

**J-0050   ©   JA**  
**STUDENT POLICIES GOALS /**  
**PRIORITY OBJECTIVES**

The Superintendent will establish an environment conducive to the best learning achievement for each student through meeting the following goals:

- To individualize the learning program in order to provide appropriately for each student.
- To protect and observe the legal rights of students.
- To enhance the self-image of individual students through helping them feel respected and worthy, and through a learning environment that provides positive encouragement.
- To provide an environment of reality in which students can learn personal and civic responsibility for their actions through meaningful experiences as school citizens.
- To deal with students in matters of discipline in a just and constructive manner.
- To provide, in every way feasible, for the safety, health, and welfare of students.
- To promote regular attendance and good work.

*Adopted:*    date of manual adoption

**J-0150 © JB**  
**EQUAL EDUCATIONAL**  
**OPPORTUNITIES**

The right of a student to participate fully in classroom instruction shall not be abridged or impaired because of race, color, religion, sex, age, national origin, and disability, or any other reason not related to the student's individual capabilities.

The right of students to participate in extracurricular activities shall be dependent only upon their maintaining the minimum academic and behavioral standards established by the Board, and their individual ability in the extracurricular activity.

*Adopted:*    date of manual adoption

LEGAL REF.:    [20 U.S.C. 1400](#), Individuals with Disabilities Education Act  
[20 U.S.C. 1681](#), Education Amendments of 1972, Title IX  
                  (P.L. 92-318)  
[20 U.S.C. 1703](#), Equal Educational Opportunities Act  
[29 U.S.C. 794](#), Rehabilitation Act of 1973, Section 504  
[42 U.S.C. 2000](#), Civil Rights Act of 1964, as amended in 1972,  
                  Title VI, Title VII  
[42 U.S.C. 11301, McKinney-Vento Homeless Assistance](#)  
[Act of 2001](#)

CROSS REF.:    [AC](#) - Nondiscrimination

[ACA - Sexual Harassment](#)

[GBA - Equal Employment Opportunity](#)

[IHBA - Special Educational Programs and](#)

Accommodations for Disabled Students

[KED - Public Concerns/Complaints about Facilities or](#)

Services

**REGULATION      REGULATION**

**EQUAL EDUCATIONAL  
OPPORTUNITIES**

**Compliance Officer**

The Superintendent shall be the compliance officer. Any person who feels unlawfully discriminated against or to have been the victim of unlawful discrimination by an agent or employee of the District or who knows of such discrimination against another person should file a complaint with the Superintendent. If the Superintendent is the one alleged to have unlawfully discriminated, the complaint shall be filed with the President of the Board.

**Complaint Procedure**

The District is committed to investigating each complaint and to taking appropriate action on all confirmed violations of policy. The Superintendent shall investigate and document complaints filed pursuant to this regulation as soon as reasonable. In investigating the complaint, the Superintendent will maintain confidentiality to the extent reasonably possible. The Superintendent shall also investigate incidents of policy violation that are raised by the Board, even though no complaint has been made.

If after the initial investigation the Superintendent has reason to believe that a violation of policy has occurred, the Superintendent shall determine whether or not to hold an administrative hearing and/or to recommend bringing the matter before the Board.

If the person alleged to have violated policy is a teacher or an administrator, the due process provisions of the District's Policy GCQF shall apply, except that the supervising administrator may be assigned to conduct the hearing.

If the person alleged to have violated policy is a support staff employee, the Superintendent may follow due process and impose discipline under Policy GDQD if the evidence so warrants. The Superintendent also may recommend a suspension, recommend dismissal, or impose other appropriate discipline.

If the person alleged to have violated policy is a student, the Superintendent may impose discipline in accordance with policies JK and JKD.

If the Superintendent's investigation reveals no reasonable cause to believe policy has been violated, the Superintendent shall so inform the complaining party in writing.

EXHIBIT EXHIBIT

EQUAL EDUCATIONAL  
OPPORTUNITIES

COMPLAINT FORM

(To be filed with the compliance officer as provided in JB-R)

**Please print:**

Name \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_ Another phone where you can be reached \_\_\_\_\_

During the hours of \_\_\_\_\_

**I wish to complain against:**

Name of person, school (department), program, or activity \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Address \_\_\_\_\_

Specify your complaint by stating the problem as you see it. Describe the incident, the participants, the background to the incident, and any attempts you have made to solve the problem. Be sure to note relevant dates, times, and places.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date of the action against which you are complaining \_\_\_\_\_

If there is anyone who could provide more information regarding this, please list name(s), address(es), and telephone number(s).

Name   Address   Telephone Number

\_\_\_\_\_

## The projected solution

Indicate what you think can and should be done to solve the problem. Be as specific as possible.

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

I certify that this information is correct to the best of my knowledge.

Signature of Complainant

The compliance officer, as designated in JB-R, shall give one (1) copy to the complainant and shall retain one (1) copy for the file.

**J-0250 © JC**  
**SCHOOL ATTENDANCE AREAS**

**(In District)**

The attendance areas of the District will be established by the Board. Students will attend school in the attendance areas in which their respective residences are located. Exceptions to this policy may be made for open enrollment, special placements based on Individualized Educational Programs, disciplinary actions, available curricula and in the case of homeless students, continued attendance in their school of origin.

*Adopted:*    date of manual adoption

LEGAL REF.:    [22-1-4 NMSA \(1978\)](#)  
[42 U.S.C. 11301](#), McKinney-Vento Homeless Assistance  
                  Act of 2001

CROSS REF.:    [EEAA](#) Walkers and Riders

**J-0500   ©   JE**  
**STUDENT ATTENDANCE**

Any parent, guardian or person having custody and control of a "school-age person" is responsible for the school attendance of that person until that person has reached at least eighteen (18) years of age unless the person has graduated from high school, received a school equivalency credential or withdrawn on a hardship waiver. The school age person has the right to attend public school within the school district of residence. The school-age person shall attend school for at least the length of time of the school year that is established in the school district in which the child is a resident or enrolled. A "school-age person" means a person is at least five (5) years of age prior to 12:01 a.m. on September 1 of the then current school year.

Pregnant and parenting students must have the same educational opportunities as their peers.

The regular school attendance of a child of school age is required by state law. Regular school attendance is essential for success in school; therefore, absences shall be excused only for necessary and important reasons. Such reasons include, but are not limited to illness, injury, bereavement of a family member, other family emergencies, and observance of major religious holidays of the family's faith or religious instruction and tribal obligations. For religious instruction and tribal obligations written consent of a parent and approval of the principal are required. A student may be excused for authorized reasons and time shall be provided for the student to make up the work.

An unexcused absence means an absence from a class or school day (half of the students approved program) for which the student does not have an allowable excuse.

Absent means not in attendance for a class or school day for any reason, excused or not except for interscholastic extracurricular activities.

In the event of a necessary absence known in advance, the parent is expected to inform the school. If the absence is caused by emergency, such as illness, or injury the parent is expected to telephone the school office, if possible. When a student returns to school following an absence, a note of explanation from the parent is required, unless the parent notified the school in advance of the absence.

School administrators are authorized to excuse students from school for necessary and justifiable reasons as determined from the circumstances surrounding the cause of the absence.

The District shall provide interventions for students who are missing school, depending on the number of absences.

Intervention is called for if a student misses five percent (5%) or more of classes or days of school.

A public school shall provide interventions to students who are absent or chronically absent, which may include:

- assessing student and family needs and matching those needs with appropriate public or private providers, including civic and corporate sponsors;
- making referrals to health care and social service providers;
- collaborating and coordinating with health and social service agencies and organizations through school-based and off-site delivery systems;
- recruiting service providers and business, community and civic organizations to provide needed services and goods that are not otherwise available to a student or the student's family;
- establishing partnerships between the public school and community organizations, such as civic, business and professional groups and organizations and recreational, social and out-of-school programs;
- identifying and coordinating age-appropriate resources for students in need of:
  - counseling, training and placement for employment;

- drug and alcohol abuse counseling;
- family crisis counseling; and
- mental health counseling;
- promoting family support and parent education programs; and
- seeking out other services or goods that a student or the student's family needs to assist the student to stay in school and succeed.

The attendance team may be convened to establish;

- a specific intervention plan for the student,
- weekly progress monitoring, and
- a contract for attendance.

If a student misses twenty percent (20%) or more of the classes or days of school. The attendance team shall:

- notify the parent in writing by mail or personal service;
- providing the date, time and place for a meeting to be held with the parent, principal of the school and the attendance team for the purpose of;
  - establishing nonpunitive consequences for the student at the school level;
  - identifying appropriate specialized supports needed to help the student address the underlying causes of excessive absenteeism; and
  - apprising the student and the parent of the consequences of further absences.

Student-teacher incompatibility, if alleged, will require consultation with the teacher and a meeting initiated by the principal with the student, parent and teacher.

If a student does not respond to intensive support as implemented above but continues displaying excessive absenteeism, the School Board shall consult with the Superintendent in executive session on the issue and shall cause the student to be reported to the probation services office of the appropriate judicial district for the purpose of an investigation as to whether the student should be considered a neglected child or a child in a family in need of family services, subjecting the child to provisions of the Children's code.

The records supporting such action shall be provided to the juvenile probation services office by the Superintendent within ten (10) days of the identification of the student excessively absent.

Consequences shall not include out-of-school suspension or expulsion, but should focus on intervention and fostering retention of students in the educational setting.

Only after exhaustion of intervention strategies may the District consider withdrawal of the student from membership in the school. Consulting with the juvenile probation services office or the caseworker for child services should be accomplished before such action.

Upon a written request by a parent for attendance data the school shall provide the following information within five (5) days:

- absence data,
- preventive measures,



- resources to address the causes, and
- a corrective action plan and interventions including follow-up procedures.

*Adopted:* November 17, 2023

LEGAL REF.: [22-12A-1 NMSA et seq.](#)

6.10.4.9 NMAC

6.10.8.7 NMAC

6.10.8.8 NMAC

6.10.8.9 NMAC

6.10.8.10 NMAC

[6.11.2.9 NMAC](#)

[42 U.S.C. 11301](#), McKinney-Vento Homeless Assistance

Act of 2001, as amended by the Every Student

Succeeds Act (ESSA) of 2015

New Mexico Activities Association Handbook Sec. 6

CROSS REF.: [IHBCA](#) - Programs for Pregnant/Parenting Students

[IKEA](#) - Make up Opportunities

[JEA](#) - Compulsory Attendance Ages

[JFAA](#) - Admission of Resident Students

[JFAB - Admission of Nonresident Students](#)

[JFC](#) - Student Withdrawal from School/Dropouts

[JH](#) - Student Absences and Excuses

JHB - Truancy

[JHCB](#) - Released time for Religious Instruction

[JJJ](#) - Extracurricular Activity Eligibility

[LF - Relations with State Education Agencies](#)

## **STUDENT ATTENDANCE**

### **Attendance Records**

Each time a class meets, the teacher shall check and formally record the attendance of all students assigned to the class or program for that period of instruction. The name of any absent student shall be entered on the prescribed attendance/absence report and be submitted to the office.

A master list of student absences will be prepared daily from attendance reports received in the office.

The school administrator is accountable for assuring that accurate and timely daily records of student membership and attendance are maintained and reported.

### **Record Keeping and Reports**

The following records shall be kept for each student with absences exceeding the individual prevention level of five percent (5%) or more who have been enrolled for ten (10) days or more:

- Attempts to notify the parent of student absence on any given day,
- Attempts to improve attendance by a talk with parent,
- Attempts to meet with the parents to discuss intervention strategies, and
- Intervention strategies implemented to support keeping the student in an educational setting.

**STUDENT ATTENDANCE**

An attendance team shall be established at each school in the District comprised of administrators, teachers, staff and community members whose responsibilities will include:

- Recommending evidence-based metrics to provide early identification of students at risk of chronic or excessive absenteeism.
- Developing and implementing an attendance improvement plan that;
  - keeps students in an educational setting.
  - assists a student's family to remove barriers to the student's regular school attendance or attendance in another educational setting.
  - provides additional educational opportunities to students who are struggling with attendance.
- Establishing intervention efforts to keep students in the educational setting which will permit withdrawal, suspension or expulsion only after exhaustion of these efforts for absence related actions.
- Examining for accuracy class attendance records, absence reports, and documentation required for chronically or excessively absent students and any other absence reports required by the Public Education Department per the Attendance for Success Act.
- Assessing community-based organizations that may provide services to students in the way of support and intervention regarding attendance issues and encouraging school sharing of compliant data in accord with the Family Educational Rights and Privacy Act exceptions.

**(Supplemental for Remote Learning)**

The Superintendent is to assess the effectiveness of each of the following rubrics of participation and attendance based upon the currently available remote instruction capability within the District by grade and special circumstances, including teaching methodology and programmatic necessities. The rubrics which apply, for the purpose of reporting and implementing interventions required by the Attendance for Success Act, shall be selected in accord with the best instructional practices and circumstances available. They will be listed according to the grade or subject to which the rubric more specifically applies and will be used to submit reports on attendance and to determine chronic absence for purposes of intervention in so far as that is possible. All actions regarding implementation of the Attendance for Success Act following the identification of attendance or non attendance shall be considered by applying Policy and Procedures JEA and JHB.

Remote learning environments can be characterized by whether instruction is happening in real time (synchronously, as in a virtual classroom) or without real time interaction (asynchronously, as in viewing a video remotely or following a learning packet). These environments each present unique participation measurement hurdles that are also affected by the level of technology available. Specific measures may vary according to technological capacity and instructional design, below are some guiding principles:

- Students should have multiple opportunities to demonstrate their participation, potentially in any given instructional day.
- Measures should be easily tracked by teachers or administrators.
- To the extent possible, measures should readily indicate whether a student or group of students is engaging in remote learning content and activities.

**Tracking Attendance and Participation**

Taking attendance is still important for tracking who is participating and whether they are doing it synchronously or asynchronously. Below are listed some examples:

***Synchronous*** (real time):

- Participation in conference or other individual phone calls.
- Participation in video conferencing with staff or live virtual classroom.
- Participation in interactive tutorial.
- Participation in an online study group.

***Asynchronous*** (not real time):

- Text (including group text).
- E-mail with question or other student-initiated contact.
- Packet pick ups and returns.
- Submission of an assignment.
- Posting in a discussion forum or online academic discussion with time-stamp.
- Completion of online web forms or surveys.

***General synchronous or asynchronous:***

- *Requiring a response.* If you are doing a live class through Zoom or other architectures, you likely have the ability to create polls (The Zoom polling feature for meetings allows you to create single choice or multiple choice polling questions for your meetings). You can use this function to take attendance. Using live polls or questions is a good way to keep track of who can attend synchronously as well as who may be having a difficult time with the course content.
- *Pre-class assessments.* For live and asynchronous instruction, pre-class assessments or quizzes can be a good way to both record who is showing up to engage with course content as well as promote learning. Additionally, they are useful for gauging students' prior knowledge or the level of understanding with which they are approaching the week's instruction.
- *Incorporate some kind of written reflection activity into the instruction.* It breaks up the presentation, but also gives students an opportunity to engage more critically with the course content and give instructors a chance to check-in regarding whether students are thriving or struggling.

For students who are unable to complete online assignments or assessments, the District may furnish offline instructional resources like pre-loaded flash drives assigned to each student or work packets. In those instances, the student will submit the flash drive or packet to the teacher within one (1) week of completing the assignment for grading. The school principal shall identify the approved offline resource that is available for the students or alternative non electronic means to be made available for remote instruction.

This Supplement to Policy JE is to provide interim suggestions for attendance taking for remote instruction and application of that attendance for purposes of applying Policy JHB which implements the "Attendance for Success Act."

*Adopted:* November 17, 2023

LEGAL REF. [22-8-2 NMSA \(1978\)](#)

[22-12A-9 NMSA](#)

[22-12A-11 NMSA](#)

[22-12A-12 NMSA](#)

6.10.8.7 NMAC

6.10.8.8 NMAC

6.10.8.9 NMAC

6.10.8.10 NMAC

CROSS REF.: [JE](#) - Student Attendance

[JEA](#) - Compulsory Attendance Ages

[JH](#) - Student Absences and Excuses

JHB - Truancy/Chronic Absence

**STUDENT ATTENDANCE**

**SUPPLEMENTAL FOR REMOTE LEARNING**

**(Remote Learning Daily Attendance)**

**The following should serve as an example only. It is not intended to be used as *THE* regulation for a school district. A Districts' regulation should reflect the best available method for describing the attendance information based upon the selected technology or other means of remote learning.**

Student attendance and daily participation remains a critical component of learning. This is particularly important in a remote learning environment. Parents should continue to call in to the school's attendance line to report absences.

Student attendance will be captured in the following ways, and will always be determined no later than 11:59 pm each night:

***For grades 4-12***

Every morning each student will be sent an e-mail, text to telephone or as otherwise individually arranged (this could be a predetermined code, or other medium) with a form that requires students to return the form (notice, information or other means) certifying that they are present in school for the day and ready to participate in their classes.

Students must also check in to each of their classes on the day that the class meets by 2:30 pm (the check in to be determined by instructions provided to the teacher). Attendance in a distance learning environment is defined as "engaged with the assigned material." This will be measured by the "check-in" assigned by the teacher, one (1) for every class period that meets.

***For grades Pre-K to 3***

Each student's parent or caregiver shall provide daily affirmation of the student's readiness and presence for instruction by a scheduled time indicated by the teacher. Each student will keep a portfolio of completed assignments to be returned to the teacher

Check-in's can be measured in a variety of ways, including:

- Participation in conference or other individual phone calls.
- Participation in video conferencing with staff or live virtual classroom.
- Participation in interactive tutorial.
- Participation in an online study group.
- Text (including group text).
- E-mail with question or other student-initiated contact.
- Packet pick ups and returns.
- Submission of an assignment.
- Posting in a discussion forum or online academic discussion with time-stamp.
- Completion of online web forms or surveys.

- *Requiring a response.* If you are doing a live class through Zoom or other architectures, you likely have the ability to create polls (The Zoom polling feature for meetings allows you to create single choice or multiple choice polling questions for your meetings). You can use this function to take attendance. Using live polls or questions is a good way to keep track of who can attend synchronously as well as who may be having a difficult time with the course content.
- *Pre-class assessments.* For live and asynchronous instruction, pre-class assessments or quizzes can be a good way to both record who is showing up to engage with course content as well as promote learning. Additionally, they are useful for gauging students' prior knowledge or the level of understanding with which they are approaching the week's instruction.
- *Incorporate some kind of written reflection activity into the instruction.* It breaks up the presentation, but also gives students an opportunity to engage more critically with the course content and give instructors a chance to check-in regarding whether students are thriving or struggling.

**IMPORTANT:** "Check-in's" related to class assignments do not need to be done *DURING* the "class" time unless that is a part of the direction.

**J-0550   ©   JEA**  
**COMPULSORY ATTENDANCE AGES**

A "school-age person" means a person who is at least five (5) years of age prior to 12:01 a.m. on September 1 of the then current school year and who has not received a high school diploma or its equivalent and who has not reached the person's twenty-second (22nd) birthday on the first day of the school year and meets other criteria provided in the Public School Finance Act.

Any parent, guardian or person having custody and control of a person subject to the provisions of the Attendance for Success Act is responsible for the school attendance of that person until that person has reached at least eighteen (18) years of age unless the person has graduated from high school, received a school equivalency credential or withdrawn on a hardship waiver.

A person shall be excused from this requirement if, with the written signed permission of the parent, guardian or person having custody and control of the person to be excused, the person is excused from the provisions of this section by the Superintendent of schools for a hardship.

The school-age person shall attend school for at least the length of time of the school year that is established in the school district in which the child is a resident or enrolled and the school district shall not excuse a student from attending school except as provided in the Attendance for Success Act or for parent-authorized medical reasons.

