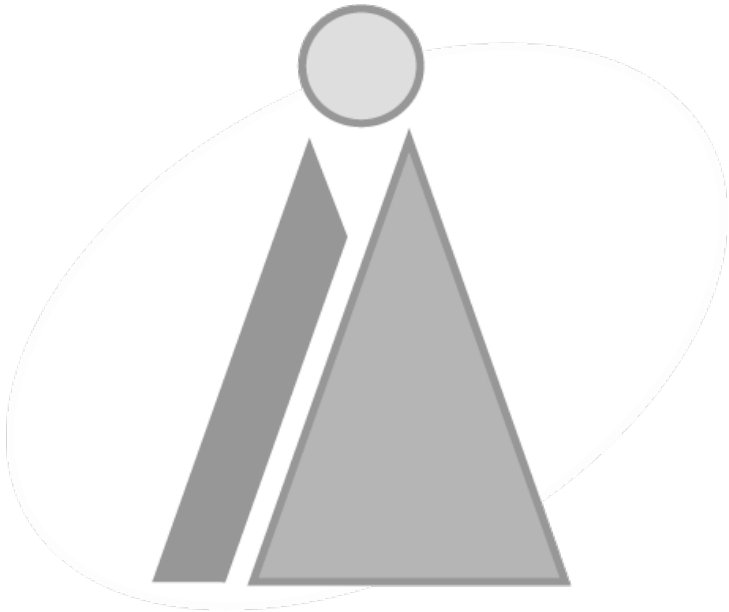


# MONTE DEL SOL CHARTER SCHOOL



A PUBLIC SECONDARY SCHOOL  
GRADES 7 – 12  
**COMMUNITY HANDBOOK**  
**Our Expectations and Legal Responsibilities**  
**2023-2024**

4157 Walking Rain Road  
Santa Fe, New Mexico 87507  
505.982.5225 [www.montedelSol.org](http://www.montedelSol.org)

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## LEGAL CONSENT

Receipt of this Community Handbook by students and parents/guardians constitutes acknowledgement and consent of Monte del Sol expectations and policies.

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## MISSION

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Monte del Sol Charter School educates and inspires Santa Fe's diverse population in grades 7 through 12 by building strong relationships and creatively engaging the local and global community.

To achieve its mission, Monte del Sol Charter School will:

- provide a small school so each individual is known;
- acknowledge and celebrate the diversity of its members and the community;
- connect students with adult community members through the mentorship program;
- foster awareness of the world through international trips, student exchanges, special events, and curricula;
- engage students in the arts – fine and multicultural – through events, activities, and curricula; and
- teach the importance of environmental sustainability through our curricula and participation in the garden.

## NOTICE OF NON-DISCRIMINATION

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It is the policy of Monte del Sol Charter School not to discriminate on the basis of race, sex, religion, national origin, sexual orientation, gender identity, or disability in any of the educational programs or employment practices. Inquiries regarding compliance with Title VI of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, or Section 504 of the Rehabilitation Act of 1973 may be directed to the Head Learner, Monte del Sol Charter School, 4157 Walking Rain Road, Santa Fe NM, 87507.

## **DIVERSITY STATEMENT**

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Monte del Sol (MdS) welcomes, honors, and accepts all students, families, and personnel. Our commitment to building an inclusive community is fundamental to learning and developing leadership skills in young people. Our commitment responds to the demands of a multicultural and international society.

A key leadership skill we seek to develop among students, families, and personnel is recognizing and appreciating varying points of view for the betterment of the MdS community. When students feel included and feel their heritage is valued, students acquire a sense of pride. By raising awareness about our differences and similarities, we also better understand ourselves as a community and gain an appreciation of and compassion for all human beings. Thus, a focus on diversity is as much a curricular matter as it is a social justice and community issue.

## GRADUATION REQUIREMENTS

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<b>English</b>	<b>4 credits</b>
<b>History</b>	<b>3.5 credits</b> History credits must include one semester of New Mexico History (grade 9), one year of World History (grade 10), one year of US History (grade 11), and one year of Government and Economics (grade 12).
<b>Mathematics</b>	<b>4 credits</b> Math credits must include one year of Algebra II.
<b>Science</b>	<b>3 credits</b> Science credits must include two lab sciences.
<b>Language</b>	<b>2 credits</b> Language credits must be of the same language. Bilingual students wishing to receive a bilingual seal on their transcript must take four years of classes in their native language.
<b>Art</b>	<b>2 credits</b>
<b>Mentorship</b>	<b>2 credits</b>
<b>Physical Ed</b>	<b>1 credit</b> Two years of a varsity sport equal one half (.5) credit; three years of a varsity sport equal one (1) credit.
<b>Health</b>	<b>.5 credit</b>
<b>Electives</b>	<b>2 credits</b> Elective credits may include additional academic, arts, or mentorship courses. The New Mexico State communication requirement is covered by the world languages credit.
<b>Total</b>	<b>24 credits</b>
<i>For entry to grade 10:</i>	<i>4 of the 24 credits needed for graduation</i>
<i>For entry to grade 11:</i>	<i>10 of the 24 credits needed for graduation</i>
<i>For entry to grade 12:</i>	<i>16 of the 24 credits needed for graduation</i>

