOR

5.9.1 Defined

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

5.9.2 Duty to Report

Any student who believes he/she has been or is the victim of aggressive behavior should immediately report his/her concerns to a teacher or counselor who will be responsible for notifying the Head of School or Designee. Complaints against the Principal shall be filed with the Head of School. Complaints against the Head of School should be filed with the Governing Council Chair. Every student is encouraged, and every staff member is required, to report any situation that they believe to be aggressive behavior directed toward a student. Reports may be made to those identified above.

5.10 CLASSROOM RULES

Individual classrooms have additional rules and consequences that will be reviewed with students by the classroom teacher.

5.11 CONSEQUENCES

Students have certain rights, but also have the responsibility to respect the rights and property of others. If a student fails to do this, disciplinary action will follow. Disciplinary consequences may be imposed by the Head of School or Designee, in addition to consequences developed by the classroom teacher, for violations of school rules. The Head of School or Designee has the right to impose discipline

using the regulation that supports this policy in accordance with the circumstances presented. Some of the potential consequences include:

- Head of School or Designee referral. Students who choose to disobey rules may be sent to meet with the Head of School or Designee to discuss the behavior. Parent(s)/guardian(s) will be notified by phone or email.
- Parent meeting. When deemed necessary by the Head of School or Designee, or when a student receives his/her 3rd Incident Report, parent(s) or guardian(s) will be contacted by the Head of School or Designee so that arrangements may be made for the student to meet with the Head of School or Designee, classroom teacher, his/her parents/guardians and any other appropriate staff to discuss the referrals and develop a plan/contract.
- Student Assistance Team (SAT). Additional referrals will result in a meeting with the SAT to discuss other possible interventions such as a behavior management program, additional participation in the "Social Skills" program, a mentorship, screenings or evaluations, or other disciplinary action deemed appropriate by administration.

5.12 DUE PROCESS/REFERRALS

5.12.1 Due Process

In disciplinary cases, each student is entitled to due process. This means students:

- Will be informed of accusations against them.
- Will have the opportunity to accept or deny the accusations.
- Will have the factual basis for the accusations explained to them.
- Will have a chance to respond to the facts presented against them.

The extent of the due process required will depend upon the severity of the infraction and the related consequence.

5.12.2 Referrals

All discipline referrals submitted to the Head of School or Designee will begin with a conference with the student. In the case of suspensions/expulsions, parents will be notified of consequences by a personal phone call accompanied by a written letter. If attempts to notify parents by telephone are unsuccessful, parents will be notified by written letter only. Parent involvement is an important part of disciplinary action at all levels.

5.13 IN-SCHOOL SUSPENSION

A student may be assigned in-school suspension (ISS) as a consequence when it has been determined by the Head of School or Designee that the student violated a school policy.

During In-School Suspension, the student comes to school but does not attend classes. Instead, the student works on assignments under the supervision of administrative staff in the front offices.

The following policies and procedures apply to ISS:

- The student must check in at the front office by 9:10 a.m. and will be dismissed at 4:55 p.m.
- Outside of the time between 9:10-4:55, the student may not be on campus or participate in school-sponsored activities during the duration of ISS.
- Teachers will be asked to provide work that the student will miss during ISS. However, it is the responsibility of the student to get missed assignments from teachers.

- The student will have access to a Chromebook that may only be used to complete assignments (and may not be used for accessing social media or other personal uses).
- If the student brings a cell phone to school, the phone must be given to administrative staff for safekeeping during ISS (the student may opt to leave their cell phone at home or in another secure place).
- If the Head of School or Designee determines that the student is continuing to violate school rules during ISS, the in-school suspension may be converted into an out-of-school suspension.

5.14 SHORT-TERM OUT-OF-SCHOOL SUSPENSION

A short-term out-of-school suspension is a mandatory absence from school for a period of 10 days or less. If the Head of School or Designee decides that the alleged misconduct warrants a consequence of a suspension for 10 days or less, the Head of School or Designee shall give the student an informal due process hearing and shall examine all the pertinent facts to determine whether or not a violation did occur. The student shall be afforded due process rights including the opportunity to present to the Head of School or Designee, his or her defense or position concerning the alleged violation. After the conclusion of the investigation, the Head of School or Designee, upon the basis of all facts and information learned, shall determine if the student committed a conduct violation. If the student is found to have committed a violation, a consequence or suspension may be imposed for a period of time not to exceed 10 days. If a suspension is imposed, the Head of School or Designee, imposing the suspension shall keep a record of the aforesaid proceedings. Homework can be provided at the request of the parent. A parent may request an administrative review of the discipline data and decision to suspend by contacting the Head of School within 24 hours. There is no level of appeal higher than the Head of School for a suspension of 10 days or less. Students cannot participate in school activities, including art classes and performances, during their out-of-school suspension. The student cannot be on the school premises, at the NMSA dorms, or at NMSA-sponsored events.

5.15 LONG-TERM OUT-OF-SCHOOL SUSPENSION AND EXPULSION

A long-term out-of-school suspension is a mandatory absence from school for a period exceeding 10 days and up to the balance of the school year. If the Head of School or Designee decides that the alleged misconduct is sufficiently serious so that the consequence should be a suspension in excess of 10 days or expulsion, the accused student shall be afforded his or her due process rights. There shall be an investigation to determine if there is sufficient probable cause to charge the student with an act of misconduct, which may result in a suspension in excess of 10 days or an expulsion. When a student is charged by the Head of School or Designee with misconduct which may result in long-term out-of-school suspension or expulsion, an attempt will be made to contact the parent(s) or guardian(s) by telephone. If the parent(s) or guardian(s) cannot be reached immediately, they shall be informed of the alleged misconduct against the student by email and by a US Postal Service letter.

5.16 PROCEDURES FOR LONG-TERM OUT-OF-SCHOOL SUSPENSION AND EXPULSION

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

5.16.1 Notice

After following due process as noted above, if the Head of School or Designee believes that a long-term out-of-school suspension may be warranted as a result of alleged misconduct of a student, the Head of School or Designee will notify the parent(s)/guardian(s) in writing of the grounds for the proposed suspension and the date, time and location of the suspension hearing.

Notice will be given by certified mail return receipt or by personal delivery addressed to the student and his/her parent(s)/guardian(s). The notice shall contain:

- The time, date and place of the hearing;
- The name of the Hearing Officer;
- A description of the alleged misconduct, the standard of student conduct allegedly violated and the proposed discipline;
- A copy of 6.11.2 NMAC, "Students Rights and Responsibilities";
- A clear statement that the hearing will take place as scheduled unless the Hearing Officer grants a delay or the student and parent(s)/guardian(s) agree to waive the hearing and comply voluntarily with the proposed disciplinary action or with a negotiated penalty, and a clear and conspicuous warning that a failure to appear will not delay the hearing and may lead to the imposition of the proposed penalty by default.
Note: Expulsion hearings may not be waived;
- Notice (in writing) must be given to the Head of School at least 72 (seventy-two) hours before the hearing if the student or his parent(s)/guardian(s) will have an attorney present.
- Contact information for the person from whom the parent may request a delay is the Head of School. A request for additional information should be addressed to the Principal.
- A description of the hearing proceedings.

5.16.2 Hearing Officer

Suspension and Expulsion hearings will be conducted by the Head of School or by an administrator contracted by NMSA to serve as the Hearing Officer.

5.16.3 Time of Hearing

The hearing shall not be any sooner than five (5) nor later than 10 (ten) school days from the date the notice was received. The Hearing Officer shall have the discretion to extend the time for hearing. However, if the delay extends beyond the 10 (ten) school days, the student shall be returned to school pending the outcome of the hearing unless behavior is deemed dangerous to staff or others.

5.16.4 Decision

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

5.17 LONG-TERM OUT-OF-SCHOOL SUSPENSION AND EXPULSION APPEAL

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

5.17.1 Conduct of Review

The Head of School shall have discretion to modify the Hearing Officer's decision by imposing any lesser sanction deemed appropriate. The Head of School shall be bound by the hearing authority's factual determinations unless the student persuades the Head of School that a

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

5.17.2 Form of Review

The Head of School shall have discretion to conduct a review on the written record of the hearing and decision in the case. They also reserve the rights to limit new submissions by the aggrieved student and school authorities to written materials or to grant a conference or hearing at which the student, and his or her representative, and school authorities may present their respective views in person.

5.17.3 Timing of Review

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

5.17.4 Decision

The Head of School may announce a decision at the close of any conference or hearing held on review. In any event, the Head of School shall prepare a written decision, including concise reasons, and mail or deliver it to the hearing authority and the student, through the parent(s)/guardian(s), within ten (10) working days after the review is concluded.

5.17.5 Effect of decision

The Head of School's decision shall be the final administrative action to which a student is entitled.

5.17.6 NMPED Compliance

The process followed by NMSA shall conform to 6.11.2 NMAC and to the extent any provision of this section conflicts with the NMPED regulation, the regulation shall govern.

5.18 CLASSROOM CONTROL/CORPORAL PUNISHMENT

A teacher or other member of the certificated staff shall assume such authority for the control of students who are assigned to him/her by the Head of School or Designee and shall keep good order in the classroom. To that end, each classroom teacher may establish classroom rules that each student must follow. The use of corporal punishment is prohibited. Alternative disciplinary procedures, or other forms of positive reinforcement, should be used to bring about appropriate student classroom behavior.