*Adopted:*   November 17, 2023

LEGAL REF.:   [22-1-2 NMSA](#)  
[22-12A-4 NMSA](#)

CROSS REF.:   [JE](#) - Student Attendance

[JH](#) - Student Absences and Excuses

JHB - Truancy



**J-0600   ©   JEB**  
**ENTRANCE AGE REQUIREMENTS**

**Special Preschool**

A child evaluated and recommended for special services for a disability in accord with statute, and who is at least three (3) years of age at any time during the school year, may be admitted to preschool.

**Kindergarten**

A child who has reached at least five (5) years of age prior to 12:01 a.m. on September 1 of the then current school year may be admitted to kindergarten.

**High School**

A person who has not received a high school diploma or its equivalent and qualifies on the basis of standards and qualifying examinations may enter high school.

*Adopted:*   November 17, 2023

LEGAL REF.:   [22-1-2 NMSA et seq. \(1978\)](#)  
[22-12A-1 NMSA et seq.](#)

CROSS REF.:   [JHD](#) - Exclusions and Exemptions from School Attendance

[JLC - Student Health Services and Requirements](#)

**REGULATION      REGULATION**

**ENTRANCE AGE REQUIREMENTS**

**(Early Admission Conditions and Requirements)**

**Early Admittance to Kindergarten**

Parents wishing to enroll their child who does not meet the entrance qualifications listed, may request early admittance as follows:

- If there is space available in the kindergarten classes of the school attendance area in which they reside. According to state regulations, the maximum number of students in a kindergarten class is no more than twenty (20) students.
- The child will be administered a developmentally appropriate assessment by District-designated officials or staff. The purpose of the assessment is to determine if the child is ready developmentally to participate successfully in a kindergarten class.
- Final decision to determine early admittance of a child to kindergarten will be made by the principal of the District's school attendance area in which they reside.

**Early Admittance to First Grade**

Children who do not meet the first grade entrance age may be admitted to first grade if they meet the following criteria:

- If there is space available in the first grade classes of the school attendance area in which they reside. According to state regulations, the maximum number of students in a first grade class is no more than twenty-two (22) students.
- The child will be administered an academically appropriate assessment by District-designated officials or staff. The purpose of the assessment is to determine if the child is academically ready to participate successfully in a first grade class. The child must have completed one full year in an approved early childhood program.
- Final decision to determine early admittance of a child to first grade will be made by the principal of the Central Consolidated School District (CCSD) school attendance area in which they reside.

**J-0650   ©   JF**  
**STUDENT ADMISSIONS**

The person enrolling a student (except homeless students) in the school for the first time will be asked to produce one (1) of the following proofs:

- A certified copy of the child's birth certificate.
- Other reliable proof of the student's identity and age, including the student's baptismal certificate, an application for a Social Security number, or original school registration records, *and* an affidavit explaining the inability to provide a copy of the birth certificate.
- A letter from the authorized representative of an agency having custody of the student certifying that the student has been placed in the custody of the agency as prescribed by law.

The parent, guardian, or surrogate will be given thirty (30) days to provide documentation requested as listed above. If documentation is not provided, a letter will be sent to notify the parent, guardian, or surrogate that unless the documentation is provided within ten (10) days, the local law enforcement agency will be notified.

Nothing contained in this policy shall authorize the School to disclose to any person a student's educational record without prior parental consent unless the School makes a determination that disclosure of such records is necessary to protect the health and safety of the student.

*Adopted:*    date of manual adoption

LEGAL REF.:    [42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001](#)

CROSS REF.:    [IKEB](#) - Acceleration

[JFAA - Admission of Resident Students](#)

[JFAB - Admission of Nonresident Students](#)

[JFABD - Admission of Homeless Students](#)

[JFB - Open Enrollment](#)

[JG - Assignment of Students to Classes and Grade Levels](#)

[JLCB - Immunizations of Students](#)

JLH - Missing Students

[JR - Student Records](#)

[JRCA - Request for Transfer of Records](#)

**J-0750 © JFAA  
ADMISSION OF  
RESIDENT STUDENTS**

A student who is a resident of the District and who meets the applicable requirements established by state law shall be admitted without payment of tuition to the school in the attendance area in which the student resides and may be admitted as a resident transfer student to another school in the District in accordance with the District's open enrollment policy.

- A student who is in the legal custody of a natural or adoptive parent or other person to whom custody has been granted by a court order and who resides with the parent or other person in the District.
- A student who is an emancipated minor and whose place of residence is in the District. When determining whether a minor is emancipated, the Superintendent will consider such factors as whether the student is married, financially independent, and residing away from the family domicile with parental consent.
- A student who is seventeen (17) years of age or older and whose place of residence is in the District.
- A student who is homeless, and who attended a school in the District at the time of becoming homeless.
- A school age person institutionalized per 43-1-3 NMSA and recommended for placement in public schools.

The residency of a student, natural or adoptive parent, or other person to whom custody of the student has been granted by court order shall be based upon evidence of the individual's physical presence and intent to remain in the District. Such evidence of residency may include, without limitation, landlord-tenant agreements, rent receipts, and receipts for utility payments.

A student found to have an invalid enrollment shall be disenrolled from school in accordance with the procedure set forth in Section 6.10.4.9 NMAC.

*Adopted:* November 17, 2023

LEGAL REF.: [22-12A-3 NMSA](#)  
[43-1-3 NMSA \(1978\)](#)  
6.10.4.9 NMAC  
[42 U.S.C. 11301, McKinney-Vento Homeless Assistance](#)  
[Act of 2001, as amended by the Every Student](#)  
[Succeeds Act \(ESSA\) of 2015](#)

CROSS REF.: [IKEB](#) - Acceleration

[JFAB - Admission of Nonresident Students](#)

[JFABD - Admission of Homeless Students](#)

[JFB - Open Enrollment](#)

[JG - Assignment of Students to Classes and Grade Levels](#)

[JLCB - Immunizations of Students](#)

[JR - Student Records](#)

[JRCA - Request for Transfer of Records](#)

**J-0800      JFAB**  
**TUITION / ADMISSION OF**  
**NONRESIDENT STUDENTS**

The Board may admit as students, school-age persons who do not live within the School District to the schools when there are sufficient school accommodations to provide for them.

For purposes of open enrollment, a "nonresident pupil" means a student who resides in this state and who is enrolled in or is seeking enrollment in a school district other than the school district in which the student resides. A student who is not a resident of the District but is a resident of New Mexico who meets the age and other requirements for open enrollment established by state law and District policy may be admitted to a school without payment of tuition.

Out-of-state school age persons may be admitted when there are sufficient school accommodations to provide for them and tuition may be charged. The tuition shall not exceed the amount generated by the public school fund for school-age persons similarly situated within the district for the current year. The amount of the tuition payable for the school year may be reduced by the District average ad valorem tax per pupil as determined by the ad valorem tax credit utilized in calculating state equalization guarantee distribution if the parent or guardian for the student pays an ad valorem property tax for school purposes within the District.

*Adopted:* November 17, 2023

LEGAL REF.: [22-12A-7 NMSA](#)  
[42 U.S.C. 11301, McKinney-Vento Homeless Assistance](#)  
[Act of 2001, as amended by the Every Student](#)  
[Succeeds Act \(ESSA\) of 2015](#)

CROSS REF.: [IKEB](#) - Acceleration

[JFABD](#) - Admission of Homeless Students

[JFB](#) - Open Enrollment

[JG](#) - Assignment of Students to Classes and Grade Levels

[JLCB](#) - Immunizations of Students

[JR](#) - Student Records

[JRCA](#) - Request for Transfer of Records

**J-0900   ©   JFABB**  
**ADMISSION OF EXCHANGE**  
**AND FOREIGN STUDENTS**

**(Foreign Exchange Students)**

The Board may admit nonresident foreign students without payment of tuition or as it may otherwise prescribe.

*Adopted:*     date of manual adoption

**J-0950 © JFABC**  
**ADMISSION OF TRANSFER STUDENTS**

**(Academic Credit Transfer)**

**Elementary**

Academic credit for placement in the elementary school subjects and grades shall be based upon teacher recommendations and previous grade level assignments subject to the determination that the student can meet the standards adopted by the Secretary of Public Education for the grade level assignment.

**Credit for Graduation Requirements**

Each student who enrolls and requests the transfer of academic credits to fulfill graduation requirements shall be provided with a list specifying the courses for which credit has been accepted for graduation and those for which credit has been denied by the District.

Credits from schools that are accredited by a state board of education in the United States its territories or the department of defense shall be transferable with no loss of value.

Transferred credit from correspondence extension study, foreign study, home study courses or non state board of education accredited nonpublic schools that satisfies any of the following criteria will be acceptable for fulfilling District graduation requirements:

- The credit was from a course taught by a teacher licensed by the State of New Mexico.
- Awarding of the credit was based upon instruction and an assessment that meets the standards adopted by the Secretary of Public Education and evidence of the student having achieved the standards is provided.
- The credit was awarded by a school accredited by one (1) of the following accrediting agencies of colleges and schools; North Central Association, Southern Association, Middle States Association, New England Association, Northwestern Association, Western Association and meets standards adopted by the state where the credit was granted.

When transfer credit is denied for a course, the student may request and take an examination on the course subject matter designed and evaluated by a teacher in the receiving school who is licensed to teach the subject matter of the course for which the credit was requested and who is selected by the Superintendent. Upon receiving a satisfactory score as determined by the teacher, course credit will be awarded to fulfill the requirements for graduation. All courses credited for graduation must meet the standards adopted by the Secretary of Public Education where such standards exist. Where standards have not been adopted by the Secretary of Public Education, courses credited for graduation must meet the standards established for the school to which the student has requested a transfer of credit.

*Adopted:*    date of manual adoption

LEGAL REF.:    [6.29.1.9 NMAC](#)

CROSS REF.:    [JG](#) - Assignment of Students to Classes

**J-1000 © JFABD**  
**ADMISSION OF HOMELESS STUDENTS**

This policy is intended to direct compliance with New Mexico State Laws and New Mexico Administrative Code and the McKinney-Vento Homeless Education Assistance Improvements Act of 2001, as amended by the Every Student Succeeds Act (ESSA) of 2015, and should be read as consistent with those documents.

**Definitions**

The term "homeless students" means individuals who lack a fixed, regular, and adequate nighttime residence and includes:

- students who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
- students who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- students who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- migratory students who qualify as homeless because the children are living in circumstances described above.

The term "school of origin" means the school that the student attended when permanently housed or the school in which the student was last enrolled.

The term "unaccompanied youth" includes a youth not in the physical custody of a parent or guardian.

**Liaison for Homeless Students**

The Chief Executive Officer will designate an appropriate staff person as liaison for homeless students who will carry out duties as assigned. Among those duties will be the responsibility to coordinate activities and programs in the best interest of homeless students that will include, but not be limited to, establishment of procedures to:

- continue the student's education in the school of origin for the duration of homelessness:
  - in any case in which a family becomes homeless between academic years or during an academic year; or
  - for the remainder of the academic year, if the student becomes permanently housed during an academic year; or
- Enroll the student in any public school that nonhomeless students who live in the attendance area in which the student is actually living are eligible to attend.
- Review records for homeless students:
  - identify patterns in disciplinary actions for the homeless students;
  - create an awareness among staff of the types of behaviors homeless students may exhibit; and
  - encourage behavioral alternatives and offer disciplinary methods to all new professional staff so that out of school suspension and expulsion of homeless students will be used only as a last resort.



## **Best Interest of the Homeless Student**

In determining the best interest of the homeless student, the school shall:

- To the extent feasible, keep a homeless student in the school of origin, except when doing so is contrary to the wishes of the student's parent or guardian;
- Provide a written explanation, including a statement regarding the right to appeal, to the homeless student's parent or guardian, if the homeless student is sent to a school other than the school of origin or a school requested by the parent or guardian; and
- In the case of an unaccompanied youth, the liaison for homeless students shall assist in placement or enrollment decisions, considering the views of such unaccompanied youth, and providing notice to such student of the right to appeal.

Adopted: November 17, 2023

LEGAL REF.: [6.10.3.1 NMAC](#)

[6.11.2.10 NMAC](#)

[42 U.S.C. 11301, McKinney-Vento Homeless Assistance](#)

[Act of 2001, as amended by the Every Student](#)

[Succeeds Act \(ESSA\) of 2015](#)

CROSS REF.: [EEAA](#) - Walkers and Riders

[GCH](#) - Professional Staff Orientation and Training

[IKEB](#) - Acceleration

[JF](#) - Student Admissions

[JFAA](#) - Admission of Resident Students

[JFAB](#) - Admission of Nonresident Students

[JFB - Open Enrollment](#)

[JG](#) - Assignment of Students to Classes and Grade Levels

[JLCB](#) - Immunizations of Students

[JR](#) - Student Records

[JRCA](#) - Request for Transfer of Records

**REGULATION REGULATION**

**ADMISSION OF HOMELESS STUDENTS**

**(Notice)**

In accordance with the McKinney-Vento Homeless Assistance Act of 2001, as amended by the Every Student Succeeds Act (ESSA) of 2015 [722 (e)(3)(C)] and the New Mexico Administrative Code Section 6.10.3.1 *et seq.*, the parent or guardian (student if unaccompanied) is to receive and acknowledge notice of the rights set forth below. This notice should be provided in a language the student, parent or guardian can understand.

**Admission**

The school selected by the homeless student shall immediately admit the homeless student, even if the student is unable to produce records normally required for enrollment, such as previous academic records, medical records, proof of residency, or other documentation.

The enrolling school shall immediately contact the school last attended by the student to obtain relevant academic and other records.

If the student needs to obtain immunizations, or immunization or medical records, the enrolling school shall immediately refer the parent or guardian of the student to the liaison for homeless students, who shall assist in obtaining necessary immunizations, or immunization or medical records.

**Admission Disputes**

If a dispute arises over school selection or enrollment in a school:

- the student shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute;
- the parent or guardian of the student shall be provided with a written explanation of the school's decision regarding school selection or enrollment, including the rights of the parent, guardian, or student to appeal the decision;
- the student, parent, or guardian shall be referred to the liaison for homeless students, who shall carry out the dispute resolution process as expeditiously as possible after receiving notice of the dispute in accord with the procedure found in the New Mexico Administrative Code; and
- in the case of an unaccompanied youth, the liaison for homeless students shall ensure that the student is immediately enrolled in school pending resolution of the dispute.

**Enrollment Decision**

The decision regarding enrollment shall be made regardless of whether the student lives with the homeless parents or has been temporarily placed elsewhere.

**Parent Rights (Student if Unaccompanied)**

The parent or guardian of a homeless student (student if unaccompanied) has the right to:

- Continue the student's education in the school of origin for the duration of homelessness:
  - in any case in which a family becomes homeless between academic years or during an academic year; or

- for the remainder of the academic year, if the student becomes permanently housed during an academic year; or
- Enroll the student in any public school that nonhomeless students who live in the attendance area in which the student is actually living are eligible to attend.
- Appeal if the homeless student is sent to a school other than the school of origin or a school requested by the parent or guardian. Upon appeal the district has ten (10) days to reconsider the initial determination and make a final decision as to the position taken.
  - An appeal shall be made on the forms provided by the school.
  - If not satisfied by the result of the appeal further appeal may be made to the state level through the State Coordinator of Education for Homeless whose contact information is given below.
- Enroll in, and have full and equal opportunity to succeed in school without being segregated from the nonhomeless student population.
- Receive educational services for which such families and students are eligible, including:
  - Transportation services and meals programs;
  - Head Start and Even Start programs and preschool programs administered by the School; and
  - referrals to health care and immunization services, dental services, mental health services, and other appropriate services.
- Identification or service without being stigmatized as homeless by school personnel.
- Obtain assistance of advocates or attorneys.
- Provide written or oral documentation to support their position.

A parent or guardian (student if unaccompanied) may contact the District Liaison for Homeless Children and Youths at;

Central Consolidated School District No. 22  
 Attn: Erica Harvey, Federal Programs Specialist  
 PO Box 1199  
 Shiprock, NM 87420  
 Telephone: (505) 368-4984  
 E-mail: harve@centralschools.org

The District Liaison for Homeless shall ensure that the parent or guardian of a homeless student, and any unaccompanied youth is:

- assisted in accessing transportation to the selected school;
- provided assistance in exercise of the right to attend the school of choice and other necessary services;
- and is provided the notice information in a manner and form understandable to the recipient and if necessary and to the extent feasible, in the native language of the recipient.

A parent or guardian (student if unaccompanied) may contact the State Coordinator for Education of Homeless Children and Youths to appeal if not satisfied with the resolution of a dispute at the local level. The contact information is listed below;

McKinney-Vento Homeless Education  
 State Coordinator

New Mexico Public Education Department  
Coordinated School Health and Wellness Bureau  
120 S. Federal Place, Room 206  
Santa Fe, NM 87501  
Telephone: (505) 827-1464

The State Coordinator is the appeal authority having jurisdiction over the local school district.

The signature below indicates that the signatory has received and understands this information on rights.

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Signature of Parent, Legal Guardian  
(or unaccompanied student)

Date

*One (1) copy to signatory and one (1) to the liaison officer file.*

## **ADMISSION OF HOMELESS STUDENTS**

### **LIAISON POSITION**

The District shall designate a liaison for homeless students and, in conjunction with the state coordinator, shall inform school personnel, service providers, and advocates working with homeless families of the duties of the liaison.

The District Liaison for Homeless Students shall ensure that:

- homeless students are identified by school personnel and through coordination activities with other entities and agencies;
- homeless students enroll in, and have full and equal opportunity to succeed in, the District's schools;
- homeless families and students receive educational services for which such families and students are eligible, including:
  - Head Start and Even Start programs and preschool programs administered by the School; and
  - referrals to health care and immunization services, dental services, mental health services, and other appropriate services;
- the parents or guardians of homeless students are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;
- homeless students receive free meals and are appropriately coded and entered in the student-teacher accountability system;
- public notice of the educational rights of homeless students is disseminated where such students receive services under the Homeless Assistance Act, such as:
  - schools;
  - family shelters; and
  - soup kitchens;
- disputes over school selection or enrollment in a school are mediated in a manner that:
  - immediately admits the student to the school in which enrollment is sought, pending resolution of the dispute;
  - provides the parent or guardian of the student with a written explanation of the school's decision regarding the school selection or enrollment, and informs the parent, guardian, or student of the rights to appeal the decision;
  - expeditiously carries out the dispute resolution process after receiving notice of the dispute; and
  - in the case of an unaccompanied youth, ensures that the student is immediately enrolled in school pending resolution of the dispute;
- fully informs the parent or guardian of a homeless student, and any unaccompanied youth, of all transportation services, including arrangements for transportation to the school of origin;

- assists the parent or guardian of a homeless student, and any unaccompanied youth, in accessing transportation to the selected school.
- staff are informed and aware of the types of behaviors exhibited by homeless students that might subject them to disciplinary action; and:
  - provide strategies and supports through the student assessment team process for matters of homeless student discipline;
  - encourage alternatives to out of school suspension or expulsion of homeless students through alternative discipline in all cases possible; and
  - connect the homeless student and parent with mental health services as needed for school disciplinary issues.

As a part of the duties, the District Liaison for Homeless Students will coordinate and collaborate with state coordinators and community and school personnel responsible for the provision of education and related services to homeless students.

The District Liaison for Homeless Students will forward the dispute resolution process form of the Public Education Department along with the written explanation of the school's decision to the Department's homeless liaison within five (5) calendar days of the school's final decision regarding a dispute on placement of the homeless student if the decision is contrary to the homeless parent or child. The following information shall be included:

- School name, address, phone and fax number;
- Student's name, identification number, grade, and address;
- Parent, guardian or complaining party's name, relationship to student, address, and phone number;
- Whether student lives in a shelter;
- Name of school child or youth chooses to be enrolled in pending resolution of dispute;
- Whether school enrolled in is school of origin;
- Reason for complaint;
- Signature of parent guardian or complaining party; and
- The principal's actions on the complaint.