## EXPECTATIONS for the LEARNING ENVIRONMENT

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### RESPECT STAFF REQUESTS

Staff members at MdS are expected to remind and model for students our behavioral norms. Rudeness or insubordination towards staff or faculty members will result in a meeting with the Head Learner or the Assistant Head Learner. Disciplinary measures, including a *Restorative Discipline Plan*, may be taken to help students contribute positively to our learning environment.

### USE OF APPROPRIATE LANGUAGE

Profane language is disrespectful and not tolerated at MdS.

### RESPECT PERSONAL SPACE

Respecting the personal space of others is essential at MdS, especially considering individual preferences for limited physical interaction during this post-pandemic period. Members of our community shall exercise discretion regarding physical interaction.

### STAY FOCUSED IN CLASS

Classroom time is too important to be disrupted or squandered. Teachers and students shall work hard to take advantage of every minute in our engaging learning environment. Behavior that is distracting, disrespectful, or insubordinate will not be tolerated.

### USE OF PERSONAL ELECTRONIC DEVICES

To stress we are a school that emphasizes academics, MdS does not allow personal electronic devices to be used during the school day. *Personal electronic devices* include cell phones, tablets, speakers, gaming devices, and headphones or earbuds (headphones or earbuds may be used for academic purposes only if approved by the teacher).

If a parent/guardian needs to contact a student, the parent/guardian may call the school phone – 505.982.5225 – and we will escort the student to the Front Office to receive the call; **if the communication is urgent**, the parent/guardian may call the Head Learner or Assistant Head Learner directly by cell phone:

Head Learner: Zoe Nelsen, PhD – 505.982.5225, extension 101

Assistant Head Learner: Erika Penczer – 505.982.5225, extension 106

If a student needs to contact a parent/guardian during the school day, the student may ask to visit the Front Office to make the call.



### RESPECT THE PHYSICAL ENVIRONMENT OF THE SCHOOL

Visitors can easily appreciate who we are as a community at MdS by the tidiness of the school itself. Students, guided by staff and faculty, shall ensure classrooms are tidy and the campus is clean.

### RESPECT THE NEIGHBORHOOD

As part of its mission, MdS builds and maintains a strong and positive relationship with its surrounding community. To this end, students, staff, and faculty shall not trespass on private property such as backyards, driveways, or any other premises of Nava Adé or Las Soleras residential communities. To be respectful of our neighbors, students, staff, and faculty shall keep the volume down when listening to music and the noise low when driving through the neighborhood.

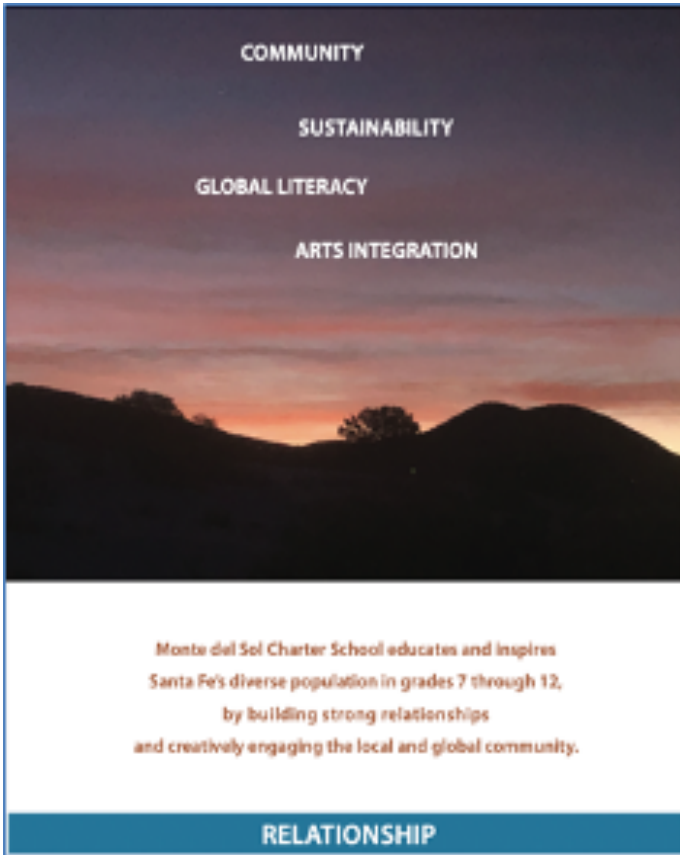
### PARTICIPATE IN ADVISORY PODS

The Advisory Pod is a required .5 credit course consisting of a small group of 12-16 students who meet Monday through Thursday with their pod advisor. Course credit includes annual completion of the *Mission Portfolio*. In addition to assisting students with their portfolios, advisors present specific content, assist students with coursework, plan for the future, and act as liaison for students and families.