5.19 DISCIPLINE OF STUDENTS WITH DISABILITIES

Students with disabilities are subject to school disciplinary processes. They are also not entitled to remain in a particular educational program when their behavior substantially impairs the education of other students in the program. However, NMSA is required by state law and regulations (6.11.2 NMAC) to meet the individual educational needs of students with disabilities as described by their individual education plan (IEP) or Section 504 plan.

5.19.1 Long-Term Suspensions or Expulsions

Discipline of students with disabilities shall be governed by the procedures set forth in Section 6.11.2.11 NMAC, including manifestation determination as described in Subsection C.

5.19.2 Temporary Suspension of Students with Disabilities

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

5.19.3 Program Prescriptions

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

5.19.4 Immediate Removal

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

5.20 BULLYING PROHIBITION POLICY

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

5.20.1 Definitions

- **Bullying.** Bullying is any written, verbal expression, physical act or gesture or pattern of such that causes a student(s) to feel distressed or intimidated and which substantially interferes with another student(s) education, opportunities or performance in school, on school grounds, in school vehicles or at school activities or sanctioned events.
- **Harassment.** Bullying includes harassment that is knowingly pursuing a pattern of conduct that is intended to annoy, alarm or terrorize another person. (Harassment based on race, color, national or ethnic origin, sex, gender identity, sexual orientation, culture, religion or disability is addressed below under "Anti-Discrimination and Harassment Policy").
- **Hazing.** Bullying also includes "hazing" which is defined as: committing an act against a student, or coercing a student into committing an act, that creates a risk of harm to a person, in order for that student to be initiated into or affiliated with a student organization, or for any other purpose.
- **Cyber stalking** means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person causing substantial emotional distress to that person.
- **Cyber bullying** is defined as a situation when a student is repeatedly harassed, humiliated, threatened, and intimidated, or otherwise targeted by another person

through the use of digital technologies, including but not limited to, instant and text messaging, email, blogs, social media (e.g., Snapchat, Facebook), and chat rooms, therefore, affecting the student's learning environment and emotional well-being.

5.20.2 Examples

Actions that will be considered as "bullying" include but are not limited to:

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

5.20.3 Reporting and Complaints

Students and parents are urged to file a verbal or written complaint concerning suspected bullying behavior to school personnel and administrators. A written complaint can be reported using the Bullying Complaint Form (Addendum 2). Students, parents and/or staff should use the following guidelines when reporting bullying:

- Any student who believes he/she has been the victim of harassment, intimidation, bullying, or hazing by a student or school personnel, or any person with knowledge or belief of such conduct that may constitute harassment, intimidation, bullying, or hazing toward a student should immediately report the alleged acts.
- The report may be made to any staff member including a teacher, counselor, the Head of School or Designee. If the complaint is made by a student to a staff member, he or she will assist the student in reporting to the Head of School or Designee.
- Teachers and other school staff who witness acts of bullying or receive student reports of bullying are required by law to promptly notify the Head of School or Designee. Reports should be made in writing using the Bullying Complaint Form (Addendum 2). A copy of this form will be submitted to the School Counselor.
- If a student makes a verbal report to a teacher, the teacher should complete the form or take the student to the School Counselor or in his/her absence, to the Head of School or Designee, where a form will be completed on the student's behalf without delay on the same day.
- If, upon investigation by the School Counselor, in consultation with the Head of School or Designee, a student has been found to have committed an act(s) of bullying and/or harassment, including cyber-bullying, the student may be referred to the Head of School or Designee and suspended or recommended for expulsion. Criminal charges may also be filed if warranted.

5.20.4 Investigation

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

5.20.5 Process

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

5.20.6 Confidentiality

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

5.20.7 Outcome

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

5.20.8 Consequences

First Offense: Warning

1. Verbal warning will be given to student if it is determined to be an act of bullying.
2. Notes will be added to the bullying complaint form by staff and will serve as documentation of the steps taken to respond to the complaint.
3. Communication will be made with parents/guardians informing them of the incident/warning and the consequences of continued problems.

Second Offense: A second incident of bullying, even if unrelated to the first, may result in a 5 day in school suspension (ISS) for both the academic and the art portions of the school day.

Third Offense: A third incident of bullying, even if unrelated to the first two, may result in a 10 day out of school suspension (OSS) for both the academic and art portions of the school day with a recommendation to expel.

At the discretion of the Head of School or Designee, and depending on the severity of the bullying incident, the "warning" step may be bypassed.

5.20.9 Consequences for Knowingly Making False Reports

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

5.20.10 Retaliation

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

5.20.11 Anti-Bullying included in Health Education Curriculum

“Health Education” is the instructional program that provides the opportunity to motivate and assist all students in maintaining and improving their health, preventing disease, and reducing health-related risk behaviors. It allows students to develop and demonstrate increasingly sophisticated health-related knowledge, attitudes, skills, and practices. It meets the content standards with benchmarks and performance standards as set forth in 6.30.2.19 NMAC. Bullying behavior is mentioned specifically in many areas of the Health Education performance standards, in all grade levels. All students need to be aware of bullying behavior beginning in kindergarten and continuing throughout their school years. It is imperative that students can understand, describe, and recognize bullying behaviors, and then in the later grades can analyze those behaviors and role play refusal skills.

5.20.12 Bullying Prevention Program

A Bullying Prevention Program will be implemented by the Counselor throughout the year and will include training for all students and staff.

5.21 ANTI-DISCRIMINATION AND HARASSMENT POLICY

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

5.21.1 Sexual Harassment

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

5.21.2 No School Discrimination for Race/Religion/Culture/Hairstyle

SCHOOL shall not discriminate against a student, discipline a student, or impose disparate treatment of a student, because of a student's race, religion or culture or because of a student's use of protective hairstyles or cultural or religious headdresses, as defined in New Mexico statute, NMSA 1978 §22-8B-4(U).

5.21.3 Other Forms of Harassment

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

5.21.4 Strictly Prohibited

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

5.21.5 Policy for Reporting Violations of Harassment or Discrimination Policy

A student who believes he/she has been a victim of discrimination and/or harassment and any third persons with knowledge of such conduct shall report the alleged act immediately to the Head of School or Designee. NMSA will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the obligation to investigate, to take appropriate disciplinary action, and to conform to any discovery or disclosure obligations.

5.21.6 Investigation and School Action

In determining whether alleged conduct constitutes harassment, the totality of the circumstances, the nature of the conduct, and the context in which the alleged conduct occurred will be investigated. A substantiated charge against a student, employee, visitor, vendor or other individual on NMSA premises for harassment shall subject that individual to disciplinary action or other consequences. Disciplinary action may include, but may not be limited to the following: written warning, detention, written reprimand, suspension, and/or expulsion. The severity of the disciplinary action will depend on the frequency, circumstances, and severity of the offense.

5.21.7 Retaliation

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

5.21.8 Notification

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

5.22 WEAPONS

State and federal law requires public schools to expel students for one year for carrying guns, knives, or any items that may be used as weapons or any part of a weapon including but not limited to clips and ammunition. In order to avoid misunderstandings or unintended consequences, students may not bring toy weapons or "look-alikes" to school. NMSA will report any such violation to the student's parent(s)/guardian(s) AND the appropriate legal authorities.

5.23 DAMAGE BY STUDENTS

Any malicious or willful act which destroys, injures, mars, defaces, or otherwise alters any school building, grounds material, equipment, or other school property by a student enrolled at NMSA shall cause parent, guardian, or person standing in loco parentis of the offending student to restore or replace such damaged property to the satisfaction of the Head of School or be assessed to pay all costs

to restore or replace such damaged property as determined by the true value established by the Head of School.

5.24 VIOLATION OF STUDENT RIGHTS

Students believing their rights have been violated should report their concerns to their parent(s)/guardian(s) and to the Principal. If the concern is not resolved by the Principal, a report should be made to the Head of School.

6. GENERAL SCHOOL INFORMATION

6.1 FIELD TRIPS

Field trips are considered an important part of our educational program and will be taken periodically to nearby places. The school will provide adequate and responsible adult supervision. NMSA must have on file an individual permission form for off-campus trips. Parents will be notified in advance of the location of upcoming field trips and travel arrangements.

While on school trips students must follow school rules and guidelines. Students shall at all times follow instructions and directives of teachers, sponsors, or chaperones in charge of the field trip. Misbehavior will result in disciplinary action.

NMSA students participate in **Walking Field Trips**. Students will walk to and from Santa Fe downtown destinations, accompanied and supervised by NMSA staff and approved volunteers. A Walking Field Trip Form is included in the registration forms and must be signed by parent(s) or guardian(s) before students can participate in this activity. Parents may or may not be notified in advance of the location of upcoming walking field trips.

6.2 LUNCH

Students need healthy meals to learn. NMSA offers healthy meals every school day. Your student may qualify for free meals or reduced price meals. Applications for Free or Reduced Lunches can be obtained from the Business Office and are posted on the school website.

6.3 LOST AND FOUND

Lost items are to be turned into the Lost and Found shelves in the orange hall. Students are encouraged to check for all lost items there. Due to the lack of storage space, clothing items in the Lost and Found may be donated to local charities as often as every Friday and definitely at winter break, spring break, and end of year. Items of higher value (electronics, glasses, jewelry, etc.) should be turned in to the Front Office.

6.4 PERSONAL PROPERTY

The school is not responsible for lost or stolen items. Lockers and locks are provided to students at no cost. We encourage students to secure valuables at all times.