**EXHIBIT      EXHIBIT**

**ADMISSION OF HOMELESS STUDENTS  
COMPLAINT FORM**

Person(s) filing complaint: \_\_\_\_\_

Complainant can be contacted as follows \_\_\_\_\_

\_\_\_\_\_

Date complaint is filed: \_\_\_\_\_

Student name and grade: \_\_\_\_\_

Has problem been discussed with the administration?

☐ Yes   ☐ No                      Date \_\_\_\_\_

Information the complainant wishes to have considered:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Other persons with information about concern:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**The projected solution**

Indicate what you think can and should be done to solve the problem. Be as specific as possible.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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Signature of complainant      Date

*The administration shall give one (1) copy to the complainant and shall retain one (1) copy for the file.*



**J-1050 © JFB  
OPEN ENROLLMENT**

The District has an open-enrollment program as set forth in 22-1-4 NMSA 1978.

**Enrollment Options**

District resident pupils may enroll in another school district or in another school within this District. Pupils may enroll in schools within this District, subject to the procedures that follow.

**Information and Application**

The Superintendent shall prepare and distribute the District's application process, standards for acceptance or rejection, and policies, regulations, and procedures for open enrollment. The packet will be made available to everyone who requests it.

For non-Title I schools, notice provided to parents must incorporate the open enrollment provision that students from schools identified for improvement are considered to have higher priority when considering transfer requests. If funding from non-federal (state or local sources) is not available, parents should also be notified that funding of transportation is not possible.

Any eligible New Mexico resident may seek open enrollment by completing and submitting an enrollment application form. Applicants may be selected or receive early placement on the waiting list for enrollment if their applications are received between March 1 and April 30 prior to the beginning of each school year. Those applications received after this period will be added to a waiting list in the order that they are received and may be considered following the placement of students already on waiting lists by grade and enrollment preference categories. All nonresident transfer pupils enrolled and pupils seeking enrollment must reapply yearly.

Transfers shall be made at the beginning of a semester. If an emergency arises or reasonable justification can be provided, the school principal will review a request for variance. In the event the principal negates the request, the matter may be presented to the Superintendent and ultimately to the Board for a decision. Transfer students will be expected to remain in the school of their choice until the close of the semester in which they are enrolled. Nothing in this open enrollment policy shall prevent the District from placing a pupil at any time in a school based upon the best interest of the student and school provided capacity is available.

**First Priority Placement and  
Excess Capacity**

The Superintendent shall annually estimate how much excess capacity may exist to accept transfer pupils. The estimate of excess capacity shall be made for each school and grade level and shall take into consideration:

- District resident pupils in assigned school attendance areas or who will be residing within the School District if the pupil is a child in a military family who will be attending public school in the School District during the upcoming school year, and within the attendance area of a public school and pupils who had resided in the attendance area prior to a parent who is an active duty member of the armed forces of the United States or member of the national guard being deployed and whose deployment has required the pupil to relocate outside the attendance area for custodial care.
- Pupils who previously attended the public school or are children of a military family living in temporary housing and are assigned, awaiting placement or pending a move to permanent housing in a different attendance area where the pupils' family seeks enrollment of the pupils in either their current school attendance area or the school attendance area of the permanent housing.
  - Those children of military families relocated to New Mexico by official order may enroll their children in public school prior to their actual physical presence in the District.
  - The School District shall accept electronic applications for enrollment in any school or program.

- The School District shall provide the applicant with relevant materials regarding attendance and participation.
- The School District shall preregister the student in anticipation of the student's enrollment provided the student's parent provides proof of residence in the District within forty-five (45) days of published arrival.
- Homeless pupils who were enrolled in the school as a school of origin (A school of origin means the school that the student attended when permanently housed or the school in which the student was last enrolled.)
- The enrollment of eligible children of certificated employees. (In order to encourage qualified certificated employees to join the staff, children of certificated employees will be enrolled if space is available per 22-12-5 NMSA.)

The estimate of excess capacity shall be made for each school and grade level and shall be based upon 22-10A-20 NMSA 1978 regarding teacher/student ratios with consideration for school growth factors.

The determination of excess capacity shall be made following class size estimates of expected enrollment of those residents within each school attendance area the previous semester and those listed bullets found above.

### **Enrollment Priorities**

If the Superintendent has determined that there is excess capacity to enroll additional pupils, such pupils shall be selected on the basis of designated priority categories by grade from the pool of pupils:

- Who have properly completed and submitted applications; *and*
- Who meet admission standards.

Enrollment priorities and procedures for selection shall be in the order and in accordance with the following:

- Second (2nd) enrollment priority shall be given to pupils who request a transfer from a school ranked as a school that needs improvement or one subject to corrective action. If capacity is not sufficient to enroll all of these pupils, they shall be selected through a random selection process adopted by regulation of the Superintendent and placed in classes or on a waiting list in order of selection.
- Third (3rd) enrollment priority shall be given to those who previously attended the public school. If capacity is not sufficient to enroll all of these pupils, they shall be selected through a random selection process adopted by regulation of the Superintendent and placed in classes or on a waiting list in order of selection.
- Fourth (4th) enrollment priority shall be given to all other applicants. If capacity is not sufficient to enroll all of these pupils, they shall be selected through a random selection process adopted by regulation of the Superintendent and placed in classes or on a waiting list in order of selection.
- A student who falls in enrollment priorities of previously attended the public school or any other applicant as found above may be given additional enrollment preference within that enrollment priority by the Superintendent upon request by the applicant and in consideration of each of the following circumstances subject to capacity available:
  - after-school child care for students;
  - child care for siblings of students attending the public school;
  - children of non-certificated employees employed at the public school;
  - extreme hardship;
  - location of a student's previous school;

- siblings of students already attending the public school; and
  - student safety.
- Enrollment shall be given to out-of-state residents after all others and tuition shall be charged only if indicated by application of NMSA 22-12-5.

### **Admission Standards**

A student who has been expelled during the last twelve (12) months by any school district or private school in the United States or who has exhibited behavior detrimental to the welfare or safety of other students or school employees imposed by any other school or school district in the United States within the last twelve (12) months shall not be admitted. Acceptance for enrollment may be revoked reenrollment denied upon finding the existence of any of these conditions.

### **Notification**

Notification shall be given prior to the beginning of the semester if possible, for those selected on the basis of 1) the student's enrollment priority category by grade, and then 2) the order of the student's entry on the waiting list.

The District shall notify the emancipated pupil, parent, or legal guardian in writing whether the applicant has been accepted, placed on a waiting list pending the availability of capacity, or denied enrollment. If the applicant is placed on a waiting list, the notification shall inform the emancipated pupil, parent, or legal guardian of the time when it will be determined whether there is capacity for additional enrollment in a school. If the pupil's application is rejected, the reason for the rejection may be stated in the notification.

### **Exception**

Should there be excess capacity by grade level remaining for which no applications were submitted by the dates established for initial applications, the Superintendent shall authorize additional enrollment of pupils:

- Up to the determined capacity.
- On the basis of the order of the completed applications submitted after the notification date established in this policy.
- Without regard to enrollment preference.
- As long as admission standards are met.

### **Hearing and Appeal Procedure for Denial of Enrollment**

A student may appeal the denial of enrollment or reenrollment for attendance by requesting a hearing with the Superintendent of Schools within ten (10) days of receiving notification. Such hearing shall be on an informal basis, providing the student the opportunity to present factual information that would contradict the information leading to the denial. An electronic record shall be made of the hearing. Upon completion of the hearing the Superintendent shall render a decision in writing. The student may request that the decision of the Superintendent be reviewed by the Board within five (5) days of receipt of the Superintendent's decision. The Board shall receive the request and review the record to determine if the Superintendent's decision to deny enrollment was based upon reasonable information of expulsion or detrimental behavior as provided for in 22-1-4 NMSA 1978. A determination by the Board that the reasons were within statutory guidelines would affirm the Superintendent's decision, a determination to the contrary would allow the enrollment or reenrollment if the student based upon the priorities of this policy.

*Adopted:* November 17, 2023

LEGAL REF.: [22-1-4 NMSA 1978](#)  
[22-10A-20 NMSA 1978](#)

6.10.3.1 NMAC *et seq.*

[6.42.2.8 NMAC](#)

[42 U.S.C. 11301, McKinney-Vento Homeless Assistance  
Act of 2001, as amended by the Every Student  
Succeeds Act \(ESSA\) of 2015](#)

CROSS REF.: [EEAA - Eligibility for Bus Transportation/Walkers and Riders](#)

[JF - Student Admissions](#)

[JFAA - Admission of Resident Students](#)

[JFAB - Admission of Nonresident Students](#)

[JFABD - Admission of Homeless Students](#)

[JG - Assignment of Students to Classes and Grade Levels](#)

**REGULATION REGULATION**

**OPEN ENROLLMENT**

**Selection Process**

All applicants will be accepted if there is sufficient capacity. If there is insufficient capacity, applicants will be selected from the submitted applications for enrollment in a school in accordance with a random selection process by enrollment priority except where policy may indicate otherwise. After June 1, pupils shall be selected for enrollment from the waiting list by enrollment priority in the order in which the pupils were placed on the waiting list through the random selection process, or as otherwise provided by policy.

**Procedure**

The procedure for selection shall be as follows:

- ◆ • • The applicants will be divided by priority categories and have their names placed on separate pieces of paper and the papers placed in a container. Names will be drawn by priority categories and numbered in the order in which they are drawn. All applications properly submitted will be drawn and numbered for enrollment consideration. The applicants whose names are selected in order, up to the capacity limitations established, shall be permitted to enroll in the school. All others drawn will be placed on a waiting list with priority in accord with the lowest number.

**OPEN ENROLLMENT**

**ATTENDANCE APPLICATION**

**File this application at the School District office**

Student's name \_\_\_\_\_  
Last First M.I.

Current grade \_\_\_\_\_ Birth date \_\_\_\_\_ Home phone \_\_\_\_\_

Work phone \_\_\_\_\_ Message phone \_\_\_\_\_

Parent's name \_\_\_\_\_  
Last First M.I.

Home address \_\_\_\_\_  
Street City Zip

*(P.O. Box is not acceptable as an address)*

E-mail address \_\_\_\_\_

The above-named student:

☐ resides outside the School District but within NM; *or*

☐ resides within the School District

**Present school of attendance**

School \_\_\_\_\_ District \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_

**Request assignment to:** \_\_\_\_\_ School

Is the above-named student:

☐ Yes   ☐ No   Expelled or long-term suspended from any school or school district within the last twelve (12) months?

☐ Yes   ☐ No   Subject to expulsion or long-term suspension from a school or school district within the last twelve (12) months?

☐ Yes   ☐ No   ☐ N/A   In compliance with a condition of disciplinary action in any school or school district within the last twelve (12) months?

*Note:* The following conditions apply to the open-enrollment program:

1. An attendance application must be completed and submitted on or before May 15.
2. Enrollment is subject to the capacity limit established for the school and/or its grade levels.

3. On or before June 1, the parent or legal guardian will be notified in writing whether the application has been accepted, denied, or placed on a waiting list.
4. Transportation for the student may be the responsibility of the parent or legal guardian.
5. Providing false information on this form may result in the application being denied or admission being revoked.

The signatory affirms that the student will abide by the rules, standards, and policies of the school and the District if enrolled.

\_\_\_\_\_  
Signature of Parent or Legal Guardian      Date

**FOR DISTRICT USE ONLY , DO NOT WRITE BELOW THIS LINE**

**Student number** \_\_\_\_\_ **Date stamp** \_\_\_\_\_  
Filing Date

☐ Accepted   ☐ Placed on waiting list      Principal \_\_\_\_\_  
Date

☐ Rejected - Reason for rejection \_\_\_\_\_

Copies sent by school to applicant and Superintendent's office.

Date sent \_\_\_\_\_

**J-1300   ©   JFC**  
**STUDENT WITHDRAWAL FROM**  
**SCHOOL / DROPOUTS**

A withdrawal form shall be presented to the parent or legal guardian of a student who may or must withdraw from school. The withdrawal form shall include space for the reason for withdrawal and the signature of an official of the school from which the student has withdrawn.

Reasons for withdrawal may include:

- Parents or legal guardians moving from the District or to an area served by another school.
- A request from a student who has reached eighteen (18) years of age.
- An approved hardship waiver for a student who is between sixteen (16) and eighteen (18) years of age.
- Absence of more than ten (10) consecutive days; provided that withdrawals do not include children that the School District is required to intervene with and keep in an educational setting as provided in the Attendance for Success Act.
- Attendance in a private school or home school.
- Expulsion or long-term suspension.

Upon withdrawal, the student shall check in all books and other District property through the office of the school that was attended.

*Adopted:*   November 17, 2023

LEGAL REF.:   [22-8-2 NMSA](#) (1978)  
[22-12A-1 NMSA et seq.](#)

CROSS REF.:   [JF](#) - Student Admissions



**J-1400   ©   JG**  
**ASSIGNMENT OF STUDENTS TO**  
**CLASSES AND GRADE LEVELS**

Students who apply for admission to grades one (1) through twelve (12) on the basis of prior schooling outside the District will be placed initially at the grade levels they have reached elsewhere subject to determination of accomplishment of standards required for that placement.

Assignment of a student to classes (classroom or subjects) are generally made based upon the student's grade-level assignment, completion of any prerequisites, achievement of any required standard, and any classroom limitations or class-size guidelines, in that order. Per 6.19.9 NMAC, a K-3 student whose parents have requested acceleration, will be given consideration for grade level and class based on guidelines in the accompanying regulation.

The Superintendent shall establish procedures for guiding the review and assignment of students to classes and grade levels.

*Adopted:*   November 17, 2023

LEGAL REF.:   [22-2C-6 NMSA \(1978\)](#)  
6.19.9 NMAC

CROSS REF.:   [IKE](#) - Promotion, Retention and Acceleration of Students

[IKEB - Acceleration](#)

[IKF - Graduation Requirements](#)

[JFABC](#) - Admission of Transfer Students

[JFB - Open Enrollment](#)

**ASSIGNMENT OF STUDENTS TO  
CLASSES AND GRADE LEVELS**

**Elementary School**

The principal will determine whether there should be any change in the grade-level placement of the student. In making such determination, the principal will be guided by teacher recommendations and consultation with the parent(s).

Assignment of a student to classes shall be the responsibility of the principal after consideration of the student's grade-level assignment, completion of any prerequisites, the student's achievement, and any classroom limitations or class-size guidelines. Upon a parent or guardian's request for acceleration of a K-3 student, the following should be considered:

- the student's performance on a locally determined assessment;
- the student's performance as indicated on his or her individual student report;
- the student's grade point average;
- the student's attendance record;
- the student's conduct record;
- recommendations from one (1) or more of the student's teachers in core-curricula courses;
- recommendations from a certified school counselor or social worker, if one is assigned to the school in which the student is enrolled; and
- recommendations from the student's parent or legal guardian.

**High School**

The principal shall establish the number of credits needed for a student to be placed at a particular grade level. The determination of grade level will be made based upon progress toward graduation requirements normally expected of a student to graduate in a four (4)-year period. Students will be assigned to grade levels based upon the credits earned and accepted by the District.

The principal of the high school will prepare a list of prerequisites for classes offered in the high school, specifically stating grade level and credit or achievement required before a pupil can take a specific class or subject. Also included shall be a statement of priority for assignment to a class or subject - with classroom limits based upon number of sections offered or scheduled - and/or the class-size guidelines. The list developed will be submitted to the Superintendent for approval. All subjects offered in the high school will be included in the list.

The principal of the high school may delegate responsibility for determining the grade level and specific classes or subject assignment of a student. The assignments shall be made consistent with policy, regulations, and approved school guidelines.

**J-1550   ©   JH**  
**STUDENT ABSENCES AND EXCUSES**

The regular school attendance of a child of school age is required by state law. Regular school attendance is essential for success in school; therefore, absences shall be excused only for necessary and important reasons. Such reasons include but are not limited to those reasons approved by the school administration such as, illness, bereavement, other family emergencies, and observance of major religious holidays of the family's faith.

In the event of a necessary absence known in advance, the parent is expected to inform the school; if the absence is caused by emergency, such as illness, the parent is expected to telephone the school office, if possible. When a student returns to school following an absence, a note of explanation from the parent is required, unless the parent notified the school in advance of the absence.

School administrators are authorized to excuse students from school for necessary and justifiable reasons.

*Adopted:*   April 21, 2005

LEGAL REF.:   [22-12-2 NMSA \(1978\)](#)  
[22-12-8 NMSA \(1978\)](#)

CROSS REF.:   [JE](#) - Student Attendance

JHB - Truancy

**REGULATION      REGULATION**

**STUDENT ABSENCES AND EXCUSES**

**When Absent from School**

If the parent(s)/guardian(s) have a telephone and provide the contact number to the school, the school may make a reasonable effort to give notification of absence within three (3) hours of the beginning of the school day if the school has not received confirmation of the student's absence. No right of being informed is established by this direction to staff.

State law mandates that children be in attendance during the period when school is in session. Therefore, when a student is absent, the parent shall call the school on or before the day of the absence in order to advise the school as to the reason for the absence if a telephone is available. When it is impossible to call on the day of the absence, the school should be notified on the morning the student returns by signed parental note, in time for the student to obtain an admission approval prior to class time. All absences not verified by parental or administrative authorization will be considered unexcused.

If a parent does not have access to a phone, either at home or at work, a note will be accepted for verification purposes.

For absences greater than one (1) day in length, the school should be notified each day of the absence.

If a student is absent for three (3) or more successive school days, the school shall contact the student's parents, legal guardian or custodian by telephone, if possible, no later than the close of school on the school day next succeeding the three-day period. A written notice shall be dispatched if telephone contact has not been made. The provisions of this section do not apply to any absence if the parent, legal guardian or custodian, prior to the end of the three-day period, has contacted the school to explain the absence prior to the end of the three-day period.

All personnel will solicit cooperation from parents in the matter of school attendance and punctuality, particularly in regard to the following:

- The scheduling of medical and dental appointments after school hours except in cases of emergency.
- The scheduling of family vacations during school vacation and recess periods.

The school may require an appointment card or a letter from a hospital or clinic when the parent has not notified the school of an appointment of a medical or dental nature.

**J-1650   ©   JHB**  
**TRUANCY**

A student with five (5) unexcused absentees within a school year is a student in need of early intervention and one with ten (10) or more unexcused absences within a school year is "habitually truant". The Superintendent will establish procedures to identify and intervene with students in need of early intervention, beginning with contacting parents and requesting an opportunity to discuss interventions. Discipline shall not include out-of-school suspension or expulsion, but should focus on intervention and fostering retention of students in the educational setting.

Parents of "habitually truant" students are to receive notice of such which shall include a specific date, time and place for the "habitually truant" student's parent to meet with school personnel to develop intervention strategies for keeping the student in an educational setting. Only after exhaustion of intervention strategies may the district consider withdrawal of the student from membership in the school.

An excused absence shall be as determined in Policy JH but statutes and regulations relative to notice and intervention do not apply to any absence if the parent has contacted the school to explain the absence.

*Adopted:*    January 19, 2010

LEGAL REF.    22-8-2 NMSA (1978)

[22-12-7 NMSA \(1978\)](#)

[22-12-8 NMSA \(1978\)](#)

[22-12-9 NMSA \(1978\)](#)

6.10.8.7 NMAC

[6.10.8.8 NMAC](#)

[6.10.8.9 NMAC](#)

[6.10.8.10 NMAC](#)

CROSS REF.:    [JE](#)- Student Attendance

[JE A - Compulsory Attendance Ages](#)

[JH](#) - Student Absences and Excuses

**REGULATION      REGULATION**

**TRUANCY**

**Parental Involvement**

Upon a student's fifth (5th) unexcused absence within a school year parent(s)/guardian(s) shall be contacted to inform them of the absences and to meet and establish a cooperative arrangement to prevent future absences by identifying:

- the cause(s),
- preventive measures,
- resources to address the causes, and
- a corrective action plan including follow-up procedures.