During their time at MdS, students will have two advisors – one advisor for grades 7 through 9 and another advisor for grades 10 through 12. Having several years with one advisor fosters a supportive relationship in which students and families have an ally on campus.

## PARTICIPATE IN GATHERINGS

*Gatherings* are grade-level or all-school meetings that occur regularly. The goal of these gatherings is to bring the school together to build community and address issues in an open forum. Students are expected to be present at all gatherings. During gatherings, issues of mutual interest to the community may be discussed, speakers may present, and artistic performances may occur.



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## ATTENDANCE

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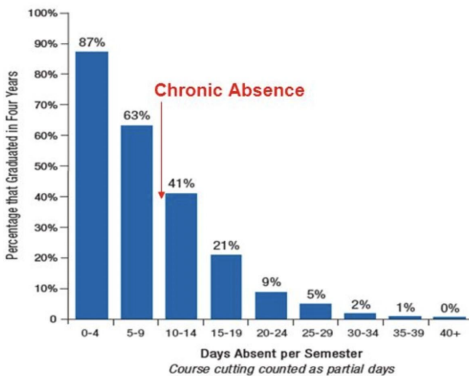
### ATTENDANCE FOR SUCCESS ACT

The [Attendance for Success Act](#) was passed by the New Mexico State Legislature in 2019 and updated in 2020, replacing the Compulsory Attendance Law. The Attendance for Success Act provides guidance for the prevention and early intervention for chronic absenteeism; this act requires a school-aged person attend school until the age of 18 or has graduated from high school or received a high school equivalency credential. Students are expected *each day* to participate in instructional programs, as provided by the school.

### ATTENDANCE AND GRADUATION

Research consistently shows a strong correlation between attendance in middle and high school and on-time graduation. According to a study by the University of Chicago, students who attend school regularly are more likely to complete their high school education on time compared to those who are frequently absent (see chart below). Regular attendance builds a connection with teachers, classmates, and the school community, as well as builds the habits, routines, and important skills for success in school and beyond.

**On Time Graduation Correlation to 9<sup>th</sup> Grade Attendance**



### WHEN A STUDENT IS ABSENT FROM SCHOOL

Call the Front Office at 505.982.5225 or submit the online [Student Absence Form](#). When the student returns to school, provide documentation to the Front Office if excused (see *Excused Absence Defined* on page 11).

### EXCUSED ABSENCE DEFINED

While regular attendance is essential for building community and achieving success in school, there are times when a student's absence is allowable and therefore **excused**. Reasons for excused absences from an individual class or school in general include: medical with doctor's note, dental, death in the family, religious instruction, tribal obligation, and absences as approved by the Head Learner or the Assistant Head Learner.

### UNEXCUSED ABSENCE DEFINED

Any absence from an individual class or school in general for which the student does not have an allowable excuse is considered **unexcused**.

### ABSENCE FROM INDIVIDUAL CLASS

When a student is present at MdS but does not attend a class, the parent/guardian will be notified and asked to come to campus to help locate the student and take the student home for the rest of the day (unexcused absence). Restorative conversations will occur with the student, parent/guardian, teacher, and Dean to understand why the student decided not to attend and to ensure the student not choose to miss class again.

### TARDIES

Classroom time is too important to be disrupted or squandered. When a student is tardy to class, it is disruptive to the learning environment for all students and the teacher. Students need to be on time. When a student has been tardy for three days in a specific class, it is considered an unexcused absence in that class.

### ATTENDANCE ELIGIBILITY FOR ACTIVITIES

In order to participate in a school activity, students must attend all classes on the day of the activity (such as an athletic game, athletic practice, field trip, or any other co- or extracurricular activity). Exceptions are allowed for excused absences.