6.5 PARENTAL CONCERN POLICY

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

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

Step 2. If a resolution cannot be reached at this level, then the parent or guardian may request a meeting with the Head of School or Designee and the other NMSA employee with whom there is a disagreement. There is no level higher than the Head of School.

The Head of School or Designee will schedule a meeting with the parent/guardian and all NMSA employees concerned as soon as practical after the complaint is received. When reaching a decision, the Head of School will take into consideration the best interest of the student and the mission, goals and policies of NMSA.

6.6 GRIEVANCE POLICY TO ADDRESS NON-STUDENT CONCERNS

6.6.1 Initial inquiry

Inquiries or concerns from a school community member, parent, guardian, or student regarding a specific NMSA staff member or program (NOT A STUDENT) should first be directed to the staff member involved or responsible for such program. If a community member, parent, guardian, or student (hereinafter “community member”) is not sure who is the responsible staff member, or, if the community member has an inquiry or concern of a broad nature, the community member should contact the Head of School or Designee for clarification on the steps to follow.

6.6.2 Initial Grievance Process

If the community member feels the issue has not been satisfactorily handled at the individual staff member level, the issue may be referred to the employee’s supervisor. After a meeting between the community member and the supervisor, the supervisor will prepare a written summary of attempt to resolve the community member’s concern. A copy will be promptly provided to the community member. If the community member feels the issue has not been satisfactorily resolved at this level the community member may take the issue to the Head of School or Designee.

6.6.3 Head of School Review

The following procedure shall be followed:

1. The community member may submit his/her grievance in writing to the Head of School within five (5) days of receiving the supervisor’s statement concerning the good faith effort to resolve the dispute.
2. The letter must be in writing, signed by the community member and delivered to the Head of School at the school. A copy of the administrator’s statement should be enclosed.
3. If the community member does not submit a written grievance within five (5) days from the date the written summary, prepared by the administrator, is delivered to the community member, the complaint will be deemed “resolved.”
4. The grievance submitted to the Head of School should include specific reasons why the community member is not satisfied with the administrator’s decision; any specific school policy that the member believes has been violated, and any other relevant information and documentation that supports the grievance. The written grievance must be dated and signed by the person submitting the complaint.
5. After a meeting with the Head of School, the administrator, and the individual staff member, the Head of School will make a decision regarding the action that will be taken to resolve this problem. The decision of the Head of School is final.

6.7 EMERGENCY DRILLS

Emergency drills, including fire drill, evacuation, shelter-in-place and lockdown are held at school as required by law. Drills may occur at any time of the day. Students must follow instructions for the drill being conducted. Upon completion of the drill, an all-clear signal will be sounded and activities will proceed as normal.

6.8 ACCESSIBILITY FOR PARENTS/GUARDIANS

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

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

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

7. STUDENT SUPPORT INFORMATION

7.1 STUDENT SUPPORT

Struggling students are identified through classroom, school-wide and state-wide screening/testing processes as well as other means, such as teacher observation or parent concern. Struggling students are brought before the Student Assistance Team (SAT) that will address problems, design and recommend interventions that will help to alleviate or resolve the situation prior to referral for a multidisciplinary evaluation.

If you have concerns about your student's progress, please let the classroom teacher know. If the classroom teachers have concerns, they will bring them to your attention and determine if a SAT meeting is warranted.

7.2 SECTION 504

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against persons with disabilities by organizations receiving federal assistance. Included in the regulation is the requirement that students with disabilities be provided with a "free appropriate public education" (FAPE). These regulations require identification, evaluation, provision of appropriate service, and procedural safeguards in all public schools. Section 504 services could apply to any school age student who (1) has had a physical or mental impairment which substantially limits a major life activity, or (2) is regarded as having a disability by others. Major life activities include walking, seeing, hearing, speaking, breathing, learning, working, caring for oneself and performing manual tasks.

Parents/guardians who have concerns or questions regarding 504 services should contact the student's teacher or the School Counselor.

7.3 ABUSE AND NEGLECT

If any member of the NMSA staff suspects child abuse or neglect, appropriate authorities must be notified. The call and report will be made as soon as any sign of abuse is noticed by the staff member who suspects or knows of the alleged abuse or neglect. Any member of the staff can make the call and does not have to wait for approval by the administration. Calls may remain anonymous. Signs of suspected abuse or neglect will be documented and sent to the Head of School or Designee and appropriate state authority.

7.4 STATEMENT OF RIGHTS PARENTS/GUARDIANS UNDER FERPA

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

7.4.1 Inspection

You may inspect and review your student's education records within 45 days of the day NMSA receives a written request for access. Parents/guardians of students should submit to the Head of School or Designee a written request that identifies the record(s) they wish to inspect. The Head of School or Designee will make arrangements for access and notify the parent or (eligible student) of the time and place where the records may be inspected.

7.4.2 Amendment

You may request an amendment of your student's education records if you believe they are inaccurate or misleading. To amend the record, the parent/guardian should write to the Head of School and clearly identify the part of the record the parent/guardian wants changed, and specify why it is inaccurate or misleading. If NMSA decides not to amend the record as requested by the parent/guardian or eligible student, NMSA will notify the parent/guardian of the decision and will advise the parent/guardian of his/her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent/guardian when notified of the right to a hearing.

7.4.3 Disclosure/Consent

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

7.4.4 Directory Information

Right to Opt Out. NMSA classifies the following as Directory Information: student's name, parent's name, address, telephone listing, electronic mail address, date of birth, grade level, arts discipline, participation in officially recognized activities, awards received, student's photograph, and the most recent previous school attended by the student. School officials may release this information to any person without the consent of the parents or the student. Any parent/guardian or eligible student who objects to the release of any or all of this information without his consent must notify, in writing, the Head of School of the school where the records

are kept by no later than September 15 each year. The objection must state what information the parent/guardian or student does not want to be classified as directory information. If no objection is received by September 15 of each year, information designated above will be classified as Directory Information until the beginning of the next school year. By signing that you received this policy in connection with the Student/Family Handbook, you acknowledge that you have received your annual notice of FERPA rights as required by federal law. If you chose to opt out for permitting your student's directory information from being released, please sign the attached "Exclude the Release of Directory Information" form attached to this handbook. (Addendum 1)

7.4.5 Complaint

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

7.5 TRANSFER OF STUDENT RECORDS

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

7.6 NMSA SCHOOL COUNSELING CONFIDENTIALITY GUIDELINES

Your confidentiality as a student is important to us. In the NMSA school counseling office, what is said here, stays here, with the following exceptions, as required by law and/or ethical standards:

1. **Harm to self or others:** this includes anything that puts your health or safety, or someone else's health and safety, at risk. It could include things like suicide attempt or plan, cutting or other self-injury, eating disorders, addictions, fighting or other physical violence, illegal behaviors, threats etc...
2. **Abuse or neglect:** if you talk with the counselor about abuse (physical, emotional, verbal, sexual or other abuse), whether to yourself or to another minor, we are required by law to report it to the New Mexico Children, Youth and Families Department, and possibly to the police. If you tell us about an abuse case that's already been addressed by CYFD or the police, we still may need to make a call to double check.
3. **Court or other legal proceedings:** by law, if we are subpoenaed (required by law to attend a hearing or other court proceeding), we cannot guarantee that your information will be kept confidential. We will always do our best to reveal as little as possible in a legal setting, but we must cooperate with the police, CYFD, and the courts. We will let you know in advance, if there is ever a need to reveal information, and work with you to handle the situation in a way that respects you, your feelings and your needs.

PLEASE NOTE: EACH NMSA STAFF MEMBER IS A MANDATORY REPORTER as is every adult in the state of New Mexico. They must report number 1 and 2 above, and are not bound by confidentiality.

Reference: NM Stat § 32A-4-3 Duty to report child abuse and child neglect; responsibility to investigate child abuse or neglect; penalty.8. TECHNOLOGY USE POLICY

8.1 NMSA TECHNOLOGY USE POLICY

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

8.2 GENERAL RULES FOR STUDENT USE

- Student use of instructional media must be in support of grade appropriate school instruction.
- Students will use respect and show proper care and handling of all equipment. Any student found to be intentionally damaging any software or hardware will be cited for school property abuse and the student's parent or guardian will be financially responsible for any damages.
- Students are expected to respect and not attempt to by-pass security in place on computers. Changing or attempting to change a computer's settings is a violation of acceptable use of our equipment.
- Students will observe software copyright laws. No students will bring software from home to copy on school workstations, nor will students copy school software for personal use.
- When using the Internet, students' actions will be closely supervised. Students will be held responsible for information viewed, received, and sent.
- Students are expected to respect the work and ownership rights of students, staff, and people outside the school community as well as within.

VIOLATION OF THE COMPUTER USE POLICY MAY RESULT IN A STUDENT LOSING HIS/HER PRIVILEGES.

Students sign the "New Mexico School for the Arts Technology Acceptable Use Agreement Form" (Addendum 3) while completing the online registration process.

8.3 NO EXPECTATION OF PRIVACY

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

Addendums

Addendum 1 - Exclude the Release of Directory Information

Addendum 2 - Bullying Complaint Form

Addendum 3 - Technology Acceptable Use Agreement Form

Addendum 4 - NMSA Receipt for Student/Family Handbook

Addendum 5 – NMSA's On-Time Homework Policy

Addendum 6 – Parking Lot/Student Drop-Off/Pick-Up Map

Addendum 1: EXCLUDE THE RELEASE OF DIRECTORY INFORMATION - FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT - ANNUAL NOTICE

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

- A playbill, showing your student's role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists; and
- Graduation programs.