The parental meeting notice shall be respectful and the meeting shall be held in a language and manner understandable to the parent(s)/guardian(s).

**Notice of Habitual Truancy**

Upon a student's tenth (10th) unexcused absence within a school year, written notice of the habitual truancy shall be given by regular mail to or by personal service on the parent of the student subject to and in noncompliance with the provisions of the Compulsory School Attendance Law. The notice shall including the date, time and place for the parent to meet with a district representative to develop intervention strategies focused on keeping the student in school.

Should an additional unexcused absence occur after delivery of a written notice of habitual truancy, the probation services office of the district where the student resides shall be notified within seven (7) days.

Follow up with the probation office shall be accomplished within a reasonable time to determine the disposition of the violation of the Compulsory School Attendance Law, and may, if no referral was made to the children's court, include contact with the children's court attorney to determine what action is to be taken. If the probation office determined that the parent or guardian may have caused the habitual truancy and no charges have been filed, the school district may contact the district attorney's office to determine what action will be taken.

**Record Keeping**

The following records shall be kept for each student identified as habitually truant:

- Attempts to notify the parent of student unexcused absences,
- Attempts to meet with the parents to discuss intervention strategies, and
- Intervention strategies implemented to support keeping the student in school.

EXHIBIT EXHIBIT

TRUANCY

*The following letter may be used in alternative forms, one (1) for the students in need of intervention and one (1) for those habitually truant. Copy and remove the appropriate sentences to make the adjustment.*

Dear \_\_\_\_\_:

*(For students in need of intervention)* This letter is to inform you that the School District has noted at least five (5) unexcused absences on the part of *(student name)*\_\_\_\_\_.

*(For students habitually truant)* This letter is to inform you that *(student name)* \_\_\_\_\_ has ten unexcused absences and is considered habitually truant which if such absences continue may result in referral to the court system.

An unexcused absence is one that does not fall within the following:

- illness,
  - bereavement,
  - other family emergencies,
  - observance of major religious holidays of the family's faith, or
  - an absence that has been approved by school authorities.

An unexcused absence of two (2) or more classes up to fifty percent of an instructional day shall be counted as one-half day absent and an unexcused absence of more than fifty percent of an instructional day shall be counted as one full day.

A representative of the school would like to meet with you to discuss methods of preventing future unexcused absences and interventions that may ensure that your child will continue to receive an appropriate public education. Please make the time to attend a meeting. *(For students in need of intervention)* The following dates and times are available for the meeting. *(For habitually truant students)* The following dates and times have been established for the meeting. Please contact us by telephone or return mail to confirm the time and location.

Date \_\_\_\_\_

Time \_\_\_\_\_

Location \_\_\_\_\_

If you have any questions, please contact me at \_\_\_\_\_.

Sincerely,

EXHIBIT EXHIBIT

TRUANCY

ACTION PLAN FOR STUDENTS WITH  
ATTENDANCE PROBLEMS

School year \_\_\_\_\_

Student's name Grade level Date

Parent's name Address

Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_

E-mail address \_\_\_\_\_

Person responsible for home-school coordination Position School

Action list: Comments

- \_\_\_\_\_ 1.
- \_\_\_\_\_ 2.
- \_\_\_\_\_ 3.
- \_\_\_\_\_ 4.
- \_\_\_\_\_ 5.
- \_\_\_\_\_ 6.
- \_\_\_\_\_ 7.
- \_\_\_\_\_ 8. Student agrees to attend classes

Student's Signature \_\_\_\_\_

Date \_\_\_\_\_

Parent/guardian agrees to contact the school for absences during the school year.

Parent's Signature \_\_\_\_\_

Date \_\_\_\_\_



Approved: \_\_\_\_\_  
Principal's signature

\_\_\_\_\_

Annual review of Action Plan:

\_\_\_\_ Number of excused \_\_\_\_\_ Number of unexcused ☐ Transcripts and  
absences absences attendance records

For the \_\_\_\_\_ school year, ☐ should / ☐ should not be continued on an action plan.

\_\_\_\_\_  
Superintendent's signature      Parent's signature

\_\_\_\_\_  
Date

**J-1900      JHCB**  
**RELEASED TIME FOR**  
**RELIGIOUS INSTRUCTION**

Students at the school may be granted released time to attend religion classes near the school campus under the following conditions and guidelines:

- The person who has custody of the student has given written consent.
- Any religious instruction or exercise takes place at a suitable place away from school property designated by a church or religious denomination or group.
- Released time shall not interfere with the student's normal schedule.
- Any tardiness related to religious instruction will be unexcused.
- School credit will not be given for religion classes, nor will the course title be placed on the permanent record of the student.
- Discipline problems, reporting to parents, and attendance and other procedures necessary to class operation shall be the responsibility of the religion class instructors or supervisors.

*Adopted:*    date of manual adoption

LEGAL REF.:    [22-12-3 NMSA \(1978\)](#)

**J-1950      JHD**  
**EXCLUSIONS AND EXEMPTIONS**  
**FROM SCHOOL ATTENDANCE**

**(Chronic Health Conditions)**

The Superintendent shall develop regulations for meeting the requirements of this policy.

*Adopted:*    date of manual adoption

CROSS REF:    IHBF - Homebound Instruction

**REGULATION      REGULATION**

**EXCLUSIONS AND EXEMPTIONS  
FROM SCHOOL ATTENDANCE**

**(Chronic Health Conditions)**

**Identification/Referral Process**

***Eligibility***

Students may be referred and/or assigned to homebound/hospital instruction under the following conditions:

- A licensed physician's report or recommendation, resulting from a severe illness or injury.
- Determined that the student will be absent from school for an extended period of time (more than ten [10] consecutive days).
- Assigned by an Individualized Educational Program (IEP) Committee for special education students.
- Determined that nonmedical cases will be made on a case-by-case basis.

***ADM Reporting***

Students in homebound/hospital instruction will be counted in the ADM report at their assigned building.

***Coordination of Services***

The building administrator of the building in which the student attends will coordinate the services within that building to include the following;

- Selection of instruction.
- Monitoring of instruction.
- Casual employee and mileage.
- Approval for homebound/hospital instruction granted by the Superintendent or the Superintendent's designee.

***Length of Services***

Students on homebound/hospital instruction will receive weekly instruction as agreed upon by the building administrator, the student's classroom teacher(s) for meeting the individual student's needs, and in accordance with a student's IEP if applicable.

EXHIBIT EXHIBIT

**EXCLUSIONS AND EXEMPTIONS  
FROM SCHOOL ATTENDANCE**

Dear \_\_\_\_\_:

This letter is to inform you that the School District makes special arrangements for homework assignments for certain students who have "chronic (recurring) health conditions." As a result of frequent absences from school because of illness or an accident, \_\_\_\_\_ may be eligible to receive modified instructional services provided for "students with chronic health conditions."

A form is enclosed asking your family physician to state how this health condition is affecting school attendance. If your physician believes the condition to be "chronic" and anticipates frequent absences for the school year (but fewer than ten [10] school days, as for homebound services), please ask the physician to fill out the medical certification form and return it to the school.

If \_\_\_\_\_ is eligible as a "student with a chronic health condition," the school will make sure that you receive homework and contact with a teacher *during* necessary absences. The teacher will work out an agreement for homework assignments with you to assure receipt of credit for completed homework.

If you have any questions, please contact me at \_\_\_\_\_.

Sincerely,

EXHIBIT EXHIBIT

**EXCLUSIONS AND EXEMPTIONS  
FROM SCHOOL ATTENDANCE**

**MEDICAL CERTIFICATION OF STUDENTS WITH  
CHRONIC HEALTH CONDITIONS**

(Obtained from a licensed physician or podiatrist)

\_\_\_\_\_

Student's name    Parent's name    Address

\_\_\_\_\_

District    School    Grade level

\_\_\_\_\_

Date of birth    Phone number    Date of initial consultation

Medical diagnosis:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Medical prognosis:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Physical limitations affecting physical education activities:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Anticipated absences due solely to illness, disease, pregnancy complications, an accident or severe health problems of an infant child of a student (include anticipated surgeries, treatments, or hospitalizations that may interfere with school attendance during the \_\_\_\_\_ year):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

---

Example 1: \_\_\_\_\_'s physical condition may result in frequent absences in the school year that may exceed ten (10) consecutive school days per semester, but I do not anticipate that \_\_\_\_\_ will be absent enough days to require homebound services.

Example 2: \_\_\_\_\_ will require three (3) hospitalizations of approximately four (4) days' duration each and three to five (3 - 5) treatments of one (1) day each during the school year.

Other relevant information:

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\_\_\_\_\_  
Type or print physician's name and licensed title

\_\_\_\_\_  
Date Physician's signature and title

EXHIBIT EXHIBIT

EXCLUSIONS AND EXEMPTIONS  
FROM SCHOOL ATTENDANCE

INSTRUCTIONAL AGREEMENT FOR STUDENTS WITH  
CHRONIC HEALTH CONDITIONS

School year \_\_\_\_\_

Student's name Grade level Date

Parent's name Address

Person responsible for homework coordination Position School

Eligibility checklist:

- \_\_\_\_\_ 1. Medical certification of chronic health condition (diagnosis, prognosis, and inability to attend school regularly).
- \_\_\_\_\_ 2. Medical certification of physical limitations for physical education.
- \_\_\_\_\_ 3. District office has noted chronic condition on attendance register.
- \_\_\_\_\_ 4. If applicable, the school nurse informed of student's chronic health condition.
- \_\_\_\_\_ 5. Student's teacher(s) informed of student's chronic health condition.
- \_\_\_\_\_ 6. If applicable, school counselor informed of student's chronic health condition.
- \_\_\_\_\_ 7. Physical education activities/requirements adapted according to medical certification.
- \_\_\_\_\_ 8. Licensed teacher to provide homework and contact

Signature with \_\_\_\_\_  
during absences for the school year as follows:

- \_\_\_\_\_ 9. Parent/guardian agrees to return completed home-  
Signature work to the school for absences during the school  
year as follows:



\_\_\_\_\_  
\_\_\_\_\_

Approved: \_\_\_\_\_  
Superintendent's signature

Annual review of instructional agreement:

\_\_\_\_ Number of excused ☐ Promotion requirements ☐ Transcripts &  
absences due to met via completed home- attendance rec-  
chronic condition work for excused absences ord attached

For the \_\_\_\_\_ school year, ☐ should / ☐ should not be registered as having a chronic health condition.

\_\_\_\_\_  
Superintendent's signature      Parent's signature

\_\_\_\_\_  
Date

**J-2000      JI**  
**STUDENT RIGHTS AND**  
**RESPONSIBILITIES**

A primary responsibility of Central Consolidated School District No. 22 and their professional staff shall be to instill in students an appreciation of the representative form of government, the rights and responsibilities of the individual, and the legal processes whereby necessary changes are brought about.

The school is a community and the rules and regulations of a school are the laws of that community. All persons enjoying the rights of citizenship are subject to the laws of their community. Each right carries with it a corresponding obligation.

The right to attend public school is not absolute. It is conditional on each student's acceptance of the obligation to abide by the lawful rules of the school community until and unless the rules are changed through established processes.

Teachers, administrators, and other school employees also have rights and duties. Teachers are required by law to maintain a suitable environment for learning in their classes and to assist in maintaining school order and discipline. Administrators are responsible for maintaining and facilitating the educational program by ensuring an orderly, safe environment in the public schools. In discharging their duties, all school employees have the right to be free from intimidation or abuse and to have their lawful requests and instructions followed by students.

The schools have both the authority and responsibility to ensure that suitable rules of student conduct and appropriate disciplinary processes are established.

*Adopted:*    date of manual adoption

CROSS REF.:    [JKD](#) - Student Suspension/Expulsion

[JLI](#) - Student Safety

**J-2050   ©   JIA**  
**STUDENT DUE PROCESS RIGHTS**

Refer to Policy JKD

**J-2150   ©   JIBA**  
**STUDENT GOVERNMENT**

The organization of student councils in all schools is encouraged.

Student government is expected to be "of the students, by the students, for the students," representing the students in the school in communications with the administration and in the organization of student activities.

Members of student councils are to be elected democratically. The rights and responsibilities of the council should be clearly set forth by each school. Each student council must have a faculty advisor.

*Adopted:*    date of manual adoption

**J-2300   ©   JIC**  
**STUDENT CONDUCT**

The Superintendent will establish regulations governing the conduct of students in school, traveling to and from school, at school functions, or affecting the school order. In establishing these regulations, the Superintendent may consult with parents, students and staff committees. In addition to compliance with regulations established by the Superintendent, students are expected to obey all rules and regulations adopted by the Board, and to obey any order given by a member of the faculty or staff relating to school activities.

A student shall be defined as any person who is enrolled in an educational program provided by or approved by the District and carried on in premises owned or controlled by the District.

Students shall not engage in improper behavior, including but not limited to the following:

- Any conduct intended to obstruct, disrupt, or interfere with teaching, research, service, administrative or disciplinary functions, or any activity sponsored or approved by the Board.
- Physical abuse of or threat of harm to any person on District owned or controlled property or at District sponsored or supervised functions.
- Damage or threat of damage to property of the District, regardless of the location, or to property of a member of the community or a visitor to the school, when such property is located on District controlled premises.
- Forceful or unauthorized entry to or occupation of District facilities, including both buildings and grounds.
- Unlawful use, possession, distribution, or sale of tobacco, alcohol, or drugs or other illegal contraband on District property or at school-sponsored functions.
- Conduct or speech that violates commonly accepted standards of the District and that, under the circumstances, has no redeeming social value.
- Failure to comply with the lawful directions of District officials or any other law enforcement officers acting in performance of their duties, and failure to identify themselves to such officials or officers when lawfully requested to do so.
- Violation of District rules and regulations.
- Engaging in any conduct constituting a breach of any federal, state, or city law or duly adopted policy of the Board.
- Carrying or possessing a weapon on school grounds.

In addition to the general rules set forth above, students shall be expected to obey all policies and regulations focusing on student conduct adopted by the Board. Students shall not engage in any activities prohibited herein, nor shall they refuse to obey any order given by a member of the faculty or staff who is attempting to maintain public order.

Any student who violates these policies and regulations may be subject to discipline up to expulsion, in addition to other civil and criminal prosecution. These punishments may be in addition to any customary discipline that the District presently dispenses.

Local law enforcement shall be notified by the Superintendent regarding any suspected crime against a person or property that is a serious offense, involves a deadly weapon or dangerous instrument or that could pose a threat of death or serious injury to employees, students or others on school property.

The authority of the Superintendent to establish regulations covering students may be delegated to principals for their individual schools.

*Adopted:*    date of manual adoption

LEGAL REF.:    [22-5-4.3 NMSA \(1978\)](#)  
[30-20-13 NMSA \(1978\)](#)  
[30-20-16 NMSA \(1978\)](#)  
[30-20 18 NMSA \(1978\)](#)  
[6.11.2.9 NMAC](#)

CROSS REF.:    [GBEB - Staff Conduct](#)

[JK - Student Discipline](#)

[JKD - Student Suspension/Expulsion](#)

[KFA - Public Conduct on School Property](#)

**J-2350   ©   JICA**  
**STUDENT DRESS**

The Board recognizes that each student's mode of dress and grooming is a manifestation of personal style and individual preference. The Board will not interfere with the right of students and their parents to make decisions regarding their appearance except when their choices affect the educational program of the schools or the health and safety of others.

The Board authorizes the Superintendent to develop and enforce school regulations prohibiting student dress or grooming practices that:

- Present a hazard to the health or safety of the student or to others in the school.
- Materially interfere with school work, create disorder, or disrupt the educational program.
- Cause excessive wear or damage to school property.
- Prevent students from achieving their educational objectives.
- Represent membership in a gang.

Obscene language or symbols, or symbols of sex, drugs, or alcohol on clothing are expressly prohibited.

*Adopted:*   November 17, 2023

LEGAL REF.:   [22-5-4.3 NMSA](#)  
6.11.2.9 NMAC

CROSS REF.:   [JICF](#) - Secret Societies/Gang Activity

**REGULATION      REGULATION**

**STUDENT DRESS**

The District encourages students to take pride in their attire as it relates to the school setting. Students should dress in a manner that, in addition to the following guidelines, takes into consideration the educational environment, safety, health, and welfare of self and others.

- Only tailored shorts and skirts that are hemmed may be worn in grades kindergarten (K) through twelve (12).
- Bare midriffs, halter tops, and spaghetti straps are not acceptable past the third grade.
- Bare feet are never acceptable. In the interests of student safety, shoes must be worn at all times. Closed shoes are to be worn for any type of physical activity, such as physical education, et cetera.
- Jewelry shall not be worn if it presents a safety hazard to self and/or others.
- Profane or defamatory writing on clothing or jewelry is not acceptable.
- No bandannas of any color, size, or shape may be carried or displayed in any classroom or at any school activity. This also includes simulations of anything representing "colors."
- No hats may be worn in a classroom, except for properly approved occupational safety headgear required for special classes.
- Gang-related personalization is not permitted on hats, on items of clothing, or on one's person.
- Obscene language or symbols, or symbols of drugs, sex, or alcohol on clothing are expressly prohibited.

Exceptions for special activities or health considerations may be preapproved by the administrator.

Students who volunteer for extracurricular activities, such as athletics, band, chorus, et cetera, are subject to the standards of dress as defined by the sponsors of such activities.



**J-2400   ©   JICB**  
**CARE OF SCHOOL PROPERTY**  
**BY STUDENTS**

Each student is expected to take pride in the physical appearance of the school. Teachers and students should be observant at all times to prevent damage or destruction of school property. Any marking or marring of school property should be reported to the office at once.

No student shall damage or deface any property belonging to the District. The type of discipline that may be imposed for damage to school property by students depends upon the circumstances. A school may withhold the grades, diploma and transcripts of a student responsible for damage or loss of school library or instructional material until the parent, guardian or student has paid for the damage or loss. Students may be subject to discipline for willful damage or destruction of school property.

If any minors engage in conduct that results in damage to District property, the District may institute formal charges for the purpose of having the court order the minors, or their parents, to make full or partial restitution to the District in accordance with law.

*Adopted:*    date of manual adoption

LEGAL REF.:    [22-15-10 NMSA \(1978\)](#)  
[22-15C-7 NMSA \(1978\)](#)

CROSS REF.:    [JKD](#) - Student Suspension/Expulsion

[IQ - Student Fees, Fines, and Charges](#)

**J-2450   ©   JICC**  
**STUDENT CONDUCT**  
**ON SCHOOL BUSES**

Refer to Policy [EEAEC](#).

**J-2550 © JICD**  
**STUDENT HARASSMENT / BULLYING /**  
**CYBERBULLYING PREVENTION**

Harassment, bullying and cyberbullying are prohibited on school property:

- including electronic communication on or with the use of its property;
- at sponsored functions; and
- on its to-and-from-school transportation or transportation by the District to or from any school-sponsored event.

Electronic communication is prohibited if it is:

- directed at a student,
- published with the intent that it be seen by or disclosed to that student and others, and
- substantially interferes with the student's ability to participate in or benefit from the services, activities or privileges provided by the public school.

Anti-bullying and prevention shall be included as a part of the health education curriculum as set forth in the New Mexico Administrative Code and incorporated annually in the instruction for all students.