## TIERED SUPPORT FOR ATTENDANCE FOR SUCCESS

Absences	Response
<b>Tier 1</b> 8 or fewer absences/year	School-wide attendance support and incentives: <ul style="list-style-type: none"> <li>● Pod advisors track attendance on PowerSchool and contact parents/guardians.</li> <li>● Teachers and staff communicate with parents/guardians.</li> </ul>
<b>Tier 2</b> 9 to 17 absences/year	Dean will call home, send a follow-up letter, and inform pod advisor of a meeting with student, parent/guardian, and school counselor to discuss the: <ul style="list-style-type: none"> <li>● student’s attendance history and the impact of absences on the student’s academic outcomes;</li> <li>● interventions or services available to support the student and family; and</li> <li>● consequences of further absences.</li> </ul>
<b>Tier 3</b> 18 to 34 absences/year	Dean will call home, send a follow-up letter, and inform pod advisor of the: <ul style="list-style-type: none"> <li>● attendance meeting with the pod advisor, Head Learner or Assistant Head Learner, and Dean to develop intervention strategies;</li> <li>● attendance contract, signed by student and parent/guardian, outlining the intervention strategies;</li> <li>● weekly progress monitoring to include a focus on both academic and extracurricular activities appropriate for and of interest to the student; and</li> <li>● referral to <a href="#">Santa Fe County Teen Court</a>, <a href="#">ENGAGE NM</a>, and/or the <a href="#">McKinney Vento Program</a>.</li> </ul>
<b>Tier 4</b> 35 or more absences/year	Dean will call home, send a follow-up letter, and inform pod leader of the: <ul style="list-style-type: none"> <li>● written notice to the parent/guardian, including date, time, and place for the parent/guardian to meet with the Head Learner or Assistant Head Learner, pod advisor, and Dean;</li> <li>● establishment of non-punitive consequences at the school level;</li> <li>● identification of appropriate specialized supports needed to help the student address the underlying causes of excessive absenteeism;</li> <li>● clear communication to the student and the parent/guardian of the consequences of further absences; and</li> <li>● possible referral to <a href="#">JPO</a>, <a href="#">CYFD</a> and/or disenrollment from Mds.</li> </ul>

## ACADEMIC ELIGIBILITY for ACTIVITIES

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A student must meet academic eligibility guidelines set by the [New Mexico Activities Association](#) to participate in school activities such as athletic events or practices, trips abroad, and extracurricular activities, including off-campus programs such as camping trips, field trips, and National Dance Institute of New Mexico. Specifically, *NMAA Rule 6.2.1* states a student “shall have a 2.0 grade point average with no Fs, based on a 4.0 grading scale, either cumulatively or for the nine-week grading period immediately preceding participation.” Determination of athletic eligibility shall be made by the Athletic Director in collaboration with the coaches and administration.

The MdS administration, Athletic Director, coach, or trip leader may, at any point before a trip, game or practice, request a student be declared ineligible due to major violations of the expectations in the Community Handbook or due to a significant decline in academic or behavioral performance. If needed, the determination of eligibility will take place in a hearing attended by the student; the student’s parent/guardian; the administration; the trip leader or coach; and the student’s advisor. The ultimate determination will be made by the Head Learner.

### STUDENT RESPONSIBILITIES DURING ACTIVITIES

Field trips, athletic events and mentorship activities are an integral part of the MdS experience and are always planned at least one week prior.

If an assignment is due the day a student is absent for a field trip, athletic event, or mentorship activity, the student must turn in the work **within 24 hours after the due date**. In the case of an extended (more than one day) field trip, athletic event, or mentorship activity, individual arrangements must be made with the teacher.

**The student is responsible** for inquiring about and completing any homework assigned while the student is absent for a field trip, athletic event, or mentorship activity.

## APPROPRIATE USE OF TECHNOLOGY

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Appropriate use of technology requires all school resources be used in accordance with the following guidelines. Every MdS student and parent/guardian must agree to this policy:

- a. Use of my assigned MdS account and school-owned equipment must be in support of education and research and the educational goals of MdS.
- b. Use of other organizations' networks or computing resources must comply with rules appropriate to that network.
- c. Transmission of any material in violation of United States or New Mexico law is prohibited. This includes, but is not limited to, threatening or obscene material, or material protected by copyright law.
- d. Commercial activity by for-profit institutions is prohibited.
- e. Product advertisement or political lobbying is prohibited.
- f. Students acknowledge they are aware the equipment assigned to them can be tracked and disabled at any moment at the discretion of MdS.**
- g. Students acknowledge they are aware the inappropriate use of electronic information resources can be a violation of local, state, and federal laws; and students can be prosecuted for violating such laws.**
- h. Students are not be permitted to use unauthorized electronic devices, including but not limited to cell phones, tablets, personal computers, gaming devices, and portable speakers during the school day, including the lunch break. **Use of an MdS-issued Chromebook is permitted.** High school students may apply for permission to use a personal computer if they need one for college classes or authorized extracurricular activity.
- i. Cell phones or other unauthorized electronic devices will be confiscated if seen, heard, or otherwise noticed on campus during the school day. Upon the first offense, the phone will be returned at the end of the day on which it was taken. Upon the second offense, the phone will be held in the school safe for one week. Upon the third offense, the phone will be held for one month. Upon the fourth offense, the phone will be held until the end of the academic year.
- j. Students' Chromebooks and chargers will be collected at the end of the school year. If a student is missing any of these items, the parent/guardian must cover the cost of replacement.