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

If you do not want NMSA to disclose directory information from your student's education records without your prior written consent, you must notify the School in writing by the first day of the school year. NMSA has designated the following information as directory information:

- | | |
|---|------------------------------|
| • Student's name/Parents' name | • Photograph |
| • Address | • Honors and awards received |
| • Telephone listing | • Date of Birth |
| • Email address | • Grade Level |
| • Participation in officially recognized activities | • Arts Discipline |

By signing this document I, _____, parent/guardian of _____, a student at New Mexico School for the Arts, acknowledge that I have read and understand the FERPA policy stated above. I am requesting that NMSA does NOT disclose directory information about my student such as name, address, telephone number, email address, date, place of birth, honors and awards, and dates of attendance.

I understand that this directive shall remain in effect until I withdraw or modify it in writing.

Printed Name: _____

Signature: _____

Date: _____

Addendum 2: New Mexico School for the Arts – Bullying Complaint Form

New Mexico School for the Arts Bullying Complaint Form

All reports of bullying begin with a counselor investigation along with a narrative report from the student(s). If it is determined that bullying has occurred, the counselor will turn over reports to Administration to be followed up with consequences as outlined in the NMSA Student/Family Handbook. If the situation does not meet criteria for bullying, actions such as mediation, parent meetings, and counseling may result. See the NMSA Student/Family Handbook (section 5.20) for complete descriptions of the Bullying Prohibition Policy.

Student Name: _____ Grade: _____

Arts Department: _____

Date of Incident: _____ Time (estimate okay): _____ Location: _____

Is this the first time this has happened? Yes No

Is this the first time you are reporting this? Yes No

Name of Witness(es) if applicable: _____

Please describe in as much detail as possible what happened:

Attach a sheet if necessary.

To be filled out by Staff Member:

Decision: Counseling or Disciplinary

Outcome:

Supports offered: Mediation Parent meeting Counseling Other: _____

Staff member completing form: _____ Date: _____

Next steps:

NMSA will consider the following when investigating a report of bullying:

Is it rude, is it mean, or is it bullying?

RUDE: Inadvertently saying or doing something that hurts someone else.

MEAN: Purposefully saying or doing something to hurt someone, usually based on angry feelings.

BULLYING: Intentionally aggressive behavior, repeated over time, that involves an imbalance of power. Bullying includes purpose, pattern, and power.

QUESTIONS TO CONSIDER:

1. Was the behavior carried out on purpose?
2. Was the behavior intended to cause harm? (harm may be physical, verbal, relational, social, emotional, hate speech or aggression, and/or via electronic communication)
3. Have there been patterned and pervasive acts of the behavior?
4. Does the behavior include electronic communications that can be viewed an unlimited number of times by an unlimited number of people?
5. Does an imbalance of power exist and/or is the target of the behavior unable to stop the behavior from continuing?

THE DEFINITION OF BULLYING COULD INCLUDE:

- *Acts of intentional aggressive behavior
- *Repeated over time
- *Involves an imbalance of power
- *Relational and/or social aggression
- *Cyberbullying
- *Physical bullying
- *Verbal bullying
- *Impact is considered over intent

Addendum 3: NEW MEXICO SCHOOL FOR THE ARTS - TECHNOLOGY ACCEPTABLE USE AGREEMENT FORM

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

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

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

- I understand that all computer use must be for educational purposes as directed by my teacher.
- I will not download or play any non-educational games on a school computer.
- I will not use any instant messaging or chat programs.
- I will not download or play music or videos from the Internet, unless directed by my teacher.
- I will not use any non-school email address while at school.
- I will respect personal privacy for myself and others.
- I will not give out any personal information about anyone else (home address, telephone number, etc.)
- I will get permission from my teacher before giving out any personal information about myself.
- I will not give my password(s) to any other users.
- I will only use my computer account and won't use anyone else's login ID and/or password.
- I will not copy, change, read or use files that belong to another user.
- I understand that software and ideas are protected by copyright laws.
- I will not copy information received from any source and say that it is my work.
- I will list all sources of information that I use in my projects and work.
- I will not make copies of any software found on NMSA's equipment or on the Internet.
- I will not copy any personal software onto any computer at school. I understand that educational technology is available for the use of all students.
- I will not deface, damage or destroy the equipment.
- I will not waste or take supplies such as paper, printer supplies or diskettes provided by the school.
- I will follow the school's computer use rules.

- I will follow the rules of network etiquette, which include use of appropriate language and polite responses.
- I understand that abusive language (including name calling and swearing) and bullying is prohibited.
- I understand that I must follow state and federal rules when using technology.
- I will not try to bypass the security measures of any computer equipment.
- I will not knowingly create or introduce any virus to NMSA's equipment.
- I will not send or distribute unethical, illegal, immoral, inappropriate or unacceptable information of any type through electronic mail or telecommunications.
- I will follow the rules listed above or lose my computer privileges and face other consequences.
- I understand that I have should have not expectation of privacy in connection with my use of school computers.

USE OF TECHNOLOGY RESOURCES AT NMSA IS A PRIVILEGE, NOT A RIGHT

STUDENT ACKNOWLEDGEMENT

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

Student Signature _____ Date _____ Grade _____

PARENT OR GUARDIAN ACKNOWLEDGEMENT

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

Parent or Guardian name (please print) _____

Parent or Guardian Signature _____ Date _____

Addendum 4: NEW MEXICO SCHOOL FOR THE ARTS - RECEIPT FOR STUDENT/FAMILY HANDBOOK

We, the parent(s) or guardian(s) of _____ (Student), understand that New Mexico School for the Arts (NMSA) Student/Family Handbook contains important information. We acknowledge that we have received a copy of the NMSA Student/Family Handbook and that this handbook contains information and policies that we should be familiar with while our student attends NMSA.

We have reviewed the information and policies contained in this handbook with our student and both our student and we understand that all students will be held accountable for their behavior and that failure to abide by the guidelines for all student behavior can result in the discipline outlined in this handbook.

We understand further that failure to return this acknowledgment form does not excuse any individual from complying with NMSA Student/Family Handbook or NMSA policies, rules and guidelines. We are aware that NMSA reserves the right at any time to amend or to add to the policies and rules contained or referred to in this handbook. We are also aware that any changes or updates to this handbook will be posted on the NMSA website.

Directions for return of this form:

- 1.) Student and Parent/Guardian review handbook together prior to registration day by accessing the www.nmschoolforthearts.org. Hard copies are available upon request.
- 2.) Student and Parent/Guardian sign handbook acknowledgement during registration process.

New and transferring students registering after the start of the school year must return this acknowledgement page within one week after receipt.

DATE: _____

PRINT NAME OF STUDENT _____

GRADE _____

SIGNATURE OF STUDENT _____

PRINT NAME OF PARENT/LEGAL GUARDIAN _____

SIGNATURE OF PARENT/LEGAL GUARDIAN _____

Addendum 5: NMSA On-Time Homework Policy – Revised August 2018

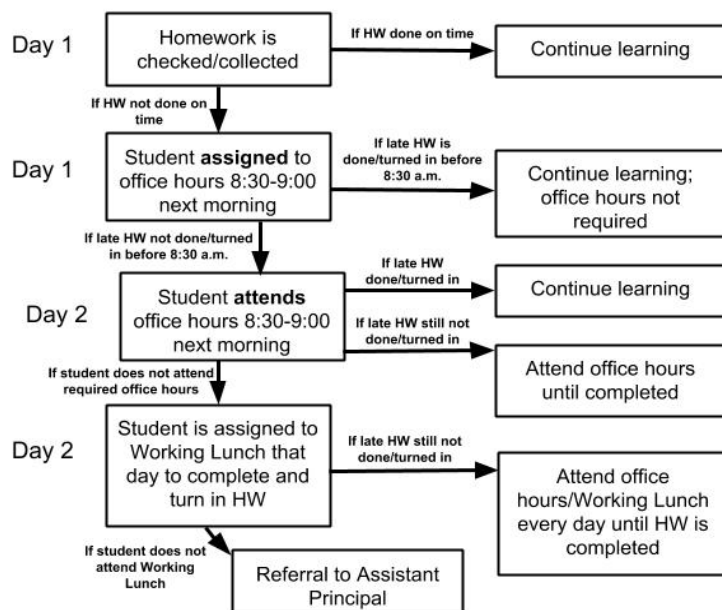
NMSA is committed to ensuring the academic success of each of our students through a strong support system. This On-Time Homework Policy is part of that support system.

Definition: Homework is any work done outside of class time, whether for practice or for assessment.

Expectation: Homework is completed on time, every time. Essential learning is missed when homework is not completed on time.

If you don't have your homework completed on time:

1. You have until 8:30 the following morning to complete the assignment and turn it into the teacher.
2. If you do not complete it by 8:30 the following morning, you are required to attend that teacher's office hours from 8:30-9:00 to complete your homework the day after the assignment was due. If you need help, the teacher is there to support you.
3. If you do not finish the assignment during those 30 minutes, you are required to attend office hours the following day (until the work is completed).
4. If you fail to attend required office hours after not completing homework on time, the teacher will sign you up for Working Lunch that day. Working Lunch lasts the full lunch period. Ms. Oberteuffer will be there to support you in completing your missed assignment(s), so come prepared with the materials you will need, including your lunch. You are expected to show up within 5 minutes of the lunch bell. Remember: Working Lunch is just that -- a time to work, with support, while you eat lunch.