**Definitions.** For purposes of this policy:

- "Harassment" means knowingly pursuing a pattern of conduct that is intended to annoy, alarm or terrorize another person.
- "Bullying" means any severe, pervasive or persistent act or conduct that targets a student, whether physically, electronically or verbally, and that:
  - may be based on a student's actual or perceived race, religion, color, national origin, ancestry, sex, sexual orientation, gender identity, spousal affiliation, physical or cognitive disability or any other distinguishing characteristic; or on an association with a person, or group with any person, with one (1) or more of the actual or perceived distinguishing characteristics; and
  - can be reasonably predicted to:
    - ▲ place a student in reasonable fear of physical harm to the student's person or property;
    - ▲ cause a substantial detrimental effect on a student's physical or mental health;
    - ▲ substantially interfere with a student's academic performance or attendance; or
    - ▲ substantially interfere with a student's ability to participate in or benefit from the services, activities or privileges provided by an agency, educational institution or grantee.
- "Cyberbullying" means any bullying that takes place through electronic communication.
- "Electronic communication" means a communication transmitted by means of an electronic device, including a telephone, cellular phone, computer, electronic tablet, pager or video or audio recording.
- "Gender identity" means a student's self-perception, or perception of that student by another, of the student's identity as a male or female based upon the student's appearance, behavior or physical characteristics that are in accord with or opposed to the student's physical anatomy, chromosomal sex or sex at birth.

- "Local school board" includes the governing body of a charter school.
- "Physical or cognitive disability" means a physical or cognitive impairment that substantially limits one (1) or more of a student's major life activities.
- "Progressive discipline" means disciplinary action, other than suspension or expulsion from school, that is designed to correct and address the basic causes of a student's specific misbehavior while retaining the student in class or in school, or restorative school practices to repair the harm done to relationships and other students from the student's misbehavior, and may include:
  - meeting with the student and the student's parents;
  - reflective activities, such as requiring the student to write an essay about the student's misbehavior;
  - counseling;
  - anger management;
  - health counseling or intervention;
  - mental health counseling;
  - participation in skill-building and resolution activities, such as social-emotional cognitive skills building, resolution circles and restorative conferencing;
  - community service; and
  - in-school detention or suspension, which may take place during lunchtime, after school or during weekends.
- "Sexual orientation" means heterosexuality, homosexuality or bisexuality, whether actual or perceived."

## **Reporting and Investigation**

School employees and volunteers having significant contact with students shall complete training on how to recognize signs that a person is being harassed, bullied or cyberbullied and shall be responsible for reading and understanding this policy.

Any student, parent or person may report an allegation of bullying by contacting a school employee with information that will allow the administration to contact those who may be involved. A school employee who has information about or a reasonable suspicion that a person is being harassed, bullied or cyberbullied shall report immediately to the school principal, an administrator, the superintendent or any of these school officers. Retaliation for witnessing or reporting bullying is prohibited and the person initiating such retaliation is subject to disciplinary action. Reports of retaliation shall be made in the same manner as those for bullying.

The employee shall elicit from a student, parent or person the particulars determined by the Superintendent to be necessary for the allegation to be investigated. When the allegation is submitted in a manner other than on a prescribed form, the particulars of the allegation must be written on the form as immediately as possible after receipt by the employee. The employee may assist the student, parent or person in completing the information form or may enter the information needed from any provided verbal or other source. A student, parent or person making an allegation should sign and date the information provided, however, unsigned forms are to be processed in the same manner as signed forms. No formal disciplinary measures may be taken based solely upon an anonymously submitted complaint. A school staff member, support staff member or volunteer shall report behavior that falls within this policy, on the forms provided, upon becoming aware of such behavior.

When the school staff member receiving the information or observing the act is other than a school administrator, it shall be the responsibility of the staff member to inform a school administrator as soon as feasible, but not later than two (2) days after the staff member receives or observes the allegation of bullying. If a school administrator is

included in the allegation, the information shall be transmitted to the next higher administrative supervisor. A failure by the school staff member to timely inform the school administrator or next higher administrative supervisor of the allegation may subject the staff member to disciplinary action. The professional staff member shall preserve the confidentiality of the subject, disclosing it only to the appropriate school administrator or next higher administrative supervisor or as otherwise required by law.

The Superintendent shall designate a school administrator at each campus to investigate all reports of bullying and shall supervise the investigation of all reports of bullying. Any school administrator who receives a report of harassment, bullying, or cyberbullying shall take immediate steps to ensure a prompt investigation of the report and shall take prompt action in response to these acts upon confirmation of the occurrence through such investigation. Such action may include the least restrictive means necessary to address a hostile environment resulting from harassment, bullying or cyberbullying that may include:

- counseling;
- mediation;
- development of a student safety support plan for protection of the targeted student;
- discipline up to but not including expulsion (see "progressive discipline" in *Definitions* above).

Where disciplinary action is necessary, District policies and regulations pertaining to permissible penalties and procedures shall be followed as in policy. Reference Policy JK for implementation of permissible penalties within the context of progressive discipline referent to all of the surrounding circumstances including:

- the nature of the incident;
- the developmental age of the student who is bullying as well as the student who has been bullied; and
- any history of problem behavior from the student who is bullying.

The District shall document reports and investigations of bullying by school and shall maintain those records for no less than four (4) years making such reports as shall be necessary to both state and federal authorities.

To assure that students and staff are aware of its content and intent, a notice of this policy and procedure shall be:

- posted conspicuously in each school building;
- made a part of the student handbook in such form and such language as may provide the best understanding for the student and parent population; and
- posted on the District web site.

Forms for submitting complaints are to be available to students, parents, other persons, and staff in the school offices.

Reports or investigative information relative to harassment, bullying and cyberbullying shall be maintained by staff and the District and shared only in accord with the Family Education Rights and Privacy Act and conforming District discipline and conduct policies. Records of investigation and reported information sufficient to meet both state and federal reporting requirements on these topics shall be maintained.

*Adopted:* November 17, 2023

LEGAL REF.: [22-2-21 NMSA](#)

[22-35-1 NMSA](#) *et seq.*

[28-1-2 NMSA](#) *et seq.*

6.12.7.8 NMAC

6.29.6.8 NMAC

CROSS REF.: [AC](#) - Nondiscrimination/Equal Opportunity

[ACA](#) - Sexual Harassment

[IJNDB](#) - Use of Technology Resources in Instruction

[JB - Equal Educational Opportunities](#)

JIC - Student Conduct

[JII](#) - Student Concerns, Complaints, and Grievances

[JK](#) - Student Discipline

[JKD](#) - Student Suspension/Expulsion

[JR](#) - Student Records

[KE - Public Concerns and Complaints](#)

REGULATION REGULATION

**STUDENT HARASSMENT / BULLYING  
CYBERBULLYING PREVENTION**

**Procedures:** When a school staff member receives the information regarding a suspected bullying offense, the staff member will transmit it to the school administrator not later than two (2) days following the day the staff member receives the information or observes the incident. If the incident involves the school administrator, the professional staff member shall forward the information to the next administrative level.

At a minimum, the school employee shall provide the identifying information on the suspected bullying offense in writing and with such specificity of names, places and times as to permit an investigation to be carried out by the administration. The written suspected bullying offense report should be signed by the person providing the information and the school employee. However, an anonymous report will be processed in the same manner as a signed form, but no formal disciplinary measures may be taken based solely on the anonymous submission.

The staff member reporting the suspected offense shall preserve the confidentiality of the subjects, disclosing names only to the appropriate school administrator or next higher administrative supervisor, or as otherwise required. A failure by the staff member to timely inform the school administrator or next higher administrative supervisor of the allegation may subject the staff member to disciplinary action.

**Investigation:** The incident will be investigated by the designated school administrator. Confidentiality of records and student information shall be observed in the process. The procedures to be followed are:

- An investigation of the reported suspected offense or activity shall be made within five (5) school days of the date of the report when school is in session or within fifteen (15) days during which the school offices are open for business when school is not in session. Extension of the timeline may only be by necessity as determined by the Superintendent.
- The investigator shall prepare a written report of the findings and a copy of the report shall be provided to the Superintendent.
- The investigator shall initiate appropriate action pursuant to the investigation to safeguard the welfare of the targeted student and circumscribe any further actions by the perpetrator through proper disciplinary or informal means.
- The investigator shall meet with the student and parent of the student who is the target of the suspected offense at or before the end of the time period and shall discuss the conclusions and actions to be taken as a result of the investigation. Confidentiality of records and student information shall be observed in the discussion. If the investigating administrator believes from information gathered in his professional capacity that notifying the parents would endanger the health or well-being of the student, notification may be delayed as appropriate. Such action shall include:
  - notifying the parent telephonically, by e-mail, or in writing by mail or personal service;
  - providing the date, time and place for a meeting to be held with the student, parent and administrator;
  - identifying appropriate specialized supports needed to help the student; and
  - enlisting the parents' support in preventing further bullying,
- The investigator shall contact the parents of the student alleged to have committed the act as soon as possible to seek cooperation in alleviating the suspected bullying. Confidentiality of records and student information shall be observed in the process of making such contact. Such action shall include:

- notify the parent telephonically, by e-mail, or in writing by mail or personal service;
- providing the date, time and place for a meeting to be held with the parent and administrator;
- Identifying appropriate specialized supports needed to help the student address the underlying causes of the actions with the parents;
- establishing nonpunitive consequences for the student at the school level, if possible, considering the circumstances; and
- apprising the student and the parent of the consequences of violations of student rules of conduct.

***Appeal:*** Upon conclusion of the investigation should either the student accused of bullying or the target of the bullying take exception to the outcome of the investigation, an appeal may be made to the Superintendent of schools in writing. The Superintendent will review the actions taken based upon the application of appropriate school policy and procedure. The Superintendent will review the report and procedures and may refer the actions for further consideration, affirm the action or make such changes as may be in accord with current policy and procedure. The determination of the Superintendent is final.

Where disciplinary action is necessary, District policies and regulations pertaining to permissible penalties and procedures shall be followed as in Policies JIC, JK and JKD.

The District shall document reports and investigations of bullying by each school and shall maintain those records for no less than four (4) years making such reports as may be required to the state and federal authorities.



**STUDENT HARASSMENT / BULLYING  
CYBERBULLYING PREVENTION**

(To be filed with the school administrator, the administrator's supervisor,  
or with the Superintendent)

*Additional pages may be attached if more space is needed.*

Targeted Student Name: \_\_\_\_\_ Date: \_\_\_\_\_

Grade: \_\_\_\_\_

Person or Persons alleged to be harassing, bullying, or cyberbullying:

\_\_\_\_\_  
\_\_\_\_\_

Specify the suspected offense by stating the problem as you see it. Describe the incident, the participants, the background to the incident, and any attempts you have made to solve the problem. Be sure to note relevant dates, times, people, and places.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date of the incident or offense(s): \_\_\_\_\_

Provide what you would expect as an outcome to the incident reported.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If there is anyone who could provide more information regarding this, please list name(s), address(es), and telephone number(s).

Name   Address   Telephone Number

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

---

I certify that this information is correct to the best of my knowledge.

---

Signature of Student/Parent/Other Person      Date Signed

---

Staff Member Receiving Complaint      Date Signed

---

Signature of Investigating Administrator      Date Received

*The investigating administrator shall give one (1) copy to the Superintendent and retain one (1) copy for the file.*

**J-2750   ©   JICE**  
**STUDENT PUBLICATIONS**

The District recognizes the value of, supports, and encourages official school publications in teaching journalism, English, writing, and other skills. An official school publication is that made up of materials produced by students in a regularly scheduled class and intended for distribution to the student body.

Students shall be required to submit publications to the Superintendent for approval prior to distribution.

*Adopted:*    date of manual adoption

LEGAL REF.:    6.11.2.9 NMAC

**J-2761 © JICE-R**

**REGULATION REGULATION**

**STUDENT PUBLICATIONS**

Students shall be required to submit publications to the principal for approval prior to distribution.

**J-2900 © JICF**  
**SECRET SOCIETIES / GANG ACTIVITY**

Gangs that initiate, advocate, or promote activities that threaten the safety or well-being of persons or property on school grounds or disrupt the school environment are harmful to the educational process. The use of hand signals, graffiti, or the presence of any apparel, jewelry, accessory, or manner of dress or grooming that, by virtue of its color, arrangement, trademark, symbol, or any other attribute indicates or implies membership or affiliation with such a group is prohibited because of the disruption to educational activities that results from such activities or dress. It is the District's position that such activities and dress also present a clear and present danger to other District students and to District staff members.

Any activity involving an initiation, hazing, intimidation, assault, or other activity related to group affiliation that is likely to cause or does cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to students or others is prohibited.

Any student wearing, carrying, or displaying gang paraphernalia and/or exhibiting behavior or gestures that symbolize gang membership, or causing and/or participating in activities that intimidate or adversely affect the educational activities of another student, or the orderly operation of the schools, shall be subject to disciplinary action.

*Adopted:*    date of manual adoption

LEGAL REF.:    6.11.2.9 NMAC

**REGULATION REGULATION**

**SECRET SOCIETIES / GANG ACTIVITY**

For the purpose of District policy, a gang is a group of three (3) or more people who:

- Interact together to the exclusion of others;
- Claim a territory or area;
- Have a name;
- Have rivals/enemies; and
- Exhibit antisocial behavior - often associated with crime or a threat to the community.

The type of dress, apparel, activities, acts, behavior or manner, or grooming displayed, reflected, or participated in by the student shall not:

- Lead school officials to believe that such behavior, apparel, activities, acts, or other attributes are gang related or would disrupt or interfere with the school environment or activity and/or educational objectives;
- Present a physical safety hazard to self, students, staff members, or other employees;
- Create an atmosphere in which the well-being of a student, staff member, or other person is hindered by undue pressure, behavior, intimidation, overt gesture, or threat of violence; or
- Imply gang membership or affiliation by written communication, marks, drawing, painting, design, or emblem upon any school or personal property or on one's person.

If the student's dress is in violation of this regulation or a District policy, the principal will ask the student to make the appropriate correction. If the student refuses, the parent/guardian may be notified and asked to make the necessary correction.

The principal will coordinate with law enforcement regarding the latest gang signs, symbols and actions to maintain consideration for constitutionally permitted activities and speech.

**J-3000 © JICG  
TOBACCO USE BY  
STUDENTS / SMOKING**

The use, possession and distribution of tobacco products, e-cigarettes and nicotine liquid containers, alcoholic beverages, mood-altering substances and illicit drugs is prohibited in the following locations:

- School grounds.
- School buildings.
- School parking lots.
- School playing fields.
- School buses and other District vehicles.
- Transportation pick up areas.
- Off-campus school-sponsored events.

The meaning of the terms included herein shall be as provided in New Mexico Administrative Code 6.12.4.1 through 6.12.4.9. Notice of this policy shall be made a part of the student handbook and a listing of prohibited items will be included in a Tobacco, Drug and Alcohol Free School notice posted at the entrance to school buildings and athletic events.

The Superintendent may establish procedures necessary to implement this policy. Disciplinary penalties may include, but are not limited to, suspension of the student from school or a recommendation for expulsion when there is evidence of repeated and continuous violation of this policy.

All District employees are expected to cooperate in the enforcement of this policy. Student violations shall be reported to administrative personnel.

No school employee who in good faith reports any known or suspected use, possession or distribution of alcoholic beverages, mood-altering substances or illicit drugs shall be held liable for any civil damages as a result of such report or efforts to enforce this policy.

**EXCEPTION:** Lawful possession or use by a minor of a tobacco-cessation product approved by the United States food and drug administration shall be permitted by students following District policies for student self-administration of medications.

*Adopted:* November 17, 2023

LEGAL REF.: [24-16-3 NMSA](#) *et seq.*, Johnson Clean Air Act  
6.12.4.8 NMAC  
[1994 Op. Att'y Gen. No. 94-03, 1994 N.M. AG LEXIS 4.](#)  
[20 U.S.C. 6083 Pro-Children Act of 1994 \(Environmental Tobacco Smoke\).](#)  
[34 C.F.R. Part 85 Drug Free Workplace Act](#)

CROSS REF.: [GBED](#) - Tobacco Use by Staff Members  
[JK](#) - Student Discipline  
[JKD](#) - Student Suspension/Expulsion  
[JLCD](#) - Administering Medications to Students  
[KF](#) - Community Use of School Facilities  
[KFAA](#) - Tobacco Use on School Premises at Public Functions

**J-3050   ©   JICH  
DRUG AND ALCOHOL  
USE BY STUDENTS**

The nonmedical use, possession, distribution, delivery or sale of drugs or counterfeit substances on school property or at school events is prohibited. *Nonmedical* is defined as "a purpose other than the prevention, treatment, or cure of an illness or disabling condition" consistent with accepted practices of the medical profession.

Students in violation of the provisions of the above paragraph shall be subject to removal from school property and shall be subject to prosecution in accordance with the provisions of the law.

Students attending school in the District who are in violation of the provisions of this policy shall be subject to disciplinary actions in accordance with the provisions of school rules and/or regulations.

For purposes of this policy, "drugs" shall include, but not be limited to:

- All dangerous controlled substances prohibited by law.
- All alcoholic beverages.
- Any prescription or over-the-counter drug, except those for which permission to use in school has been granted pursuant to Board policy.
- Hallucinogenic substances.
- Inhalants.

Any student who violates the above may be subject to warning, reprimand, probation, suspension, or expulsion, in addition to other civil and criminal prosecution.

*Adopted:*    date of manual adoption

LEGAL REF.:    [30-31-22 NMAC \(1978\)](#)

CROSS REF.:    [JLC](#) - Student Health Services and Requirements

[JLCD - Administering Medicines to Students](#)



**REGULATION REGULATION**

**DRUG AND ALCOHOL  
USE BY STUDENTS**

**First Offense**

Notify parent and law enforcement, if necessary. If parent is not present, student will be released to law enforcement. The student and parent will return to school the next school day. A referral to the Student Assistance Team and arrangements to place the student in a first offenders program will be made.

It is the parent's responsibility to fulfill the first offender requirements.

The administration reserves the right to evaluate each situation as to the level of severity with the altercation and will assess consequences accordingly.

The student will be placed on a short-term suspension of nine (9) days or less. Students will automatically be referred to the Student Assistance Team.

**Second Offense**

The student will be released to the parent in the presence of law enforcement. The student will be required to have a professional drug/alcohol evaluation. The cost for, and transportation to the evaluation is the responsibility of the parent/guardian. Alternative placement or long-term suspension may be recommended.

The building administrator will evaluate the level of severity of each situation. Appropriate consequences will be administered based upon building policies and procedures.

The student may be suspended from school for a specified period of time exceeding ten (10) school days.

The student will be required to have a professional drug/alcohol evaluation and successfully complete the recommendations made. Cost and transportation are the responsibility of the parent/guardian. The student may be reinstated after completing requirements of the long-term suspension. A meeting must be attended by the student and parent with the building administrator and others deemed necessary by the building administrator.

**J-3100 © JICI**  
**WEAPONS IN SCHOOL**

No student shall carry or possess a weapon or simulated weapon on school premises without authorization by a school administrator. No student shall use or threaten to use a weapon or simulated weapon to disrupt any activity of the District.

Any employee who observes any person in possession of a weapon or simulated weapon on school premises shall immediately report the matter to the school administrator. A school administrator who observes or receives a report of a student possessing a weapon on school premises shall immediately take appropriate safety and disciplinary actions in accordance with District policies and shall immediately report a violation of this policy to a peace officer.

A student who violates this policy by carrying or possessing a firearm shall be placed in an alternative education program for a period of not less than one (1) year, suspended for a period of not less than one (1) year, or expelled and not be readmitted within a one-year period, if ever. The Superintendent may modify the one-year duration of such disciplinary action on a case-by-case basis.

A student who violates this policy by any means other than carrying or possessing a firearm shall be subject to disciplinary action, including but not limited to expulsion. Disciplinary action against a student with one (1) or more disabilities shall be applied on a case-by-case basis in accordance with District policies and state and federal special education laws.

For the purposes of this policy:

- *Weapon* means any of the following:
  - A firearm.
  - A knife, other than a folding pocket knife with a blade length of not more than 2-1/2 inches that cannot be locked in an open position.
  - A destructive device.
  - A dangerous instrument.
- *Simulated weapon* means an instrument displayed or represented as a weapon.
- *Firearm* means any of the following:
  - Any loaded or unloaded gun that will, that is designed to, or that may readily be converted to expel a projectile by the action of an explosive.
  - The frame or receiver of any such firearm.
  - Any firearm muffler or silencer.
  - Any explosive, incendiary, poison gas, bomb, grenade, rocket having a propellant charge of more than four (4) ounces, missile having an explosive charge of more than one-fourth (1/4) ounce, mine, or similar device.
  - Any combination of parts that could be readily assembled to form a firearm.
- *Destructive device* means:
  - Any device other than a firearm that will, or is designed to, or may be readily converted to expel a projectile by any means of propulsion, such as a BB/pellet gun, slingshot, bow, or crossbow.
  - Any collection of parts that could be readily assembled to form a destructive device.