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## DRIVING and OFF-CAMPUS PRIVILEGES

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### DRIVING AND PARKING ON CAMPUS

Any student driving a car and parking on campus must apply for a [Student Parking Permit](#), be registered with the MdS Front Office, and receive an MdS parking sticker. The sticker may be obtained only after the student presents a valid driver's license, proof of registration and insurance, and pays a fifteen dollar (\$15) fee. All students must park in the lower paved lot.

MdS has approximately fifty (50) parking spaces for students. Priority is determined by the administration based on grade level, bus service, after-school jobs, and community college classes.

Student vehicles parked on campus are subject to searches by authorized personnel.

Students who park on the MdS campus without a valid parking sticker may lose driving and parking privileges and/or may have the student's vehicle towed at the owner's expense. The money collected from parking permits will be used for parking and transportation-related needs.

### OFF-CAMPUS PRIVILEGES

Students who earn off-campus privileges must have earned fifteen (15) credits and have a signed permission form from the student's parent/guardian acknowledging the student may leave campus during the school day. Off-campus privileges may be revoked if a student has excessive absences, tardies, or is failing multiple classes. The decision to revoke off-campus privileges would occur during a meeting with the student, parent/guardian, and administration to create an action plan to support the student.

For the first quarter, only a student in grade 11 or 12 who has courses at the Santa Fe Community College or a job off campus may leave campus (*off-campus privileges*), unless the student has two (2) consecutive free blocks. Each student must request permission from the Assistant Head Learner who will review the request and make a determination.

After the first quarter, a student in grade 11 or 12 who has:

1. earned at least a 2.5 GPA in the previous quarter; **and**
2. no more than five (5) tardies in the previous quarter

may qualify for off-campus privileges and may apply for permission from the Assistant Head Learner.



Students approved for off-campus privileges may leave campus when not required to be in a class or activity. Off-campus privileges are based on our desire to balance our community needs with the needs of individuals and the goal of developing independence and responsibility in our students. No other student may leave campus during lunch or free blocks unless the student is picked up and signed out by a parent/guardian. Grade 10 students with a driver's license may apply for permission to drive to and from school but may **not** leave campus during the school day.

No student with off-campus privileges may take a student *without off-campus privileges* off campus during the school day. Violation of this policy may result in revocation of driving privileges.

Any student leaving campus without permission will face appropriate disciplinary action and communication with the parent/guardian on the first infraction and a *Restorative Discipline Plan* on the second.

MdS maintains the right to revoke a student's off-campus and/or driving privileges if safety is compromised in any way. A student may have the student's parking permit revoked if the student drives dangerously or speeds on the MdS campus or in the Nava Adé or Las Soleras neighborhoods, leaves campus without permission, or takes other students off campus without permission. MdS also reserves the right to revoke parking permits for other detrimental behaviors, such as repeated tardiness or other violations of the Community Handbook.

Students may not sit in or congregate near the students' vehicles during the school day.

Student vehicles parked on campus are subject to searches by authorized school personnel.

## HARASSMENT AND BULLYING POLICY

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Harassment, including sexual harassment or racial comments, verbal or physical intimidation; or use of derogatory language intended to annoy, alarm or terrorize another person violates all that the MdS community stands for and will not be tolerated. All of the above are serious offenses and will be subject to serious consequences that may include a *Restorative Discipline Plan* and suspension.

Sexual harassment is a misuse of power creating an offensive, intimidating, and hostile environment and is a violation of school policy and state and federal law. Sexual harassment may include unwelcome sexual advances; requests for sexual favors; and written, visual, or verbal conduct of a sexual nature.

Bullying and cyberbullying means any repeated and pervasive written, verbal, or electronic expression; physical act or gesture; or a pattern of these actions that is intended to cause distress upon a person. Bullying and cyberbullying includes any action a reasonable person should know will have the effect of placing another person in reasonable fear of physical harm or damage to the person's property or reputation. Insulting or demeaning any person or group of persons in such a way as to disrupt or interfere with the school's mission or the education of anyone will not be tolerated and will be subject to discipline, including the signing of a *Restorative Discipline Plan*, and may lead to suspension.

Any community member who feels the member is experiencing sexual harassment or bullying should report, verbally or in writing, such conduct to the Head Learner, Assistant Head Learner, or to a school counselor. Reports will be investigated and, if verified, disciplinary action will be taken against the perpetrator, including signing a *Restorative Discipline Plan*.

## LEGALITIES

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### SEARCH

School officials may search, with an adult witness, a student on school property or at a school event, if there is reasonable suspicion the student is in possession of an item that is illegal, unsafe, or against school rules. Items subject to search without notice to parents/guardians include student vehicles, purses, and bags (for example, backpacks and gym bags), school lockers, and other school property. Students are required to cooperate if asked to open purses, bags, lockers, or any vehicle brought on campus.

Given reasonable suspicion, drug- or weapon-sniffing dogs may be utilized at school or at any school function, including activities that occur after normal school hours or off campus, at the discretion of administration. Parents/guardians will be notified before such a mass search occurs.