Notes

- “On-time” means completed by the time a teacher collects or checks it. For students with extensions due to arts or excused absences, “on-time” means by the extended due date.
- Students with a zero period class or who commute should complete and turn in late homework before 8:30 a.m. in order to avoid a Working Lunch for missing required office hours.

Addendum 6: PARKING LOT STUDENT DROP-OFF/PICK-UP MAP



Addendum 7: COVID-19 REENTRY: SCHOOL POLICIES/PROCEDURES GUIDEBOOK

COVID-19 REENTRY: SCHOOL POLICIES/PROCEDURES GUIDEBOOK

Due to the declared health emergency in New Mexico related to the Novel Coronavirus (COVID-19), until further notice the following policies and procedures will be in place at School, in addition to the policies and procedures contained in the School's Student/Family and/or Employee Handbooks, and other School policies/procedures. To the extent that a policy or procedure set forth in this Guidebook conflicts with a policy or procedure contained in the School's Student/Family Handbook, Employee Handbook, or other School policy/procedure, the policy in this Guidebook shall control.

Violation of these policies/procedures may subject students/staff to disciplinary action. Parents/guardians, visitors and other persons who refuse to adhere to School policies and procedures shall be required to immediately leave School premises.

School will abide by all current federal and state public health orders and regulations applicable to public schools and school-related activities. See <https://cv.nmhealth.org/public-health-orders-and-executive-orders/>. To the extent anything herein conflicts with an applicable public health or executive order or adopted regulation, the public health/executive order/regulation shall control. Likewise, this Guidebook endeavors to comply with PED guidance relating to operations during the public health emergency, which guidance may change from time to time. To the extent that anything herein conflicts with PED guidance, as amended, the PED's most recent guidance shall control.

RE: MASKING

Any person entering the School premises, who uses School transportation, or who is participating in or attending a School-related activity must wear a face mask or similar protective face covering, covering the nose and mouth, at all times, except while eating or drinking during allowed times. The School may provide supervised mask breaks for small groups of students outdoors, while maintaining social distancing between individuals. Face masks must cover the mouth and nose and fit snugly against the sides of the face in order to contain respiratory droplets. The types of allowable face masks include: (1) face masks made of two or more layers of cloth; (2) face masks with a clear plastic window; or (3) surgical, procedural, N95 or KN95 face masks that are approved by the federal Food & Drug Administration for use by staff performing medical duties or similar close contact assignments. The following face coverings are NOT substitutes for face masks: (a) masks with exhalation valves or vents; (b) scarves; (c) bandanas; (d) neck gaiters/neck fleeces; (e) face shields.

The School requests that cloth face masks be washed and dried after each day of use at school, and that masks not be reused without washing.

Students who cannot bring their own face coverings for use at School should notify the front office who will arrange for face coverings to be provided. The School will have a sufficient quantity of masks, as well as PPE (for staff in close contact assignments: any staffing assignment in which a staff member must be within six feet of distance from a student in order to fulfill their duties) on hand prior to students returning for in-person learning, following applicable PED guidance and requirements.

If a student removes the face mask and refuses to wear the mask during required times, then the student will have to be picked up from school and taken home. Students who take off their masks outside of permitted times shall be given a disciplinary warning. After three such warnings, the student shall be subject to further disciplinary measures, including but not limited to required remote learning (if available), suspension or expulsion, depending on the circumstances. School's disciplinary policies and procedures shall apply.

General Exceptions. This masking requirement does not apply to children under age two or to anyone who has trouble breathing, is unconscious, incapacitated or is otherwise unable to remove the mask without assistance. When wearing a mask would obstruct breathing or exacerbate another medical condition for a student, the student should be seen by a healthcare provider to discuss whether it is safe for the student to be in school during the public health emergency.

Students who do not have and are not eligible for an IEP or 504 Plan MUST wear a face mask in order to attend school in person. The alternative is fully remote learning.

Students with IEPs/504 Plans. Students who cannot wear a face mask and have an IEP or 504 Plan shall meet with the IEP/504 Team to make a determination about possible accommodations based on the totality of needs, including the student's needs and the community's public health needs. In most cases, the IEP/504 team will consider fully remote learning as the appropriate accommodation, per PED guidance. Appropriate school staff shall be convened to explore all options to include the student in whatever activities are feasible, including outdoor learning, in a safe manner to the greatest extent possible while minimizing and mitigating risks and making other possible accommodations. The IEP/504 team may request medical documentation and may determine whether a face shield could be substituted for a face mask. In the event the IEP/504 team allows a face shield to be substituted for a mask, the face shield must be hooded, or start at the forehead, and wrap around the face from ear to ear and extend to the chin. Additional PPE equipment for the student and the staff serving the student shall also be considered. When a student with an IEP/504 Plan cannot wear a face mask due to a behavioral issue, then the IEP/504 team will convene to develop a fully remote learning option and a plan for teaching the student to wear a face covering so that the student may return to in-person learning as soon as possible. Again, staff shall convene to explore all options to include the student in whatever activities are feasible in a safe manner.

School Employees/Staff/Contractors. The face mask requirement is considered a lawful condition of employment during the public health emergency. When wearing a face mask would exacerbate a breathing obstruction or another severe medical condition for the staff member, the staff member will provide medical documentation to support a request for alternate work as a reasonable accommodation, if feasible; these requests shall be treated pursuant to the process for staff requests for a workplace accommodation. Staff who work with students under an IEP/504 Plan wearing a face shield instead of a face mask should wear a face shield in addition to a mask; the school will provide staff in this situation with a medical mask and/or other PPE. The use of a mask is not required by a School employee when in that person's private office with no one else present.

Masking and the Americans With Disabilities Act. Please note that a reasonable accommodation under the ADA may not be required when it would pose a "direct threat" to the School community, or when it

presents an “undue burden” involving a “significant difficulty or expense”, as described/set forth in ADA regulations. During the public health emergency, all people’s health and safety must be considered.

Re: SCHOOL-RELATED EVENTS

School-related events, including assemblies, dances, award ceremonies, academic competitions and extracurricular events, may be limited to only the most essential events during this time. The degree to which spectators are allowed at a school-related event is as follows: School’s county in “Red” category – no spectators allowed; “Yellow” category—spectators allowed at up to 25% capacity of the outdoor venue; no spectators for indoor venues; “Green” category – spectators allowed at up to 25% capacity of indoor venue, 50% capacity of outdoor venue; “Turquoise” category – spectators allowed at up to 33% capacity of indoor venue, 75% capacity of outdoor venue.

COVID-safe practices such as social distancing and mask wearing are required at all school events, wherever located. There shall be no selling or serving of food or drinks at school events.

Singing at or playing wind instruments at an indoor event is prohibited.

Re: CAMPUS ACCESS, HEALTH SCREENING AND SELF-ISOLATION PROCEDURES

Other than during school-related events (e.g. assemblies, dances, award ceremonies, academic competitions, extracurricular events, etc.), access to School buildings by nonessential visitors and volunteers shall be restricted during this public health emergency. Visitors/volunteers seeking access to campus must contact the School’s front office by telephone (505-310-4194) before any access to campus is allowed. Visitor/volunteer access to campus is at the discretion of the School’s Head Administrator.

Screening.

The School shall maintain a daily log of all visitors entering the School who are not students at the School, or a School employee. The name, telephone number, and date of entry shall be logged for each such person. The daily log shall be retained for four (4) weeks and shall be maintained, monitored and secured by Brandy Avila. Visitors may be temperature-checked and/or asked COVID-screening questions as part of the School’s discretion regarding campus access during this time.

Self-Isolation/Quarantine Procedures. Any person who is denied access to School premises or in-person events because of the results of the screening herein or as required by the State of New Mexico, OR any person experiencing any symptoms of COVID-19, shall be required to do the following before further attempting to access School premises or in-person events:

- (a) Engage in a period of self-isolation/quarantine at home;
- (b) Obtain a test or tests for COVID-19 in accordance with New Mexico Department of Health (DOH) protocols and disclose the results of the test to the School’s Head Administrator, which results shall be kept in confidence by the School to the extent such does not conflict with orders and directives of the DOH and/or New Mexico Public Education Department (PED); and
- (c) Attend School from home, or work from home to the extent that work can be performed remotely with the permission of the Head Administrator. Any School employee engaged in a period of self-isolation required under this Policy/Procedure who is not able or permitted to

work from home shall use annual and sick leave or, if eligible, leave under the Emergency Paid Sick Leave Act, as amended/extended.

- (d) If the result of the COVID-19 test is NEGATIVE, you may return to the school site 24 hours after you no longer have symptoms and have been fever-free without medication. If the result of the COVID-19 test is POSITIVE, you must stay home until you are released from isolation (10 days after symptom onset, 24 hours fever free, and improving symptoms). See Confirmed COVID-19 Cases and “Close Contacts”, below.

Per order of the New Mexico Environment Department, within four (4) hours of learning that an employee has tested positive for coronavirus disease 2019 (COVID-19), an employer must report the positive test to the NMED's Occupational Health and Safety Bureau. The report can be made by email to NMENV-OSHA@state.nm.us, by phone to (505) 476-8700, or by fax to (505) 476-8734. School will comply with this directive for employees with a known COVID-19 positive result.

School shall adhere to DOH and/or PED guidelines and shall work with state and local health officials to have a plan with respect to contact tracing.