- *Dangerous instrument* means anything other than a firearm, knife, or destructive device that is carried or possessed by a student for the purpose of being used or being available for use to cause death or inflict serious physical injury.
- *School premises* means the school, school grounds, school buses, or any premises, grounds, or vehicles used for school purposes and includes premises where school-sponsored events (for example, athletic games and competitions, music competitions, etc.) are held away from District property.
- *Deadly weapon* means any weapon designed for lethal use, including a firearm.

*Adopted:* date of manual adoption

LEGAL REF.: [22-5-4.7 NMSA \(1978\)](#)  
[30-7-2.1 NMSA \(1978\)](#)  
[20 U.S.C. 7151](#)

CROSS REF.: [JIC](#) - Student Conduct

[JIH - Interrogations, Searches, and Arrests](#)

[JK - Student Discipline](#)

[JKD - Student Suspension/Expulsion](#)

**J-3200   ©   JIE**  
**PREGNANT / PARENTING**  
**STUDENT**

A pregnant or parenting student (parenting a child under thirteen years of age) may be permitted excused absences for the pregnancy and for limited parenting purposes along with the opportunity to make-up work missed during the absence, provided the student communicates the pregnancy and parenting status to the appropriate school personnel.

- Ten days of excused absences will be permitted for a student who provides documentation of the birth of the student's child and additional days of excused absence shall be permitted if deemed medically necessary by the student's physician for the pregnancy or care of the birthed child and reported to the school attendance office.
- Four days per semester of excused absences, in addition to the number of allowed absences for all students (see cross referenced policies below) shall be permitted for students who provide appropriate documentation of pregnancy or that the student is the parent of a child under the age of thirteen needing care.
- Additionally, the pregnant or parenting student shall be allowed at least a time period to make up the work the student missed that equals the number of days the student was absent.

The school district shall provide a copy of this policy to all students in middle, junior high and high schools in the system.

*Adopted:*    August 20, 2013

LEGAL REF.:    22-12-2 NMSA (1978)  
22-12-8 NMSA (1978)  
22-12-   NMSA (1978)

CROSS REF.:    [IHBF - Homebound Instruction](#)  
IKEA - Make Up Opportunities  
[JE](#) - Student Attendance  
JHB - Truancy

**J-3350   ©   JIG**  
**MARRIED STUDENTS**

Married students must report any name changes to their guidance counselors or the principal if school records are to reflect the married name on school transcripts. A student's marital status does not reduce the requirements or opportunities of the educational system in the District.

*Adopted:*    date of manual adoption

**J-3400      JIH**  
**STUDENT INTERROGATIONS,**  
**SEARCHES, AND ARRESTS**

**Interviews/Interrogations**

A parent may be present during an interview except when interviews are conducted pursuant to a report of child abuse and the interview is by a Children, Youth, and Family Department worker, Navajo Nation Department of Social Services worker, or a peace officer.

Except in child abuse and abandonment situations, should a peace officer appear on campus requesting to interview a student attending the school, the school administrator shall be notified and the school office shall contact the student's parent(s) unless directed not to by that authority. The authority will be asked to sign the "Authorized Agent" form. The parent(s) will be asked if they wish the student to be interviewed and, if so, will be requested to be present or to authorize the interview in their absence.

If the parent(s) cannot be reached, the peace officer should be requested to contact the parent(s) and make arrangements to question the student at another time and place unless peace officer has directed a "do not contact parent".

If a student is taken into custody (arrested), the arresting officer shall be requested to notify the student's parents or guardian. The arresting officer will be asked to complete and sign a "Form for Signature of Arresting Officer." School personnel shall make every reasonable effort to make sure parents have been notified that a student has been taken into custody. The personnel of the District shall cooperate fully with the police.

**Searches**

School property assigned to a student and a student's person or property while under the authority of the public schools are subject to search, and items found are subject to seizure, in accordance with the requirements below.

***Notice of search policy.*** Students shall be given reasonable notice, through distribution of written policies or otherwise, of each school's policy on searches at the beginning of each school year or upon admission for students entering during the school year.

***Who may search.*** Certified school personnel, school security personnel, and school bus drivers are the *authorized persons* to conduct searches when a search is permissible as set forth below. An authorized person who is conducting a search may request the assistance of some other person, who upon consent becomes an authorized person for the purpose of that search only.

***When search permissible.*** An authorized person may conduct a search when the authorized person has a reasonable suspicion that a crime or other breach of disciplinary rules is occurring or has occurred. An administrative authority may direct or conduct a search under the same conditions and also when he or she has reasonable cause to believe that a search is necessary to help maintain school discipline.

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

- School property, including lockers and school buses, may be searched with or without students present. When students are not present for locker searches, another authorized person shall serve as a witness whenever possible. Locks furnished by students should not be destroyed unless a student refuses to open the lock or circumstances otherwise render such action necessary in the judgment of the administrative authority.
- Student vehicles when on campus or otherwise under school control and students' personal effects which are not within their immediate physical possession may be searched in accordance with the requirements for locker searches.

***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 or returned to the student when and if the administrative authority deems appropriate.

***Notification of law enforcement authorities.*** An administrative authority shall have discretion to notify law enforcement officers when a search discloses illegally possessed contraband material or evidence of some other crime or delinquent act.

The administration has the right to search and seize property, including school property temporarily assigned to students, when there is reasonable suspicion that a crime or other breach of disciplinary rules is occurring or has occurred. Items provided by the District for storage (e.g., lockers, desks) of personal items are provided as a convenience to the student but remain the property of the school and are subject to its control and supervision. Students have no reasonable expectancy of privacy, and lockers, desks, storage areas, et cetera, may be inspected at any time with or without reason, or with or without notice, by school personnel.

### **Arrest**

When a peace officer enters a campus and indicates an intent to take a student into custody or arrest a student the office staff shall request the peace officer to establish proper identification, complete, and sign a "Form for Signature of Arresting Officer." The school staff shall cooperate with the officer in locating the child within the school. School officials may respond to parental inquiries about the arrest or may contact the parents, if necessary, to explain the relinquishment of custody by the school and the location of the student, if known.

*Adopted:* January 17, 2006

LEGAL REF.: [32A-4-3 NMSA \(1978\)](#)

6.11.2.10 NMAC

**STUDENT INTERROGATIONS,  
SEARCHES, AND ARRESTS**

Acknowledgment Concerning Use of Student Locker  
And Handbook Notice

Central Consolidated School District #22

☐ Career Prep High   ☐ Kirtland Central High   ☐ Newcomb High  
☐ Shiprock High   ☐ Kirtland Middle   ☐ Newcomb Middle   ☐ Tsé Bit Ai Middle

**STUDENT HANDBOOK & LOCKER FORM**

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Student      Student ID number      Grade

**STUDENT HANDBOOK**

I acknowledge that I received a copy of the student handbook from my school. This handbook contains important information that will concern me throughout this school year.

**STUDENT LOCKERS**

I acknowledge and understand that:

- Student lockers are the property of the District.
- Student lockers remain at all times under the control of the District.
- I am expected to assume full responsibility for my school locker.
- The District retains the right to inspect student lockers for any reason at any time without notice, without student consent, and without a search warrant.

\_\_\_\_\_  
Locker Number

I read and understand the information regarding Student Lockers. I acknowledge that my child will receive a student handbook that contains information regarding school rules and other important details for their education at this school.

X \_\_\_\_\_  
Parent/Guardian Signature      Date

Student to sign when they receive  
their handbook.      X \_\_\_\_\_  
Student Signature      Date



**EXHIBIT      EXHIBIT**

**STUDENT INTERROGATIONS,  
SEARCHES, AND ARRESTS**

**FORM FOR SIGNATURE OF  
ARRESTING OFFICER**

I, \_\_\_\_\_, a duly sworn peace officer and member of the  
\_\_\_\_\_ Department, \_\_\_\_\_ division, have asked  
that \_\_\_\_\_, a student in the  
\_\_\_\_\_ School, be surrendered to me, and pursuant  
thereto have taken said student into my custody and am assuming full responsibility for the student's arrest.

Date \_\_\_\_\_ Signature \_\_\_\_\_

Time \_\_\_\_\_ Badge Number \_\_\_\_\_

**School Action**

Date and time parents notified (if more than one [1] attempt is made, include

such information here) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Signature of Administrator

1 copy for School Records

1 copy for Parent Mailing

1 copy for Police Officer

1 copy for Witnessing Administrator

J-3433 JIH-EC

EXHIBIT EXHIBIT

**STUDENT INTERROGATIONS,  
SEARCHES, AND ARRESTS**

**AUTHORIZED AGENT VERIFICATION AND  
DOCUMENTATION FORM**

Date: \_\_\_\_\_ Time In: \_\_\_\_\_ Time Out: \_\_\_\_\_

Name of Authorized Agent: \_\_\_\_\_

Agency: \_\_\_\_\_ Agency Telephone: \_\_\_\_\_

Badge or ID Number: \_\_\_\_\_ (If applicable)

-----

Agent identity confirmed by: \_\_\_\_\_ (CCSD employee)

Confirmation is not needed if Agent is already known to school personnel

Authorization to contact student? Y N

Name and position of person at agency confirming information:

\_\_\_\_\_ Time: \_\_\_\_\_

-----

CCSD student to be interviewed : \_\_\_\_\_

Reason for Interview: \_\_\_\_\_

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Arrest Warrant: Y N Search Warrant: Y N

If other court document please indicate: \_\_\_\_\_

Copy of warrant or document made for school record: Y N

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**Parent Contact**

Yes? Name of person notified: \_\_\_\_\_

No? Reason: \_\_\_\_\_

Authorized Agent Name and Signature: \_\_\_\_\_

Telephone number: \_\_\_\_\_ Time of notification: \_\_\_\_\_

Name of school personnel who made the contact: \_\_\_\_\_

(Print Name)

\*\*\*\*\*

No? "Do Not Contact" directive received by: \_\_\_\_\_  
(Print Name)

Authorized Signature: \_\_\_\_\_

Agent refuses to sign?    Y    N    (Building administrator must note.)  
- - - - -

White copy - Shiprock Administration Office

Gold copy - School

**J-3600 © JII**  
**STUDENT CONCERNS, COMPLAINTS,**  
**AND GRIEVANCES**

The Superintendent is directed to establish procedures whereby students may present a complaint or grievance regarding a violation of their constitutional rights, equal access to programs, discrimination, harassment, intimidation, bullying or personal safety provided that:

- The topic is not the subject of disciplinary or other proceedings under other policies and regulations of this District, and
- The procedure shall not apply to any matter for which the method of review is prescribed by law, or the Board of Education is without authority to act.

Bullying as defined below is prohibited in the school, on school grounds, in school vehicles, at a designated bus stop, or at school activities or sanctioned events. Anti-bullying shall be included as a part of the health education curriculum as set forth in 6.30.2.19 NMAC.

A complaint/grievance may be raised regarding one (1) or more of the following:

- Violation of the student's constitutional rights.
- Denial of an equal opportunity to participate in any program or activity for which the student qualifies that is not related to the student's individual capabilities.
- Discriminatory treatment on the basis of race, color, religion, sex, age, national origin, or disability.
- Harassment of the student which means knowingly pursuing a pattern of conduct that is intended to annoy, alarm or terrorize another person.
- Intimidation by another student.
- Bullying by another student which means any repeated and pervasive written, verbal or electronic expression, physical act or gesture, or a pattern thereof, that is intended to cause distress upon one (1) or more students in the school, on school grounds, in school vehicles, at a designated bus stop, or at school activities or sanctioned events. Bullying includes, but is not limited to, hazing, harassment, intimidation or menacing acts of a student which may, but need not be based on the student's race, color, sex, ethnicity, national origin, religion, disability, age or sexual orientation.
- Concern for the student's personal safety.

The accusation must be made within thirty (30) calendar days of the time the student knew or should have known that there were grounds for the complaint/grievance. The complaint/grievance shall be made only to an administrator or other professional staff member. That person shall elicit from the student the particulars determined by the Superintendent to be necessary for the complaint/grievance to be investigated. When the initial allegation is submitted in a manner other than on the prescribed form, the particulars of the complaint/grievance must be written on the form as immediately as possible after receipt of the complaint/grievance. The professional staff member may assist the student in completing the complaint/grievance form. The student should sign and date the form, however, unsigned forms are to be processed in the same manner as a signed form. A professional staff member or support staff member shall report behavior that falls within this policy, on the forms provided, upon becoming aware of such behavior.

When the professional staff member is other than the school administrator, it shall be the responsibility of the staff member to inform a school administrator as soon as feasible, but not later than the next school day following the day that the staff member receives the complaint/grievance. If the school administrator is included in the allegation, the complaint/grievance shall be transmitted to the next higher administrative supervisor. A failure by the professional staff member

to timely inform the school administrator or next higher administrative supervisor of the allegation may subject the staff member to disciplinary action. The professional staff member shall preserve the confidentiality of the subject, disclosing it only to the appropriate school administrator or next higher administrative supervisor or as otherwise required by law.

Any question concerning whether the complaint/grievance falls within this policy shall be determined by the Superintendent.

Students should file complaints on their own behalf. A parent or guardian may initiate the complaint process on behalf of an elementary school student. A parent or guardian (other than an elementary student's parent) who wishes to complain, should do so by completing the forms following policy KE on Public Concerns and Complaints.

A complaint/grievance may be withdrawn at any time. Once withdrawn, the process cannot be reopened if the resubmission is longer than thirty (30) calendar days from the date of the occurrence of the alleged incident. False or unproven complaint documentation about harassment, intimidation, or bullying shall not be maintained.

Retaliatory or intimidating acts against any student who has made a complaint under this policy and its corresponding regulations, or against a student who has testified, assisted or participated in any manner in an investigation relating to a complaint or grievance, are specifically prohibited and constitute grounds for a separate complaint.

To assure that students and staff are aware of its content and intent, a notice of this policy and procedure shall be posted conspicuously in each school building and shall be made a part of the rights and responsibilities section of the student handbook. Forms for submitting complaints are to be available to students and staff in the school offices.

Disposition of all complaints/grievances shall be reported to the Superintendent as the compliance officer for discrimination. The Superintendent will determine if the policies of the District have been appropriately implemented and will make such reports and/or referrals to the Board as may be necessary.

Knowingly submitting a false report or making false accusations under this policy shall subject the student to discipline up to and including suspension or expulsion. Where disciplinary action is necessary pursuant to any part of this policy, relevant District policies and regulations shall be followed.

*Adopted:* May 15, 2007

LEGAL REF.: [28-1-2 NMSA et seq.](#)

CROSS REF.: [AC](#) - Nondiscrimination/Equal Opportunity

[ACA](#) - Sexual Harassment

[JB](#) - Equal Educational Opportunities

[JIC](#) - Student Conduct

[JK](#) - Student Discipline

[JKD](#) - Student Suspension/Expulsion

[KE](#) - Public Concerns and Complaints

**REGULATION REGULATION**

**STUDENT CONCERNS, COMPLAINTS,  
AND GRIEVANCES**

A student who complains or grieves regarding constitutional rights, equal access to programs, discrimination, harassment, bullying, intimidation or personal safety issues may complain directly to the school administrator or to a professional staff member. The individual receiving the student complaint must retrieve sufficient detail from the student to complete the form designated for such purpose. When a professional staff member receives the information, the staff member will transmit it to the school administrator not later than the next school day following the day the staff member receives the complaint/grievance. If the complaint/grievance involves the school administrator the professional staff member shall forward the complaint/grievance to the next administrative level.

At a minimum the complaint/grievance shall contain the identifying information on the complainant and such specificity of names, places and times as to permit an investigation to be carried out. The written complaint/grievance should contain a requested solution and the submission should be signed and attested to by the complainant. However, an unsigned form will be processed in the same manner as a signed form.

The complaint/grievance will be investigated by the school administrator or a supervising administrator. The student shall be contacted not later than the school day following the date the school administrator's or the administrator's supervisor receives the information. The procedures to be followed are:

- An investigation of the reported incident or activity shall be made within ten (10) school days when school is in session or within fifteen (15) days during which the school offices are open for business when school is not in session. Extension of the time line may only be by necessity as determined by the Superintendent.
- The investigator shall meet with the student who submitted the complaint/grievance at or before the end of the time period and shall discuss the conclusions and actions to be taken as a result of the investigation. Confidentiality of records and student information shall be observed in the process of making such a report.
- The investigator shall prepare a written report of the findings and a copy of the report shall be provided to the Superintendent.

Where disciplinary action is necessary, District policies and regulations pertaining to permissible penalties and procedures shall be followed as cross referenced in this policy.

**STUDENT CONCERNS, COMPLAINTS,  
AND GRIEVANCES**

**COMPLAINT FORM**

(To be filed with the school administrator or the administrator's supervisor,  
or with a professional staff member who will forward it to the  
school administrator or the administrator's supervisor)

*Additional pages may be attached if more space is needed.*

**Please print:**

Name \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_ Another phone where you can be reached \_\_\_\_\_

During the hours of \_\_\_\_\_

E-mail address \_\_\_\_\_

**I wish to complain against:**

Name of person, school (department), program, or activity \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Address \_\_\_\_\_

Specify your complaint by stating the problem as you see it. Describe the incident, the participants, the background to the incident, and any attempts you have made to solve the problem. Be sure to note relevant dates, times, and places.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date of the action against which you are complaining \_\_\_\_\_

If there is anyone who could provide more information regarding this, please list name(s), address(es), and telephone number(s).

Name Address Telephone Number

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## The projected solution

Indicate what you think can and should be done to solve the problem. Be as specific as possible.

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

I certify that this information is correct to the best of my knowledge.

Signature of Complainant	Date Signed

<b>Administrator or professional staff member</b>	<b>receiving initial complaint</b>	<b>Date initial complaint received</b>
---	------------------------------------	--

*The investigating administrator shall give one (1) copy to the complainant and retain one (1) copy for the file.*



**STUDENT CONCERNS, COMPLAINTS,  
AND GRIEVANCES**

**(To be displayed in school buildings  
and in student handbooks)**

Students may present a complaint or grievance regarding one (1) or more of the following:

- ❖ Denial of an equal opportunity to participate in any program or activity for which the student qualifies that is not related to the student's individual capabilities.
- ❖ Discriminatory treatment on the basis of race, color, religion, sex, age, national origin, or disability.
- ❖ Harassment of the student which means knowingly pursuing a pattern of conduct that is intended to annoy, alarm or terrorize another person.
- ❖ Intimidation by another student.
- ❖ Bullying by another student which means any repeated and pervasive written, verbal or electronic expression, physical act or gesture, or a pattern thereof, that is intended to cause distress upon one or more students in the school, on school grounds, in school vehicles, at a designated bus stop, or at school activities or sanctioned events. Bullying includes, but is not limited to, hazing, harassment, intimidation or menacing acts of a student which may, but need not be based on the student's race, color, sex, ethnicity, national origin, religion, disability, age or sexual orientation.
- ❖ Concern for the student's personal safety.

Provided that:

- ❖ The topic is not the subject of disciplinary or other proceedings under other policies and regulations of this District; and
- ❖ The procedure shall not apply to any matter for which the method of review is prescribed by law, or the Board is without authority to act.