### CHILD ABUSE AND NEGLECT REPORTING RESPONSIBILITIES AND IMMUNITY

Pursuant to the New Mexico Abuse and Neglect Act (NMSA 1978 §[32A-4-3](#), as amended in 2021 and §[32A-4-5](#), as amended in 2009):

*Every person, including a licensed physician; a resident or an intern examining, attending or treating a child; a law enforcement officer; a judge presiding during a proceeding; a registered nurse; a visiting nurse; **a school employee**; a social worker acting in an official capacity; or a member of the clergy who has information that is not privileged as a matter of law, who knows or has a reasonable suspicion that a child is an [abused or a neglected child](#) shall report the matter immediately to:*

- (1) a local law enforcement agency;*
- (2) the [children, youth and families] department; or*
- (3) a tribal law enforcement or social services agency for any Indian child residing in Indian country.*

*After properly verifying the identity of the public official, **any school personnel** or other person who has the duty to report child abuse pursuant to Section 32A-4-3 NMSA 1978 shall permit a member of a law enforcement agency, including tribal police officers, an employee of the district attorney's office, [...] to interview a child with respect to a report without the permission of the child's parent or guardian. Any person permitting an interview*

*pursuant to this subsection is presumed to be acting in good faith and shall be immune from liability, civil or criminal, that might otherwise be incurred or imposed by law, unless the person acted in bad faith or with malicious purpose. ([32A-4-3 NMSA 1978](#))*

*Anyone reporting an instance of alleged child neglect or abuse or participating in a judicial proceeding brought as a result of a report required by Section 32A-4-3 NMSA 1978 is presumed to be acting in good faith and shall be immune from liability, civil or criminal, that might otherwise be incurred or imposed by the law, unless the person acted in bad faith or with malicious purpose. ([32A-4-5 NMSA 1978](#))*

## SERIOUS VIOLATIONS of EXPECTATIONS

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Some of our expectations at MdS are non-negotiable out of concern for respect, safety, and legality. Behavior that violates our community expectations and policies will not be tolerated on campus or at any off-campus school activity. Violations of non-negotiable expectations may result in a meeting with the student and the student's parent/guardian to sign a *Restorative Discipline Plan*. For any offense involving alcohol, illegal drugs, violence, or theft the student may be referred to local law enforcement agencies, including the Santa Fe County Teen Court; other offenses may involve outside authorities as well.

### SAFE AND DRUG-FREE SCHOOL

The school complies with the federal [Safe and Drug-Free School and Communities Act](#). There will be no tobacco or cannabis product (including e-cigs or vape pens), alcohol, illegal drug, paraphernalia, or non-prescription drug use on campus or at any off-campus school activity. If a student is found to possess any of the above or is under the influence of any of the above, the student will be subject to disciplinary action.

It is important to note that if a student has a problem with tobacco, alcohol, or drug use, MdS counselors are available to guide the student to programs supporting cessation. Reaching out to our counselors, prior to a disciplinary infraction, will **not** trigger disciplinary action.

### FIGHTING OR PHYSICAL ASSAULT

Fighting or physical assault is a serious violation of MdS policy and local and state law and is not tolerated. Any student who strikes another student (whether or not in self-defense) will result in a meeting with the student and the student's parent/guardian to sign a *Restorative Discipline Plan*. Local law enforcement may be contacted, and all students involved may face serious disciplinary consequences.

### WEAPONS

Weapons of any kind, as defined by the New Mexico [Criminal Code](#), are not permitted on campus or at any off-campus school activity. Any student who brings a firearm, knife, or multi-purpose object that can be used as a weapon will result in a meeting with the student and the student's parent/guardian to sign a *Restorative Discipline Plan*. In addition, possessing a weapon with intent to harm another human being may result in the notification of the authorities and expulsion, following federal and state laws and regulations.

## THEFT OR VANDALISM

Theft or damage of school or personal property is disrespectful and will be subject to discipline. Any student who steals or damages school or personal property on campus or during an off-campus school activity will result in a meeting with the student and the student's parent/guardian to sign a *Restorative Discipline Plan*. In addition, the student may be reported to law enforcement agencies pursuant to the New Mexico [Criminal Code](#).

## ADDITIONAL EXPECTATIONS

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### APPROPRIATE DRESS

All members of the MdS community are expected to show respect for the diversity of our community by dressing appropriately. We have neither a uniform nor standardized dress; however, clothes referencing alcohol, drugs, tobacco, or advocating or glorifying violence, racism, or sexism are not permitted. Students violating these expectations for appropriate dress will be asked to change into more appropriate clothing. If violations of the appropriate dress policy continue, MdS will address the behavior as a disciplinary issue.

### FUNDRAISERS AND HEALTHY EATING HABITS

Fundraising is an important part of life at a charter school. Any fundraising activity must receive *prior* approval from the school administration or designated authority. This policy enhances the wellness of our students and reduces competition with all other school-sponsored and fund-raising activities.