Paperwork/records relating to employee/student COVID-19 screening, testing, diagnosis and related documentation shall be maintained by School Administration in confidential, segregated, locked files as medical records.

RE: STAFF SURVEILLANCE TESTING.

To identify unrecognized COVID-19 cases and reduce exposures in the public school population, PED in partnership with NMDOH requires a statewide surveillance testing program for faculty and staff who are physically working at a school providing in-person student services, including small-group special education services and athletics. The purpose of surveillance testing is to detect COVID-19 outbreaks as early as possible by screening asymptomatic staff. The School will participate in and cooperate with that program as required by PED/NMDOH. A 5% surveillance testing requirement is required for on-site faculty and staff each week when the School's county is in the “turquoise” category. A 12.5% surveillance testing requirement is required for on-site faculty and staff each week when the School's county is in a “green” or “yellow” NMDOH category. The surveillance testing requirement is 25% weekly for on-site faculty and staff when the School's county is in the “red” category. Access to testing will be provided at no cost to staff under this program. The School has designated a COVID-19 Point Person (Eric Crites) to identify staff to be tested, to coordinate staff attendance at testing, and to track the number of staff tested on a weekly basis. Reporting to NMDOH and/or NMPED shall be as required by NMPED/NMDOH.

Asymptomatic staff who have not been exposed to COVID-19 and who participate in surveillance testing are not required to self-isolate/quarantine from specimen collection until their results arrive. However, asymptomatic staff who test positive for COVID-19 must self-isolate for 10 days, counted from the date of specimen collection. Staff who have tested positive for COVID-19 are exempt from surveillance testing for 90 days from when they last tested positive. COVID-19 vaccinated individuals who are otherwise eligible to participate in surveillance testing should participate in surveillance testing. COVID-19 vaccination will not cause a surveillance test to have a positive result.

Individuals who provide evidence of full COVID-19 vaccination are not required to participate in surveillance testing.

Re: IF YOU FEEL SICK

If you or your student feel unwell before school or work, you/your student must stay home and follow attendance notification requirements.

Students/staff with mild non-specific COVID-19 symptoms such as headache, runny nose, diarrhea, etc.:

Staff should get tested for COVID-19 and should remain in isolation until the results are available. A negative test result will discontinue the isolation and the staff member shall return to school, provided that their mild non-specific symptoms do not interfere with their ability to work at school.

Students with chronic, mild non-specific COVID-19 symptoms should have their symptoms assessed by the school nurse, their health care provider or their parents/guardians. If there are no changes in symptoms from the baseline state, students need not be tested and may participate in school. If the student has a change in symptoms from their baseline as assessed either by a parent/guardian, school nurse or health care provider, then the student should be tested for COVID-19 and shall self-isolate until test results are available. A negative test will discontinue the isolation. If a student has a change in their baseline state and the student does NOT get tested, the student must self-isolate for 10 days and be fever-free without fever reducing medication for 24 hours and have improving symptoms before returning to school.

Students/staff with allergies, asthma, or other non-infectious disease which may present with mild non-specific COVID-19 symptoms should contact their primary care provider. Staff members may be required to provide to administration a memo from their health care provider stating that present non-specific mild symptoms do not differ from the staff member's baseline, and indicate that the staff member may return to school without being tested for COVID-19.

If you have COVID-like symptoms (fever, chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of smell or taste, sore throat, congestion or runny nose, nausea or vomiting, and/or diarrhea), you must stay home from school/work and get tested for COVID-19. If the test result is NEGATIVE, you may return to school after 24 hours fever-free provided that any remaining symptoms do not interfere with the ability to work at school, **unless** you have had a known exposure to COVID-19, in which case you must quarantine for the full 10 days regardless of a negative test. If the test result is POSITIVE, the procedure for Confirmed COVID-19 Cases, below, will be followed. Students/staff with suspected or confirmed cases of COVID-19 may not return to campus/in-person activities until they demonstrate to the School that they have met NMDOH criteria to discontinue home isolation.

If you have COVID-like symptoms after receiving the COVID-19 vaccination:

If you have injection site pain, swelling or redness, only: self-isolation not recommended.

If you have cough, shortness of breath, runny nose, sore throat and/or loss of taste/smell: self-isolate and get tested for COVID-19.

If you have a fever of 100 degrees F or higher, fatigue, headache, chills, myalgia, and/or arthralgia: self-isolate until all of the following have been met: i) you feel well enough to perform normal activities, AND ii) your fever has resolved, AND iii) you experience no additional COVID-19 symptoms. Self-isolate and get tested for COVID-19 if symptoms are not improving or if they persist for more than three days.

A negative test result after vaccination will discontinue the isolation and the student/staff member may return to school provided that the symptoms do not interfere with the ability to work at school.

Students/staff who become unwell while at School must do the following:

- Students must notify a staff member that they feel unwell. Staff must notify Administration.
- Persons who feel unwell on campus shall immediately be taken to an isolation room or area to separate them from others. School healthcare staff shall conduct COVID-19 screening procedures and use Standard and Transmission-based Precautions when caring for persons who feel unwell on campus. See <https://www.cdc.gov/coronavirus/2019-ncov/hcp/caring-for-patients-H.pdf> or current guidance
- Parents/guardians will be called to pick up their student immediately. Employee emergency contacts will be called to pick up the employee immediately. If circumstances appear to require immediate healthcare, the School shall call for ambulance transportation to a healthcare facility. Ill students/employees shall not be allowed to drive themselves home.
- Students/staff feeling unwell at school with symptoms consistent with COVID-19 are required to seek and obtain testing for COVID-19 at the earliest opportunity and, for the safety of others, to inform the School of the date(s) of testing and the results of any testing. School shall maintain confidentiality consistent with the ADA and other applicable federal and state privacy laws.
- Students/staff with suspected or confirmed cases of COVID-19 may not return to campus/in-person activities until they demonstrate to the School that they have met NMDOH criteria to discontinue home isolation.

RE: CONFIRMED COVID-19 CASES; “CLOSE CONTACTS”

- Confirmed COVID-19 positive individuals who are members of the school population must notify the School immediately of that result, and the date of the test. Notification should be provided to: Brandy Avila at 505-310-4194.
- Confirmed COVID-19 positive individuals shall be isolated immediately if they are on school grounds or at a school-related activity at the time they are notified of positive testing, and shall be sent home. Students/staff who are confirmed infected individuals must participate in an online or remote-only program until they have completed their period of home isolation and are cleared to return to school, see below.
- Per order of the New Mexico Environment Department, within four (4) hours of learning that an employee has tested positive for coronavirus disease 2019 (COVID-19), an

employer must report the positive test to the NMED's Occupational Health and Safety Bureau. The report can be made by email to NMENV-OSHA@state.nm.us, by phone to (505) 476-8700, or by fax to (505) 476-8734. School will comply with this directive for employees with a known COVID-19 positive result.

- Within six (6) hours of learning of a confirmed positive COVID-19 case at the school site, the school will notify families and staff that a positive case has been identified at the school site (notification to the school community is only required if the positive case was on campus while infectious), using the NMPED's COVID-19 Positive Case Letter form. Within four (4) hours of learning of a confirmed positive case at the school site, the school will notify families and staff who constitute close contacts (as defined by NMPED) of the infected individual in writing of the requirement to quarantine for 10 days from the last exposure. The School shall not specifically identify the infected student/staff member in any of these notifications. NOTE: If the positive individual was not at school from two days prior to symptom onset (or if asymptomatic, two days before the specimen leading to the positive test result was collected) through the isolation period, there is not a school exposure and there is no need to notify the school community, per NMPED.
- School administration shall follow NMPED, NMENV and NMDOH protocols with respect to reporting to/notifying those entities of a positive result at the school site or within the school population. Reporting of positive cases of COVID-19 to NMPED shall be made within 4 hours of notification (students and/or staff) and to NMENV within 4 hours of notification (staff).
- The School may share information relating to the infected individuals with NMPED and/or NMDOH and/or other appropriate parties, consistent with applicable FERPA exceptions.
- If a confirmed positive individual resides with any other students or employees at other schools, the school will share the confirmed positive case information among the appropriate schools through their COVID-19 Points of Contact so that impacted students and staff are quarantined.
- **COVID-19 confirmed positive individuals with symptoms must self-isolate for ten (10) days from the onset of symptoms and be fever free for 24 hours without fever reducing medication and until symptoms are improving before returning to the school site/school activities; asymptomatic COVID-19 confirmed positive individuals must self-isolate for 10 days from the date of the specimen collection leading to the positive test before returning to the school site/school activities.**
- **Siblings and household members of a COVID-19 confirmed positive individual should quarantine during the positive individual's isolation period and for an additional 10 days afterward. It is also recommended that they are tested for COVID-19.**
- **Close contacts at School** (someone who came within six feet of a confirmed COVID-19 case for longer than three minutes, with or without a face covering, **or** who was within the same classroom as a confirmed COVID-19 case, **or** who was on the same bus as the confirmed case) must quarantine for **10 days; staff must get tested**. The School will notify close contacts of the requirement to be tested for COVID-19 (staff) and the recommendation to be tested (students), and the requirement to quarantine for 10 days

(staff and students), within 4 hours of learning of a confirmed COVID-19 case within the school population.