The guidelines to be followed are:

- ❖ The accusation must be made within thirty (30) calendar days of the time the student knew or should have known that there were grounds for the complaint/grievance.
- ❖ The complaint/grievance shall be made only to a school administrator or professional staff member.
- ❖ The person receiving the complaint will gather information for the complaint form.
- ❖ All allegations shall be reported on forms with the necessary particulars as determined by the Superintendent. *Forms are available in the school office.*
- ❖ The person receiving the complaint shall preserve the confidentiality of the subject, disclosing it only to the appropriate school administrator or next higher administrative supervisor or as otherwise required by law.

Any question concerning whether the complaint/grievance falls within this policy shall be determined by the Superintendent.

Students should file complaints on their own behalf. A parent or guardian may initiate the complaint process on behalf of an elementary school student. A parent or guardian who wishes to complain (other than an elementary student's parent) should do so by completing the forms following policy KE on Public Concerns and Complaints.

A complaint/grievance may be withdrawn at any time. Once withdrawn, the process cannot be reopened if the resubmission is longer than thirty (30) calendar days from the date of the occurrence of the alleged incident. False or unproven complaint documentation shall not be maintained.

Retaliatory or intimidating acts against any student who has made a complaint under this policy and its corresponding regulations, or against a student who has testified, assisted or participated in any manner in an investigation relating to a complaint or grievance, are specifically prohibited and constitute grounds for a separate complaint.

Knowingly submitting a false report under this policy shall subject the student to discipline up to and including suspension or expulsion. Where disciplinary action is necessary pursuant to any part of this policy, relevant District policies shall be followed.

**J-3750      JJA**  
**STUDENT ORGANIZATIONS**

The Superintendent may approve the establishment of student organizations appropriate to grade levels within the District.

Three (3) types of clubs or groups are permitted at the District's high schools:

- School-Sponsored Clubs: Student clubs or groups that are sponsored by the school because their purposes and goals are related to the school's curriculum, such as Spanish Club;
- Student-Initiated Clubs: Student clubs or groups initiated by students that are recognized, but not sponsored by, the school because their purposes and goals are not related to the curriculum, but which are permitted to meet at school during non-instructional time; and
- Outside Clubs or Groups: Youth clubs or groups, such as Boy Scouts and Girl Scouts, which include students as members, but which are neither "sponsored" nor "recognized" by the school, and which are merely permitted the use of school facilities after school hours are on an equal footing with other community groups.

Student clubs shall be formed as follows:

- Students who wish to form a school-sponsored club shall make a request to the principal for approval and sponsorship.
- Students who wish to form a student-initiated club shall make a request to the principal for approval and recognition.
- Both types of clubs must be open to all students on all equal basis, must be voluntary, and must operate on the basis of the procedural guidelines established by the student council acting in concert with the principal.
- School-sponsored clubs shall be assigned a faculty sponsor, and if no faculty member is willing to accept such appointment, the formation of the club may be delayed or denied.
- Student-initiated clubs shall have assigned to them a faculty supervisor, and if the club is religiously oriented, the faculty member shall be limited to non-participatory and custodial responsibilities; if no faculty member is willing to accept such appointment, the formation of the club may be delayed or denied.
- Approval of the formation of any club will not be denied on the basis of the speech or viewpoint of the club or its members, except that such approval may be denied if the proposed clubs meetings would materially and substantially interfere with the orderly conduct of educational activity within the school, or would impede the ability of the administration to maintain order and discipline on school premises, to protect the well being of students and faculty, to assure that attendance at religious meetings is voluntary, and to make such regulations as required by considerations of space, safety, and the common good.
- Lists of school-sponsored clubs sponsored by the school, and of student-initiated clubs recognized by the school, will be maintained by the school.

In addition to other limitations and restrictions governing students and student organizations, all non-curricular, student-initiated clubs are subject to the following limitations:

- Meetings or activities at school of religiously oriented student-initiated clubs may include no employees or agents of the school except upon assignment by the administration in a non-participatory, custodial capacity; and
- Non-school persons may not direct, conduct, or regularly attend meetings or activities of such clubs at school.

Advertising in the school by student-initiated clubs and by outside clubs or groups shall be limited to announcements of the times and places of such clubs' meetings as part of the daily announcements over the school intercom.

*Adopted:*    date of manual adoption

**J-3850 © JJAB**  
**LIMITED OPEN / CLOSED FORUM**

Student meetings may be held in the school(s) of the District that offer instruction in grades seven (7) and eight (8) or above under a "limited open forum". Furthermore, insofar as the District has a procedure defined as a "limited open forum" under the provisions of Title VIII, the Equal Access Act, Section 801 *et seq.*, the District school(s) shall offer to students a fair opportunity to conduct meetings using school facilities whereupon:

- Such meetings are voluntary and student initiated.
- There is no sponsorship of such meetings by the District, District employees or governmental entities, or employees of governmental entities.
- District employees present at religious meetings will be present only in a nonparticipatory capacity.
- Such meetings shall not materially and substantially interfere with the orderly conduct of the educational activities of the District.
- Nonschool persons shall not be permitted to direct, conduct, control, or regularly attend such student group meetings.

Neither the District, any employee or agent of the District, nor of any State or federal governmental entity shall be permitted to:

- Influence the form or content of any prayer or other religious activity connected with student meetings.
- Require any person to participate in prayer or other religious activity.
- Expend public funds beyond the incidental cost of providing the space for such student-initiated meetings.
- Compel any employee of the District to attend a school meeting that is contrary to the beliefs of the employee.
- Sanction meetings that are otherwise unlawful.
- Limit the rights of groups of students to avail themselves under the provisions of this policy to a specified numerical size.
- Abridge either New Mexico or U.S. constitutional rights of any employee, official, or student of the District.

Nothing in this policy shall be construed to limit the authority of the school or its agents or employees to maintain order and discipline on school premises, to protect the well-being of students and employees, and to assure that attendance of students at such meetings is voluntary.

*Adopted:*    date of manual adoption

LEGAL REF.:    [20 U.S.C. 4071](#)-4074. Equal Access Act, Section 801 *et seq.*

CROSS REF.:    [KF](#) - Community Use of School Facilities

**J-3900   ©   JJB**  
**STUDENT SOCIAL EVENTS**

An integral part of the education process is the learning derived from participation in school-sponsored social activities. Such activities shall have licensed school personnel as sponsors at all events.

The Superintendent may require each school to develop rules and regulations concerning such activities.

*Adopted:*    date of manual adoption

**J-3950   ©   JJC**  
**STUDENT PERFORMANCES /**  
**EXHIBITS / COMPETITION**

Any student or group of students planning to give public performances representing the District shall first secure permission from the principal. Such performances shall be in keeping with the general goals and objectives of the educational program and the following:

- Funds, if collected, shall be credited to the appropriate student activities fund account.
- The participation in the project will not deprive students of time needed in acquiring basic skills.
- The regular schedule will not be interrupted unless the majority of the students benefit through their participation.
- The activity shall contribute to the educational program.

*Adopted:*    date of manual adoption

**J-4050      JJE**  
**STUDENT FUND - RAISING ACTIVITIES**

In-school fundraising projects will be scheduled and controlled by individual building administrators with assistant superintendent approval. Events such as car washes and bake sales where specific individuals and/or businesses are not targeted will be considered in-school fundraising.

Each sponsor shall submit, in writing, the purpose of the fundraiser with information pertaining to the method and time frame of the activity.

Moneys will be handled according to state and fundraising guidelines as outlined in the accounting handbook.

Moneys raised by student groups shall be spent to benefit those students. If money is not spent by the group that raised it, the money will remain in the account where deposited and will be used for future student groups.

Out-of-school fundraisers are classified as those activities which involve students selling products from door-to-door or outside of the school environment.

All activity of this nature shall be cleared in writing through the assistant superintendent, and Board approval shall be required prior to the beginning of the fundraising activity. The assistant superintendent will coordinate requests to minimize the number of fundraisers going on in a community at one (1) time.

No school shall exceed four (4) out-of-school fundraisers per school year.

- Individual groups within middle schools and elementary schools shall be limited to one (1) outside fundraiser per school year.
- Individual groups within high schools shall be limited to two (2) outside fundraisers per year.

Objectives for the fundraising activity will be submitted in writing to the building administrator outlining reasons for the activity, method and time frame.

Collection and spending of monies shall follow District and State accounting procedures as outlined in the District accounting handbook.

Parents and students will be informed of the purposes of fundraisers as well as any requirements for participation or consequences arising from nonparticipation.

Fundraisers in-school and out-of-school will be governed by the following guidelines:

- Sponsors are responsible for becoming knowledgeable of District accounting procedures and policies in conducting student activities.
- Neither student grades, transcripts nor diplomas will be effected as a result of participation or non participation in fundraisers.
- Each school's administration will attempt to meet financial requirements of activities by means of in school fundraisers whenever possible.

*Adopted:*    date of manual adoption



**J-4100   ©   JJF**  
**STUDENT ACTIVITIES FUNDS**

Upon recommendation by the Superintendent, the Board will designate a student activities treasurer. The Superintendent shall assure the establishment and maintenance of a "Student Activity Fund" .

When appropriate, and upon recommendation by the Superintendent, the Board may designate an assistant activities treasurer for each school.

The Superintendent shall require the establishment of appropriate procedures whereby all persons having any duties relating to such funds are advised of the requirements and responsibilities therefor. All such persons shall be held strictly accountable for the manner in which these guidelines are followed.

The Superintendent shall ensure that an accurate, detailed record of all revenues and expenditures of the student activities fund is kept. The record shall be made in such form as the Board prescribes.

*Adopted:*    date of manual adoption

LEGAL REF.:    [6.20.2.23 NMAC](#)

**J-4150   ©   JJG**  
**CONTESTS FOR STUDENTS**

Student participation in contests shall be limited to activities and events that relate to the educational needs and interests of students and do not promote private or commercial interests. The Superintendent shall establish procedures and regulations governing participation in such contests.

*Adopted:*    date of manual adoption

**REGULATION      REGULATION**

**CONTESTS FOR STUDENTS**

Participation in contests shall be optional and shall be kept within reasonable bounds. The following statements shall be a guide for determining participation in contests:

- The primary educational aims and the needs and interests of the students must be a consideration at all times.
- The school and its students shall not be used to promote private or commercial interests.
- All materials or activities initiated by private sources shall be judged on grounds of their:
  - Direct contribution to educational values.
  - Factual accuracy.
  - Good taste.
- Consideration shall be given in all cases to protecting students and teachers against unreasonable added work and responsibilities.

**( School Athletic Activities )**

**General**

School athletic activity means a sanctioned middle school, junior or senior high school function that the New Mexico activities association regulates.

The purpose of school athletic activities is both educational and recreational. The school sports program should encourage participation by as many students as possible and should always be conducted with the best interests of the participants as the first consideration. Districts shall provide comparable athletic opportunity in school athletic activities for both sexes. The District has the option of prohibiting participation by both sexes on the same team, where comparable or separate athletic opportunity exists for both sexes.

District participation in school athletic activities shall be subject to approval by the Board. This shall include approval of membership in any leagues, associations, or conferences, and of any new agreements with other schools for a series of games or events.

The following rules shall be observed for participation by individual students:

- For each type of sport in which the student engages, the parents or guardian must give written consent.
- The student must be determined by a physician to be physically fit for the sport.
- Before participation in school athletic activities, a brain injury information form shall be provided to a student athlete and the student athlete's parent or guardian. The School District shall receive signatures on the brain injury information form from the student athlete and the student athlete's parent or guardian, confirming their understanding of the brain injury information and the student's receipt of the brain injury training, before allowing participation in school athletics.
- The student must obtain or have catastrophic health or accident insurance.

The Superintendent shall set up other rules for participation, such as those governing academic standing, in accordance with policies of the District and pertinent regulations and recommendations of the state interscholastic athletic association.

**Charter School Student Participation**

Charter school students in grades seven (7) through twelve (12) may participate in School District extracurricular activities sanctioned by the New Mexico Activities Association in the School District attendance zone in which the student lives (participating in only one [1] public school program) if they meet eligibility requirements other than enrollment and if the charter school does not offer such activities sanctioned by the New Mexico Activities Association.

**Home School Student Participation**

Home school students may participate in three (3) School District athletic activity sanctioned by the New Mexico Activities Association in the School District attendance zone in which the student lives if they meet the eligibility requirements other than enrollment in the school.

**Health and Safety of Participants**

The health and safety of participants in interscholastic athletic activities must receive careful consideration. Participants must be provided access to water at all times during practice sessions, games, or other interscholastic athletic activities.

A coach shall not allow a student athlete to participate in a school athletic activity on the same day a coach, a school official or a student athlete reports, observes or suspects that a student athlete exhibits signs, symptoms or behaviors consistent with a brain injury or has been diagnosed with a brain injury.

A coach may allow a student athlete who has been prohibited from participating in a school athletic activity to participate in a school athletic activity no sooner than two hundred forty (240) hours from the hour in which the student athlete received a brain injury and only after the student athlete:

- no longer exhibits any sign, symptom or behavior consistent with a brain injury; and
- receives a medical release from a licensed health care professional.

Each school athletic activities coach is required to have training on brain injury recognition and follow-up provided by the New Mexico activities association.

The Superintendent shall require that regulations for health and safety of participants in school athletic activities be developed, implemented, and enforced. Such regulations may, at the discretion of the Superintendent, be incorporated into this policy as an administrative regulation.

*Adopted:* November 17, 2023

LEGAL REF.: [22-2-2 NMSA \(1978\)](#).  
[22-8-18 NMSA \(1978\)](#).  
[22-8C-8 NMSA \(1978\)](#).  
[22-8-23.8 NMSA \(1978\)](#).  
[22-13-31 NMSA \(1978\)](#).  
[22-31-1 NMSA et seq. \(1978\)](#)  
6.13.4.8 NMAC

CROSS REF.: [JJJ](#) - Extracurricular Activity Eligibility  
[JLCA](#) - Physical Examination of Students

**J-4550 © JJJ**  
**EXTRACURRICULAR ACTIVITY**  
**ELIGIBILITY**

All interscholastic extracurricular activities in grades nine (9) through twelve (12) that are of a competitive nature and involve more than one (1) school where a championship, winner, or rating is determined shall be conducted under the provisions of this policy. Such activities will be established and designed to offer students worthwhile athletic and leisure-time interests, wholesome recreational and social activity, and an opportunity to develop skills in democratic and cooperative management for these activities.

All such activities conducted under the auspices of the District shall be under the direct supervision of the licensed individual responsible for the activity.

It is necessary to have the interscholastic extracurricular activities function within a realistic framework of control. In order that overenthusiastic students do not place a social or athletic function on a higher plane than the academic program, the following policy will be adhered to:

- All classwork counted for eligibility must be acceptable for graduation.
- The student must be enrolled in more than half of the school's regular class schedule.
- Regular attendance must be maintained and a student shall not be absent from school for interscholastic extracurricular activities in excess of fifteen (15) days per semester, and no class shall be missed in excess of fifteen (15) times per semester for interscholastic extracurricular activities.
- The eligibility criterion for interscholastic participation shall be in accord with the following:
  - A public school student shall have at least a 2.0 grade point average on a 4.0 scale, or its equivalent, either cumulatively or for the grading period immediately preceding participation to be able to participate in any interscholastic extracurricular activity. A grading period shall be not less than six (6) weeks. The provisions of 22-12A-10 shall not apply to students receiving *C* or *D* level special education services.
  - The cumulative period eligibility for participation shall be applied beginning with the student's academic record in the ninth (9th) grade year.
- If the student does not meet the eligibility requirements the penalty will be removal from participation in any athletic team or extracurricular performances or travel. A student that demonstrates academic progress toward eligibility may practice with the team or group.
- The responsibility for notification of students and parents of these requirements and for enforcement rests with the Superintendent.
- The student and the parents or guardian shall be notified of ineligibility in a manner such that confidentiality is maintained when:
  - Ineligibility is pending, and
  - Ineligibility is determined to be necessary.
- Support services may be made available to students who become ineligible for extracurricular programs as well as to students notified of pending ineligibility depending upon resources available.
- Students whose behavior presents a problem or jeopardizes school discipline may be ineligible for participation in extracurricular activities until such time as their behavior warrants reinstatement.

The same general standards shall apply for special education students except that such eligibility shall be determined on a case-by-case basis in relationship to the respective students' individual education program.

The Superintendent shall establish regulations to ensure that:

- Necessary documents in support of this policy are maintained.
- Necessary data related to ineligible students are collected and reported as required.
- The cultural traditions of students are considered when establishing or enforcing rules related to participation in extracurricular activities.
- The requirements of this policy are met.

The Superintendent may develop additional rules or procedures for the proper conduct of extracurricular programs and the implementation of the provisions of this policy.

*Adopted:* November 17, 2023

LEGAL REF.: [22-12A-10 NMSA](#)

6.11.2.9 NMAC

New Mexico Activities Association Handbook Sec. 6

CROSS REF.: [JJIB](#) - Interscholastic Sports

**J-4600 © JK**  
**STUDENT DISCIPLINE**

Parents, school personnel and students shall be involved in the development of policies, and public hearings before the Board shall be held during the formulation of these policies in the high school attendance areas within each district or on a district-wide basis for those districts that have no high school. The Superintendent shall prepare and recommend the final format of discipline policies and develop procedures for the discipline of students that comply with state laws and regulations. These policies and procedures will apply to all students traveling to, attending, and returning from school, and while visiting another school or at a school-sanctioned activity and may be imposed if the student's behavior affects the school order. When suspension or expulsion is involved, notice, hearing, and appeal procedures shall conform to applicable legal requirements.

However, no local school board shall allow for the imposition of discipline, discrimination or disparate treatment against a student based on the student's race, religion or culture or because of the student's use of protective hairstyles or cultural or religious headdresses.

Racialized aggression defined as any aggressive act which can be characterized, categorized or which appears as such to be racial in nature is prohibited. A link to a state-wide hotline for reporting such incidents is provided on the District Website located at <https://www.ccsdnm.org>.

Information concerning a student's disciplinary record will be held in the strictest confidence.

Disciplinary actions taken will be recorded in an administrative log, and all types of suspensions or expulsions will be recorded in a separate file for each student.

*Adopted:* November 17, 2023

LEGAL REF.: [22-5-4.3 NMSA \(1978\)](#)  
[22-35-3 NMSA \(1978\)](#)

6.11.2.7 NMAC  
6.11.2.8 NMAC  
6.11.2.9 NMAC  
6.11.2.10 NMAC  
6.11.2.11 NMAC  
6.11.2.12 NMAC

CROSS REF.: [JIC](#) - Student Conduct  
[JICA - Student Dress](#)

[JKA - Corporal Punishment](#)

[JKD - Student Suspension/Expulsion](#)  
[JR](#) - Student Records



**REGULATION REGULATION**

**STUDENT DISCIPLINE**

The following are prohibited activities:

- Criminal or delinquent acts;
- Gang related activity;
- Sexual harassment
- Disruptive conduct;
- Refusal to identify self;
- Refusal to cooperate with school personnel; and
- Harassment, bullying or cyberbullying.

A student may be subject to disciplinary action when the student engages in the above or those below:

- Engages in conduct that is disorderly, i.e., intentionally causing public inconvenience, annoyance, or alarm, or recklessly creating a risk thereof, by:
  - Fighting or engaging in violent behavior.
  - Making unreasonable noise.
  - Using abusive or obscene language or gestures.
  - Obstructing vehicular or pedestrian traffic.
  - Creating a hazardous or physically offensive condition by any act that serves no legitimate purpose.
- Engages in conduct that is insubordinate, i.e., failing to comply with the lawful directions of a teacher, school administrator, or other school employee in charge of the student.
- Endangers the safety, morals, health, or welfare of others by any act, including but not limited to:
  - Selling, distributing, using, or possessing alcohol, drugs, or other controlled substances or drug paraphernalia.
  - Selling, distributing, using, or possessing weapons, fireworks, or other dangerous instruments or contraband.
  - Selling, using, or possessing obscene materials.
  - Using profane, vulgar, or abusive language (including ethnic slurs).
  - Gambling.
  - Hazing.
  - Engaging in lewd behavior;
  - Engaging in harassing, cyberbullying or bullying of another student.