To assist in the planning and approval for a fundraiser, members of the MdS community must submit **one week prior** to the event the [Fundraiser Permission Form](#).

To help our community make good decisions regarding healthy eating habits, MdS adheres to the USDA guidance for [Smart Snacks in School](#).

### LOST, STOLEN, OR DAMAGED PERSONAL PROPERTY

MdS does not replace personal technology, articles of clothing, or any other personal items that are lost, stolen, or damaged on school property or during off-campus school activities. Students are encouraged to leave expensive personal items at home. There is a free phone available to all students in the Front Office for local phone calls, and parents/guardians can always call the Front Office to have messages delivered to their children at school (see page 7). The school is not responsible for damages to cars, bicycles, motorcycles, or private property of a student or family member on the property of MdS, including in the parking lot.

### SKATEBOARDING

Skateboarding is not allowed on campus. Our insurance is clear we can be held liable for skateboarding accidents on campus. A student bringing a skateboard to school for off-campus use may do so, but the student must store the skateboard in an assigned locker during the school day.

## CONSEQUENCES of VIOLATING EXPECTATIONS

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Consequences for acting against expectations and policies will be reasonable and proportional to the violation. Consequences may include repairing the damage that occurred to the community as a result of the violation, as well as an expectation the student will modify or improve the student's behavior.

Here are various approaches utilized at MdS:

### RESTORATIVE DISCIPLINE PLAN

When a serious violation of an expectation occurs, the student is referred to the Head Learner or Assistant Head Learner who discusses the issue with the student and, as appropriate, other students involved. The student's parent/guardian and advisor are notified. The student and parent/guardian will sign the *Restorative Discipline Plan* to acknowledge the student and parent/guardian understand the policy. The student may be referred to a school counselor.

### COUNSELING

We may talk to a student when behavioral problems arise to find common ground or come to agreement about community expectations and how to assist the student in modifying the behavior in the best interests of the student and the entire community. Notes will be kept to document this conversation and its agreements.

### IN-SCHOOL SUSPENSION AND DETENTION

In-school suspension (ISS) may be assigned when, per administration determination, a student's behavior warrants. Lunch and after-school detention are considered one form of ISS and may be used for behavioral issues in the classrooms or for chronic tardiness. During lunch detention, students will help in the kitchen to wash dishes and pick up trash

### SUSPENSION

Suspension is a serious consequence and is used to remove a student from the school community when the student is harming the community or because the severity of the student's actions merits temporary separation from the community.

To prepare the suspended student for a smooth transition back into the community, the student and the student's parent/guardian meet with the Head Learner or Assistant Head Learner. In many situations, the suspension is followed by restorative conversations with all students involved and the school counselor.



## HEARING PROCEDURES

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### INFORMAL HEARING

Before a student is suspended from school for ten (10) days or fewer, the Head Learner or designee will conduct an informal hearing, including investigation of the alleged incident for which the student is accused and allowing the student to explain the student's behavior. If suspension results, notice must be provided in written form, usually through email. If the parent/guardian does not receive a notice within a reasonable time, the parent should call MdS.

### EMERGENCY REMOVAL

MdS has the right to delay the informal hearing, and a student may be removed from school without an informal hearing if the administration determines the student poses a danger to self or another individual; to property; or poses an ongoing threat of disruption. Whenever a student is removed, the parent/guardian shall be notified as to when the informal suspension will be held. The hearing shall be scheduled within three (3) school days unless there are extenuating circumstances or it is mutually agreeable to both parties.

### FORMAL HEARING

The maximum punishment for an offense includes long-term suspension and signing a *Restorative Discipline Plan*, which may result in a student withdrawing from school. Punishments of this severity will be determined by a formal hearing. Students suspended for more than ten (10) days may request a formal hearing. During a formal hearing, the student has the right to an adviser, to call witnesses, to question accusers and witnesses, and to have a copy of the proceedings for appeal to the MdS Board. The parent/guardian or student may elect not to contest whether the student has violated the Code of Conduct (Community Handbook). An agreement may be negotiated in which parent/guardian or student waives the right to a hearing before a disciplinary hearing. The Head Learner or Head Learner's designee must approve such a waiver in accordance with Board policy.

### MANIFESTATION DETERMINATION

For students who receive special services and have an Individual Education Plan (IEP) or a [Section 504 Plan](#) under the federal Rehabilitation Act of 1973, suspension beyond ten (10) school days or in increments that lead up to ten (10) school days requires a manifestation determination hearing. An IEP team must convene within ten (10) school days to determine whether the violation(s) of the

Code of Conduct (Community Handbook) are related to the student's disability or whether the suspension was in accordance with the student's IEP. A Functional Behavioral Assessment (FBA), which examines possible factors of misbehavior, must be completed prior to or at the meeting before a manifestation determination hearing occurs. It also examines whether the behavior merits the development of a Behavior Intervention Plan (BIP) or if a revision of the plan is necessary. A manifestation determination also decides whether the IEP team needs to convene and discuss what services the student needs if it is decided the suspension was appropriate.