- Testing for COVID-19 is only required for staff members identified as “close contacts” of a confirmed COVID-19 case; testing is recommended for students who are “close contacts” of a confirmed case.
- Testing for close contacts should happen 7-10 days into quarantine, or at onset of symptoms. A negative test for a close contact of a COVID-19 positive individual does not end the quarantine period.
- Students and staff who are close contacts shall participate in an online-only program until they have completed their 10-day quarantine.
- Even if a close contact’s COVID-19 test is negative, the 10-day quarantine must be adhered to.
- Once the 10-day quarantine period for close contacts is completed without symptoms, the close contact staff member/student may return to school; a negative test is not needed in order to return.
- Individuals who are fully vaccinated against COVID-19 and who have had close contact with a COVID-19 infectious individual are not required to quarantine if they meet the following criteria:
 - Are fully vaccinated (i.e., greater than two weeks following receipt of the second dose in a two-dose series, or greater than 2 weeks following receipt of one dose of a single-dose vaccine);
 - Are within 3 months following the receipt of the last dose in the series;
 - Have remained asymptomatic since the current COVID-19 exposure.

Close contacts away from School: Students and staff must notify the Head Administrator if they live with, or know that they have been exposed to, others who have tested positive for COVID-19. The School will keep this information in confidence to the extent such does not conflict with orders and directives of the NMDOH and/or PED. If a School student or employee who is not fully vaccinated (as described above) is determined to have had the equivalent of “close contact” (see above) with any confirmed COVID-19 positive person outside of school, including a household member, during the positive person’s infectious period, the employee shall get tested (students are recommended to get tested) AND the student/employee shall engage in a ten (10)-day quarantine period from the last date on which the infected case is likely to have been infectious (as defined/determined by CDC/NMDOH), before returning to the School and/or participating in School-related in-person events. Test dates and results shall be reported to School administration. The School may seek confirmation of the contact’s/household member’s positive COVID-19 testing and nature of the contact for staff members.

Staff/students who are **not** within the definition of “close contacts” of confirmed COVID-19 cases should continue to come to school.

Re: TRAVEL

Travel. **School employees shall not travel out of state for School-related business until further notice.** To minimize risk of exposure, all students, families, and School employees are strongly discouraged from

traveling out of state on personal business. Any School employee who engages in personal out of state travel shall report the nature, extent, and details of the travel to the Head Administrator before traveling or, if advance notice of the out of state travel is not possible because of unforeseen, emergency circumstances, as soon as possible after the travel begins. It is recommended (but not required) that any student or employee who engages in or returns from out of state or international travel shall engage in a 10-day period of quarantine upon return to New Mexico before returning to the campus or attending in-person School events, whether or not they are exhibiting any health symptoms. Staff quarantining after out of state travel for personal business shall not be eligible for paid sick leave pursuant to the Families First Coronavirus Response Act, or any similar successor federal or state legislation.

Re: SCHOOL FACILITY CLEANING/CLOSURE

Cleaning. All School facilities and buildings operated by the School must be maintained in accordance with the guidelines issued by the New Mexico Department of Health and CDC for the cleaning and disinfection of public facilities and schools during the current public health emergency. Staff shall be required to keep and provide daily checklists or similar verification that facilities have been cleaned in accordance with all applicable DOH guidelines. Staff further shall comply with any/all cleaning/maintenance requirements that may be issued by the New Mexico Public School Insurance Authority (NMPSIA), NMENV, and/or OSHA.

Closure of Impacted Areas. School site areas impacted by a confirmed COVID-19 positive case shall be closed, cleaned and disinfected in accordance with NMPED Rapid Response Team, NMDOH and CDC guidelines. In consultation and partnership with the NMPED and NMENV, the school will determine when it is safe to reopen the portions of the school facilities impacted by the initial closure. Decisions to reopen those facilities will be based upon appropriate completion of required action steps related to the positive case.

Re: SOCIAL DISTANCING ENFORCEMENT

Social Distancing. All large group gatherings shall be avoided on School premises or during School-related events, to the extent feasible. Students are required to follow the instructions of School staff regarding social distancing, the goal of which is to maintain 6 feet between individuals, wherever/whenever possible.

Students/staff/essential visitors must follow signs and instructions regarding entering/exiting buildings, and flow paths. Teachers shall develop and maintain seating charts that ensure social distancing requirements are maintained and that limit the number of student interactions.

Where possible/practical, meetings/conferences shall be held virtually or in small groups with maximum social distancing.

Re: SHARED MATERIALS

Students and staff should wash and/or sanitize their hands before and after using shared textbooks, school equipment, educational materials, etc.

Re: SINGING/WIND INSTRUMENTS AT SCHOOL

The School and its staff/students shall follow the requirements and restrictions relating to singing and playing wind instruments at School, as set forth by the NMPED, during this time. Sharing of wind instruments is prohibited. Students must each have their own instrument-specific multi-layered cloth mask for singing or playing a wind instrument, and an instrument-specific multi-layered cloth bell cover for playing wind instruments. Students are solely responsible for cleaning and maintaining their masks and bell covers.

Singing or playing wind instruments indoors may only be done alone, in a practice room. Students in a practice room shall be appropriately supervised by staff outside the practice room. Practice rooms shall sit empty for at least one hour after a practice session. Singing together, or playing of wind instruments together, may only be done outside. Enhanced social distancing of 9 feet shall be maintained while playing wind instruments and while singing, and 6-foot social distancing shall be maintained at all other times in music-related education. Sanitation spray shall be available for students to clean and disinfect music instruments.

Re: TRANSPORTATION

Transportation. All drivers, attendants, staff and students must wear face masks covering nose and mouth on School-provided transportation. Students will be assigned to certain seating. Where possible, school buses shall be used to transport students, rather than student activity vehicles. To the greatest extent possible, a maximum of two students may sit together on a bus seat. If student activity vehicles must be used, only one student per bench seat is permitted, and students in the vehicle should be staggered so students are not seated directly in front of or behind each other. Windows in the student activity vehicle should remain open at all times. Hand sanitizer will be provided and required upon entry and exit. School vehicles shall be thoroughly cleaned and disinfected before and after each use. Bus drivers and assistants must implement social distancing rules and require students to be six feet apart at bus stops, to the greatest extent possible. The same rules apply to athletic/student activity trips.

Students and staff using School-provided transportation will be screened for symptoms of illness prior to entering the school vehicle.

Parents are strongly encouraged NOT to carpool, and to transport only their student(s) to and from school. If students must carpool with members not in their household, all persons in the car should wear masks and should distance themselves in the vehicle to the maximum extent possible.

Student pickup/dropoff must follow School protocols relating to staggered entry and release periods, and marked spacing for pickup/dropoff.

Re: POPULATIONS WITH UNDERLYING MEDICAL CONDITIONS

Students and employees with underlying medical conditions as defined by the CDC, <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medical-conditions.html> staff and students defined as “high-risk” pursuant to 6.12.14.7 NMAC, and/or employees

over the age of 65 and/or those who live with someone who is in a high-risk category, should contact Eric Crites prior to the start of school, or as soon as reasonably possible, to discuss any concerns or issues about returning to on-campus instruction. School will maintain such discussions and documentation in confidence and in segregated, locked files as medical-related records and information. Student accommodations and modifications will be addressed pursuant to IDEA, Section 504, and/or ADA procedures.

Staff with high-risk medical conditions are exempt from in-person learning until reaching full protection from the vaccine (two weeks after the second shot of a two-dose vaccine; two weeks after the single shot of a one-dose vaccine). Personnel accommodations shall be addressed in compliance with ADA and OSHA requirements; the School will consider formal requests for high-risk staff to continue working remotely and/or for alternative work assignments, and shall address the circumstances of personnel who live with someone who is in a COVID-19 high risk group. *See also Emergency Paid Sick Leave and Extended Family Medical Leave Policy.* The School aims to be as flexible as possible in making alternative arrangements for both students and staff, in accordance with law.

Re: FIELD TRIPS

Until further notice, School field trips necessitating vehicular transportation to indoor or outdoor locations will be curtailed or severely limited, and are at the discretion and prior approval of the School's Head Administrator. Walking field trips to outdoor locations where social distancing can be maintained may occur, subject to prior scheduling and approval by School administration and parents/guardians.

Re: MEALS/FOOD ON CAMPUS

To maintain social distancing and reduce the risk of virus transmission, breakfast and lunch for all students may be served in classrooms, outside (as safe and appropriate), and in other large spaces in which students can maintain safe distances. Any food served in the cafeteria shall be staggered by classrooms/grade levels to reduce the number of students in the cafeteria at any one time. To the greatest extent possible, students should sit on only one side of a table in the cafeteria and maintain greater than six feet of distance from others.

During mealtimes on campus, students and staff are required to maintain social distancing requirements and to wear masks when finished with their meal. Cleaning/disinfection of tables, high-touch surfaces and school meal sites will be conducted throughout the day.

Re: EXTRACURRICULAR ACTIVITIES

School shall follow the current NMAA guidelines regarding extracurricular activities, including school sports, as updated periodically by NMAA. Coaches and staff shall be included in COVID-19 surveillance testing.

Any student who has had a COVID-19 infection must complete the self-isolation period and then receive medical clearance from a medical professional using the appropriate medical clearance form before returning to participation in an NMAA-sanctioned activity. Students who have had COVID-19 infection

and have received clearance for participation must continue to follow the protocols given for return to activity.

Re: ATTENDANCE FOR SUCCESS

Students are expected to attend in-person or remote instructional programs, as provided by the School, each day. Students opting for one mode of instruction will not be allowed to switch to the other without advance permission of and discussion with the School's Head Administrator. Students who must quarantine or self-isolate pursuant to COVID-related requirements may ask to attend school remotely during quarantine/self-isolation, to the extent feasible; arrangements should be made through the School's Head Administrator. Attendance will be officially recorded and reported to PED, whether the student is online or in-person. The school further will track online participation, as well as attendance. The New Mexico Attendance for Success Act requires that districts and charter schools provide interventions to students based on the percentage of absences students have accrued.

ATTENDANCE FOR SUCCESS

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Excused Absence Procedures:

Parents/guardians may excuse their student's absence by calling or emailing by 12p.m. (noon) the day of the absence. Students are allowed 5 (five) parent-excused absences per class per semester. Absences beyond the 5th will be marked "Remote Parent Excused Over the Limit" (RPEO) indicating that the five parent-excused absences have been exceeded.

To report absences: email: attendance@nmschoolforthearts.org phone: 505-310-4194 x101

Unexcused Absence Procedures:

A "Remote Unexcused Absence" (RU) means an absence from classes for which the student does not have permission from their parent or guardian. NMSA rules provide that a student's absence will be recorded as "Remote Unexcused" if a student is more than 15 minutes late.

The following processes will be followed accordingly:

Step #	Qualifier	Required Actions
#1	1 st RU or RPEO per class	A staff member will be in contact with the student to discuss attendance expectations, supports and next steps.

#2	2 nd RU or RPEO per class	A member of NMSA Student Support Team will be in contact with the student and family to discuss attendance expectations, supports, assigned Working Wednesday, and next steps.
#3	3 rd RU or RPEO per class	The counselor will contact the student's parent/guardian(s) to discuss attendance expectations, supports, assigned Working Wednesday, and next steps.
#4	4 th RU or RPEO per class	An attendance meeting will be scheduled between the counselor, parents/guardian(s), principal, and student to develop a corrective action plan that clearly identifies attendance expectations, supports, and next steps including, but not limited to, assigning Working Wednesday attendance.
#5	6 th RU or RPEO per class	An attendance meeting will be scheduled between the counselor, parents/guardian(s), principal, and student to revisit and revise the corrective action plan that more clearly identifies attendance expectations, supports, and next steps including, but not limited to, assigning Working Wednesday attendance. Compulsory School Attendance Law interventions may be initiated. (Note: NMSA is required by law to report absences totaling 40 unexcused absences)*

Tardy Procedures:

All students are expected to be in class by 9:10. "Remote Unexcused Tardy" (RTU) is defined as arriving in the virtual classroom after 9:10. A parent/guardian may excuse a tardy by calling the front office, emailing, If a student is late because of a medical appointment see "Medical Notes" below. An excused remote tardy will be marked as an "RT" in PowerSchool. Students are allowed 5 Remote Excused Tardies per class, per semester. Tardies beyond the 5th will be marked "Remote Excused Tardy Over the Limit" (RTO) indicating that the five parent-excused tardies have been exceeded.

Unexcused Tardy Procedures:

A Remote Unexcused Tardy means a student arrives to class after 9:10 and within 15 minutes of the start of class.

The following processes will be followed accordingly:

Step	Attendance Marking:	Actions:
#1	2 nd RTU or RTO in any class	A staff member will be in contact with the student to discuss attendance expectations, supports and next steps.

#2	3 rd RTU or RTO in any class	A member of our Student Support Team will be in contact with the student and family to discuss attendance expectations, supports, and next steps.
#3	6 th RTU or RTO in any class	An attendance meeting is scheduled between the counselor, parents/guardian(s), principal, and student to develop a corrective action plan that more clearly identifies attendance expectations, supports, and next steps including, but not limited to, assigning Working Wednesday attendance.
#4	9 th RTU or RTO in any class	A letter is emailed to the parent and student. A meeting between the counselor, parent/guardian, and student will be scheduled to develop a corrective action plan to address the student's unexcused tardies. The student will be assigned three (3) morning detentions during office hours (8:30-9:00*).

Partial Day Procedures:

Students are expected to attend both the academic and arts block each day. Students should not be absent from the academic block alone, and then arrive to attend the arts block. Students may not attend the academic block alone, and then leave for the arts block. Exceptions will be made for documented appointments or other legitimate reasons that a student must miss only part of a school day.

Medical Note Procedure:

Students missing class due to a medical appointment, should provide an email from the healthcare provider. Once the note is received the absence will be coded as "RM".

If campus is closed, and remote-only instructional model is implemented due to emergency, attendance shall continue to be taken and reported to the NMPED, pursuant to this policy and the Attendance for Success Act. Students will be expected to participate in remote learning during any campus closure period(s) as scheduled.

Failure to attend and/or participate in instructional classes and school programs shall result in processes being implemented pursuant to the School's Attendance Policy and the Attendance for Success Act (see student/parent handbook). Meetings that need to be held with parents/guardians pursuant regarding attendance may be held via videoconference or teleconference in lieu of in-person.

Medical and other excused absences: Absences due to medical conditions may be excused absences if the status of the student is disclosed to appropriate school personnel and if relevant documentation is provided as per the existing School attendance policies. Students will be allowed to make up schoolwork missed due to excused medical absences. Excused medical absences, including medical absences for students on 504 plans and students who are expectant or parenting, are included when determining students' attendance intervention tiers. However, for students who are excessively absent (students

missing 20 percent or more of class periods or school days), additional excused medical absences need not be considered when determining whether a student must be referred to the probation services office.

Optional Online-Only program: For optional online instructional programs that the school may employ to better meet the needs of some families, and in which families may choose whether or not to participate, attendance will be regularly taken and reported for program participants, and students will be supported with appropriate interventions in accordance with the Attendance for Success Act.

Please contact Chelamia Quintana at 505-310-4194 if you/your student requires assistance with remote participation/engagement methods.

If campus is closed, and remote-only instructional model is implemented due to emergency, attendance shall continue to be taken and reported to the NMPED, pursuant to this policy and the Attendance for Success Act. Students will be expected to participate in remote learning during any campus closure period(s) as scheduled.

Failure to attend and/or participate in instructional classes and school programs shall result in processes being implemented pursuant to the School's Attendance Policy and the Attendance for Success Act (see student/parent handbook). Meetings that need to be held with parents/guardians pursuant regarding attendance may be held via videoconference or teleconference in lieu of in-person.

Medical and other excused absences: Absences due to medical conditions may be excused absences if the status of the student is disclosed to appropriate school personnel and if relevant documentation is provided as per the existing School attendance policies. Students will be allowed to make up schoolwork missed due to excused medical absences. Excused medical absences, including medical absences for students on 504 plans and students who are expectant or parenting, are included when determining students' attendance intervention tiers. However, for students who are excessively absent (students missing 20 percent or more of class periods or school days), additional excused medical absences need not be considered when determining whether a student must be referred to the probation services office.

Re: STAFF TRAINING

All school personnel and contractors shall follow guidelines in current statewide public health orders. All staff and contractors shall be trained in local and state rules regarding health and safety procedures, such as appropriate use of PPE and procedures for when school personnel or students exhibit symptoms of COVID-19.

AGREEMENT TO COMPLY WITH COVID-19 PREVENTION SAFETY MEASURES

New Mexico School for the Arts is committed to keeping all staff and students safe and healthy while our community and world battles the coronavirus disease. To that end New Mexico School for the Arts has adopted certain Covid-19 Prevention Safety Measures that meet or exceed guidance issued by the Center for Disease Control, NM Department of Health, the NM Public Education Department, and the Occupational Health and Safety Administration. These School rules alone, however, cannot prevent staff, students or visitors from getting sick. Consequently, the School requires that every student, parent/guardian, and visitor commit to following all the School's Covid-19 Prevention Safety Measures, and to acknowledge and accept by your signature below the consequences for not following these rules. Some of these rules include:

- Do not come to school or work if you do not feel well, and follow the process for reporting illnesses
- Screen your student for health issues before the student arrives at school
- Wear a mask, face covering or face shield over your nose and mouth unless you are told it is OK to remove
- Wash your hands or use hand sanitizer frequently
- Keep 6 feet away from other people whenever possible
- Participate cooperatively with the School's health screening, including temperature checks, and reporting processes
- Learn about and follow all health and safety procedures including those posted around the School, on the School's website or otherwise provided to you while on the School's campus or at a School activity
- Tell a School employee or the Head Administrator as soon as you do not feel well or if you see some behavior that could violate the health and safety procedures



I understand that if I do not cooperate with or am unwilling to follow the School's Covid-19 Prevention Safety Measures, the following consequences may occur at the discretion of the Head of School or designee:

- If I am a student, I may be required to attend school and school activities online from home for a period as determined by the Head of School or designee.
- If I am a parent/guardian, I understand that my student(s) may be required to participate in distance learning as determined by the Head of School or designee and that such decision does not deny my student required educational opportunities, but rather such action is a safety measure for our entire community.
- If I am an adult, I may be asked to leave or be denied entry to the School.
- If I am an employee, I may be subject to disciplinary actions as decided by the Head of School or designee.
- Any other consequence deemed appropriate by the Head of School or designee.

By signing my name below, I agree to strictly follow all School Covid-19 Prevention Safety Measures and understand that I, or if a parent/guardian my student, may not be able to come in-person to New Mexico School for the Arts or may be subject to other consequences as decided by the Head of School or designee.

_____/_____

Date: _____, 202__

Staff/Student/Parent/Guardian **Printed Name & Signature**