#### HEARING OFFICER

A Hearing Officer will be appointed when a suspension is ten (10) days or more. Notice will be addressed to the student, through the student's parent/guardian, and shall be either personally delivered or sent through certified mail. The hearing will occur within five (5) school days of the suspension. The hearing's date, time, place and reference to the alleged violations and where stipulated in the Code of Conduct (Community Handbook) are required for the contents of notice. Failure to appear may result in a penalty against the student by default.

#### STUDENT STATUS PENDING THE HEARING

A student may be suspended temporarily and a formal hearing on long-term suspension or expulsion may not occur until after the temporary suspension has expired when:

- The student and parent/guardian have waived the right to return to school or the administrative authority has conducted an interim hearing pursuant to due process protection sufficient to support the student's continued exclusion pending the outcome of the formal procedures; and
- A student has waived the hearing through voluntary compliance or negotiated penalty. Such a waiver and compliance agreement shall be documented with evidence of signatures of the parent/guardian, student, and the hearing authority.

#### DUE PROCESS AND STUDENT RIGHTS

The burden of proof lies with MdS Charter School.

The student and parent/guardian are afforded the following:

- the right to be represented by legal counsel or other designated representatives (at the parent/guardian or student's own cost);

- the right to present evidence that is not deemed immaterial or redundant by the hearing officer or MdS Board;
- the right to confront, question, and cross-examine witnesses;
- the hearing authority shall determine whether the alleged act has been proved by a preponderance of the evidence presented at the hearing;
- the hearing officer or the MdS board will tape the proceeding; and
- the hearing authority, who is also a disciplinarian, may also impose a penalty at the close of the hearing or at a minimum a written decision within five (5) school days after the hearing. The decision will take effect immediately after the hearing authority makes his/her decision at the closing of the hearing or in the written notice.

#### APPEAL PROCESS

The student or parent/guardian may appeal the decision of the formal hearing in writing, within receipt of the hearing officer or MdS administration within five (5) school days, and a formal review by the MdS Board must occur within fifteen (15) school days. The MdS Board shall provide a written response with concise explanation for its findings within ten (10) working days. The MdS Board review is the final step, and there is no further course of action by MdS.

#### REFERRAL TO LAW ENFORCEMENT AUTHORITIES

MdS and its employees will adhere to all federal and state laws by reporting certain violations to law enforcement agencies. These violations include the following:

- *Aggravated Assault* if a firearm is involved;
- *Aggravated Battery*;
- *Sexual Offenses* including consensual sexual intercourse with a minor thirteen (13) years or younger;
- *Carrying Deadly Weapons* at public gatherings;
- *Carrying Deadly Weapons* at school functions or on school property or within school safety zones;
- *Illegal Possession* of a pistol or revolver by a person under the age of eighteen (18).

#### RESOLUTION PROCESS

If a student or parent/guardian believes a school officials' decision affecting the student or parent/guardian is unfair or unreasonable, the student or parent/guardian is encouraged to express concern to the school official directly involved and immediately attempt to resolve the problem informally. If the concern cannot be resolved, the concern

should be brought to an administrator’s attention. If the problem is still not resolved, it is then referred to the Mds Board. For continued strong community relationships and for effective communication, Mds strongly encourages the parent/guardian and student to use our resolution process.

STEPS OF THE MDS RESOLUTION PROCESS

Step	Action
<b>Step 1</b>	Bring the concern directly to the individual involved. If satisfaction is not achieved or if the student or parent/guardian does not feel comfortable bringing the concern directly to the person involved, proceed to Step 2.
<b>Step 2</b>	Notify the Assistant Head Learner of the concern. To further clarify the concern, the AHL may request the concern be provided in written form. A verbal response will be provided within five (5) working days. If a response has not been received or if the response is not satisfactory, proceed to Step 3.
<b>Step 3</b>	Notify the Head Learner of the concern. To further clarify the concern, the HL may request that the concern be provided in written form, if that has not already been requested by the AHL. All invested members may be asked to attend a meeting to resolve the concern in a timely manner (within five (5) working days). The Head Learner may request a mediator if the concern requires objective assistance. If satisfaction is not achieved within ten (10) working days, proceed to Step 4.
<b>Step 4</b>	Notify the Mds Board of the concern. A meeting will be scheduled to present issues. A final decision will be made by the Mds Board. Depending on the nature of the complaint, the Board will review the matter in either a closed or an open session requested by the parent/guardian or student eighteen (18) years and over, may hear testimony, and will act on the matter. The Head Learner and parent/guardian shall be advised in writing of the decision of the Mds Board.