- Engages in any of the following forms of academic misconduct:
  - Lateness for, missing, or leaving school or class without permission or excuse.
  - Cheating (including but not limited to copying, using unauthorized assistance in any form, illegally obtaining tests in advance, substituting for a test-taker, and other forms of unauthorized collusion).
  - Plagiarism.
- Engages in conduct violative of the Board's rules and regulations for the maintenance of public order on school property.
- Uses electronic communication directed at a student, that is published with the intent that it be seen by or disclosed to that student and that substantially interferes with the student's ability to participate in or benefit from the services, activities or privileges provided by the public school.
- Has a record of excessive absenteeism.
- Is believed to have or actually has committed a crime.

Reasonableness of use of physical force in self-defense, defense of others, and defense of property will be considered as a mitigating factor in determining penalties for misconduct. The threat or use of physical force by a student is not reasonable i) when made in response to verbal provocation alone, ii) when assistance from a school staff member is a reasonable alternative, or iii) when the degree of physical force used is disproportionate to the circumstances or exceeds that necessary to avoid injury to oneself or to others or to preserve property at risk.

### **Permissible Penalties**

The range of penalties that may be imposed for violations of student discipline rules include, but are not limited to, the following:

- Parent-student disciplinary conference.
- Directed reflective activities.
- Anger management training referral.
- Verbal warning.
- Written warning.
- Written notification to parents.
- Probation.
- Detention.
- Suspension from transportation.
- Suspension from athletic participation.
- Suspension from social or extracurricular activities.
- Suspension of other privileges.
- Exclusion from a particular class.
- In-school suspension.

- Involuntary transfer.
- Community service.
- Suspension.
- Expulsion.

Depending upon the nature of the violation, and the surrounding circumstances, student discipline may be progressive, i.e., generally, a student's first violation should merit a lighter penalty than subsequent violations. A District employee or agent should take into account all other relevant factors in determining an appropriate penalty. The above penalties may be imposed either alone or in combination.

### **Student Disciplinary Proceeding**

Any parent, student or other person may report a violation of student disciplinary rules to a school staff member or administrator. The employee will then report this to an administrator who will then make an investigation of the charges as deemed appropriate and will institute appropriate proceedings.

This information for the maintenance of public order on school property will be publicized on the District web site, in student handbooks and explained to all students and provided in writing to parents as requested. In order to promote effectiveness of student discipline, the assistance of parents in enforcing rules for student discipline shall be invited and encouraged.

### **Involving Staff Members**

The principal is responsible for involving staff members of the school in the development of a positive plan for student discipline. All staff members are responsible for implementing the plan of student discipline for the school.

**EXHIBIT      EXHIBIT**

**STUDENT DISCIPLINE**

Each principal shall establish and retain complete records of student disciplinary actions and procedures. Records regarding student disciplinary actions shall be retained for at least two (2) years after last attendance date.

The accounting for students subject to disciplinary action on discipline record card shall contain an entry of:

- The full name of the student.
- The racial/ethnic and sex designations of the student.
- The time, place, and date of the offense or offenses, or observed behavior.
- Descriptions and dates of other offenses or observed behaviors if not previously reported.
- The names of witnesses or others involved.
- Specific measures taken by person or persons reporting the offense or offenses to effect an adjustment, including the specialized help secured before referral, such as conferences with parents, conferences with the principal, and conferences with other school personnel.
- The name and title of the person or persons reporting the offense or offenses.
- The alternatives, if any, that were considered prior to the imposition of the disciplinary action taken by the principal.
- The final disposition of the case.
- The name and title of the person or persons imposing the action or actions.

The kinds of disciplinary actions for which an accounting should be kept shall include, but not be limited to:

- Suspensions and/or expulsion.
- Placement in detention (for disciplinary reasons).
- Transfer to another class (for disciplinary reasons).
- Transfer to another school (for disciplinary reasons).
- Referrals of cases to police and juvenile authorities.
- Others as required.

The building principal shall have the responsibility of maintaining the necessary discipline records to include:

- Discipline record card (each reported incident). Student discipline list (cumulative).
- Log of suspensions (cumulative).
- Summary of suspensions: monthly report, retained by the principal; yearly summary, copy to the District office.
- Log of expulsions and referrals to courts (cumulative).

- Log of Board expulsions (each incident).
- Summary of expulsions: monthly report, retained by the principal; yearly summary, copy to the District office.
- Log of student withdrawals (cumulative).
- Summary of withdrawals: monthly report, retained by the principal; yearly summary, copy to the District office.
- Log of dropouts (cumulative).

All monthly summary forms shall be completed at the close of each attendance month.

**J-4650   ©   JKA**  
**CORPORAL PUNISHMENT**

The Central Consolidated School District **disallows** corporal punishment.

*Adopted:*    date of manual adoption

LEGAL REF.:    [22-5-4.3 NMSA \(1978\)](#)

CROSS REF.:    [JK](#) - Student Discipline

[JKD - Student Suspension/Expulsion](#)

**J-4700 © JKB**  
**DETENTION OF STUDENTS**

Reasonable detention during break-time, noon, or at the close of the school day is permitted following appropriate minimal due process. Detention outside of school time may be invoked with appropriate consideration given to student transportation, weather, and other extenuating circumstances. However, a student shall not be denied the privilege of eating or use of the rest room during detention periods.

*Adopted:*    date of manual adoption

LEGAL REF.:    [22-5-4.3 NMSA \(1978\)](#)

[6.11.2.12 NMAC](#)

**REGULATION      REGULATION**

**DETENTION OF STUDENTS**

Teachers may keep students after school hours for disciplinary reasons. The names of students to be kept after school hours will be reported to the District office prior to the time of detention.

Students may be kept after school hours only if prior notice has been given to their parents.



**J-4850      JKD**  
**STUDENT SUSPENSION / EXPULSION**

The authority to suspend a student for up to ten (10) days, after an informal hearing is held, rests with the school administrator or principal. If a danger to students or staff members is present, the principal may immediately remove the student from school, with prior contact with the parents and with a notice and hearing following as soon as practicable. A student may be removed from contact with other students as a temporary measure but shall be reinstated by the next school day unless short-term suspension is imposed.

In all cases, except summary suspension where a danger to students or staff is evident, the student shall remain in school until applicable due process procedures are instituted. In *no* instance shall students be released early from school unless parents have been notified.

The Superintendent may designate a hearing officer for suspension/expulsion hearings.

**Regular Education Students**

***Suspension for ten days or less:***

- *Step 1:* The student will receive notice, written or oral, of the reason for suspension and the evidence the school authorities have of the alleged misconduct.
  - After having received notice, the student will be asked for an explanation of the situation.
  - The authorized District personnel shall make reasonable efforts to verify facts and statements prior to making a judgment.
- *Step 2:* Following Step 1:
  - Provided that a written record of the action taken is kept on file, authorized District personnel may:
    - ▲ • • Suspend the student for up to ten (10) days.
    - ▲ • • Choose other disciplinary alternatives.
    - ▲ • • Exonerate the student.
    - ▲ • • Suspend the student for ten (10) days pending a recommendation that the student be given a long-term suspension or expulsion or both.
  - When suspension is involved:
    - ▲ • • A parent must be notified before the student is allowed to leave campus. If no parent contact can be made, the student may be isolated until dismissal time and then given a written message to the parents.
    - ▲ • • A letter to the parents will be written and mailed by the day after the short-term suspension to explain the terms (including the possibility that a long-term suspension and/or expulsion is being recommended) and reasons for the suspension and to request a meeting to solicit their help.
  - No appeal is available from a short-term suspension.

***Suspension for over ten days or expulsion:***

- *Step 3:* If the offense is one that could result in a suspension of over ten (10) days or expulsion, in addition to Step 1 and Step 2 a formal hearing will be arranged and conducted by a hearing officer appointed by the

Superintendent. The appointed person (hearing authority) shall have no direct connection to the act or acts, person alleged to have perpetrated the acts, nor be an administrator of the school in which the acts took place.

- *Step 4:* A formal letter addressed to the student through the responsible parent or guardian will be delivered by hand (with an adult witness present) at least five (5) working days prior to the formal hearing or mailed at least eight (8) days prior to the formal hearing date (mailed documents are assumed received in three [3] days). The hearing shall be scheduled no sooner than five (5) nor later than ten (10) school days from the date of receipt of the notice by the parents. A copy of this letter will remain on file, and the letter should contain the following information:

- The charges and the rule or regulation violated.
- The extent of the punishment to be considered.
- The date, time, and place of the formal hearing.
- A request for the parents and student to attend.
- The hearing will take place as scheduled unless the hearing authority grants a delay or the student and parent agree to waive the hearing and comply voluntarily with the proposed disciplinary action or with a negotiated penalty.
- Failure of the student or parent to appear will not delay the hearing and may lead to the imposition of the proposed penalty by default;.
- A designation of the District's witnesses.
- That the student may present witnesses.
- That the student may be represented by counsel or a representative designated in a written notice filed at least 72 hours prior to the hearing date with the hearing officer or administrator.
- The name, business address and telephone of the hearing authority or contact person through whom the student, parent or designated representative may request a delay or seek further information, including access to any documentary evidence or exhibits which the school proposes to introduce at the hearing.
- That the conduct of the hearing will be informal, not adhering to the rules of evidence.

- *Step 5:* A formal hearing will be held, during which the student will be informed of the following:

- Nothing in these procedures shall be construed to prevent the students who are subject to the action and their parents or legal guardians and legal counsel from attending any executive (closed) session pertaining to the proposed disciplinary action, or from having access to the minutes and testimony of such session or from recording such a session at the parent's or legal guardian's expense.
- The student is entitled to a statement of the charges and the rule(s) or regulation(s) violated.
- The student may be represented by counsel, without prejudice.
- The student may present witnesses.
- The student or counsel may cross-examine witnesses presented by the District.
- The District has the right to cross-examine witnesses, and may be represented by an attorney.
- The burden of proof of the offense lies with the District by a preponderance of the evidence.

- Either the hearing must be recorded on tape or an official record must be kept in some other appropriate manner. In addition, parents are to be allowed to tape-record the hearing at their own expense.
- *Step 6:* The following will be the result of the hearing:
  - Upon the conclusion of a hearing by a hearing authority, the decision by the hearing officer may be given but shall be provided, in writing, within five (5) days to the student and parents. If initial notification is by mail, the parent shall be presumed to have received the notice on the fifth calendar day after the date of mailing unless a receipt for certified mail, if used, indicates a different date of receipt.
  - Upon the conclusion of a hearing and notice that an act or acts of misconduct have been proved, the discipline proposed or a lesser form of discipline as determined by the recommending administrator shall be imposed the disciplinarian. The action may take place immediately upon the hearing officer's determination and informing of the student and parents. If the disciplinary action imposes any sanction it shall go into effect immediately and continue during any subsequent review.
- *Step 7:* Administrative review may be conducted as follows:
  - Upon the conclusion of a hearing where determination that an act or acts of misconduct were proven, notice to the student and parents was given and discipline imposed, a review may be requested if the penalty imposed was at least as severe as a long-term suspension or expulsion, an in-school suspension exceeding one (1) school semester or a denial or restriction of student privileges for one (1) semester or longer. To arrange such an appeal, the parent(s) of the student or the student must deliver to the Superintendent a letter directed to the review hearing authority within ten (10) days after receiving written notice of the determination. The letter must describe in detail any objections to the hearing or the decision rendered. Failure to meet the dates or provide the written requirement will result in rejection of the request.
  - The appeal to the review hearing authority will be on the record of the hearing held by the hearing officer and no later than fifteen (15) days following the request being received. If the review hearing authority determines that the student was not afforded due process rights or that this policy was not followed in all substantive respects, the student shall be given another hearing. If the review hearing authority determines that the punishment was not reasonable, they may modify the punishment. The review hearing authority may uphold the hearing officer if no substantive errors in procedure are noted.
  - All deliberations and decisions shall be held in closed session to avoid discussion of personally identifiable information in public.
  - The review hearing authority shall prepare a written decision, including concise reasons in response to legitimate objections of the student or parent, and mail or deliver it to the administrator, the hearing officer and the student, through the parent, within ten (10) working days after the review is concluded. The decision of the review hearing authority is the final administrative review.

### **Membership of Review Hearing Authority**

The Review Hearing Authority shall consist of three (3) persons, appointed by the Board at a meeting held in accordance with the Open Meeting Act, [10-15-1](#) *et seq.* NMSA (1978). One (1) of the members shall be the Superintendent of Schools.

Each appointee other than the Superintendent shall:

- Have experience as a supervisor in a business or governmental agency.

- Be familiar with the application of policy and procedures in the discipline procedure.
- Be a resident of the District, and not a parent of a student in the School District.

The Superintendent shall be the chairperson of the Review Hearing Authority.

## **Special Education Students**

### ***Suspension for ten days or less.***

Short-term suspension (ten [10] days or less) may be used for special education students for disciplinary reasons on the same basis as for a regular education student. (It is not considered a change of placement.)

- *Step 1:* The student will receive notice, written or oral, of the reason for suspension and the evidence the school authorities have of the alleged misconduct.
  - After having received notice, the student will be asked for an explanation of the situation.
  - The authorized District personnel involved shall make reasonable efforts to verify facts and statements prior to making a judgment.
- *Step 2:* Following Step 1:
  - Provided that a written record of the action taken is kept on file, authorized District personnel may:
    - ▲ • • Suspend the student for up to ten (10) days.
    - ▲ • • Choose other disciplinary alternatives.
    - ▲ • • Exonerate the student.
    - ▲ • • Suspend the student for ten (10) days pending a recommendation that the student be given a long-term suspension or expulsion or both.
  - When suspension is involved:
    - ▲ • • A parent must be notified before the student is allowed to leave campus. If no parent contact can be made, the student may be isolated until dismissal time and then given a written message to the parents.
    - ▲ • • A letter to the parents will be written to the student in care of the parents by the day following the suspension to explain the terms (including the possibility that a long-term suspension and/or expulsion is being recommended) and reasons for the suspension and to request a meeting to solicit their help.
  - No appeal is available from a short-term suspension.

### ***Suspension for over ten days.***

If a special education student is recommended for a suspension of more than ten (10) days during the school year (a possible change in placement), a manifestation determination conference must be held.

- *Step 3:* A recommended suspension of a special education student for more than ten (10) consecutive days, or a series of suspensions totaling more than ten (10) days, may constitute a change of placement and shall require a manifestation determination conference. Such a conference shall be for the purpose of determining whether or not the offense is a manifestation of the student's disability.
- *Step 4:* If the offense is not a manifestation of the disability of the student, the student may be suspended by following the District policies for students in general, provided that educational services are continued

during the period of disciplinary removal for a student with a disability qualified under the Individuals with Disabilities Education Act (IDEA). A student with a disability qualified for educational services under the Americans with Disabilities Act or Section 504 of the Rehabilitation Act of 1973, and not qualified under IDEA, may be suspended or expelled from school, and educational services may be ceased, if nondisabled students in similar circumstances do not continue to receive educational services.

- *Step 5:* If the behaviors are a manifestation of the disability of the student, the District may not extend the suspension of the student beyond the initial ten (10) school days.

An exception to the above allows for an IDEA qualified student to be given a change in placement to an interim alternative educational setting for not more than forty-five (45) days, in accord with federal law and regulation, if the removal is for IDEA defined drug or weapons offenses or is based upon a due process hearing officer's determination that injury to the child or another is substantially likely if current placement is maintained.

Any interim alternative educational setting must be selected so as to enable the child to continue to progress in the general curriculum, although in another setting, and to continue to receive those services and modifications, including those described in the child's current IEP; and include services and modifications which are designed to prevent the behaviors for which the placement was made from recurring. (Caution: refer to IDEA statutes and regulations before implementing the exception.)

### ***Expulsion.***

A student qualified under the Individuals with Disabilities education Act (IDEA) as revised in 1997 may not be expelled from school but in compliance with federal law and regulation may be given a change in placement. The Individualized Education Program Team generally determines a change in placement of an IDEA qualified student. During any change in placement the School District must provide payment for services to the extent necessary to enable the child to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out in the child's Individualized Education Programs.

A student with a disability qualified under the Americans with Disabilities Act or Section 504 of the Rehabilitation Act of 1973 and not qualified under the Individuals with Disabilities Education Act as revised in 1997, may be suspended or expelled from school and education services may be ceased, if nondisabled students in similar circumstances do not continue to receive education services.

*Adopted:* date of manual adoption

LEGAL REF.: [22-5-4.3 NMSA \(1978\)](#)

6.11.2.7 NMAC

6.11.2.8 NMAC

6.11.2.9 NMAC

6.11.2.10 NMAC

6.11.2.11 NMAC

6.11.2.12 NMAC

[20 U.S.C. 1400 et seq., Individuals with Disabilities in Education Act](#)

[20 U.S.C. 7151 et seq., The Gun-Free School Act of 1990](#)

[29 U.S.C. 794](#) (Section 504), Rehabilitation Act of 1973  
(P.L. 93-112)

CROSS REF.: IHB - Special Instructional Programs

[JR - Student Records](#)

**J-4890 © JKDA**  
**REMOVAL OF STUDENTS FROM**  
**SCHOOL - SPONSORED ACTIVITIES**

The principal of a school may remove a student from a school-sponsored activity if the principal determines that the student has violated a provision of the student discipline policies, rules, and/or regulations or if the principal determines that such removal is in the best interest of the activity or in the best interest of the school as a whole.

The principal also may remove a student from a specific position, such as officer, editor, or captain of an activity, without removing the student from the entire activity.

The principal may remove a student pursuant to the preceding two (2) paragraphs, whether or not the student has been elected, appointed, or assigned to, or has volunteered for, the activity.

Before removing a student from an activity or position as a result of the student's violation of the student discipline policies, rules, and/or regulations, the principal must comply with the notice-and-hearing provisions of those policies, rules, and/or regulations.

Before removing a student from an activity or position for reasons other than a student's violation of the student discipline policies and/or regulations, the principal shall give written notice to the student. The notice shall include the reason or reasons for the removal and the date that the removal is to become effective. If the student disagrees with the principal's determination, the student may, within five (5) school days, request in writing a conference with the principal. The conference shall be held as soon as practicable after the principal receives the written request. At the conference, the student shall be given a full explanation of the reason or reasons for the action taken. The student shall be given an opportunity to present an explanation of the events relating to the action.

If, after the conference, the principal determines that the decision to remove the student from the activity or position is correct, the removal shall become effective on the date indicated in the principal's notice. If, after the conference, the principal determines that action of a less severe nature than removal is warranted, the principal may impose the less severe action. If, after the conference, the principal determines that neither removal nor less severe action is warranted, the prior decision to remove the student shall be rescinded.

For purposes of this policy, *activity* is defined as:

- Any school-sponsored athletic activity; or
- Any school-sponsored club; or
- Any school-sponsored organization such as yearbook, newspaper, student government, drama, music, honor society, or any other organization or class of a similar nature.

An *activity* includes activities as defined above, whether or not a student is receiving or may receive academic credit for the activity.

The principal's determination shall be the final administrative action to which student is entitled.

*Adopted:* date of manual adoption

LEGAL REF.: [22-5-4.3 NMSA \(1978\)](#)

6.11.2.7 NMAC  
6.11.2.8 NMAC  
6.11.2.9 NMAC  
6.11.2.10 NMAC  
6.11.2.11 NMAC  
6.11.2.12 NMAC

CROSS REF.: IHB - Special Instructional Programs



**J-4950 © JL**  
**STUDENT WELLNESS**

The School District strives to make a significant contribution to the general well being, mental and physical capacity and learning ability of each student while affording them the opportunity to fully participate in the educational process.

The District is committed to providing school environments that promote and protect children's health, safety, well-being, and ability to learn by supporting healthy eating and physical activity in a safe environment. Healthy eating is demonstrably linked to reduced risk for mortality and development of many chronic diseases as adults.

To ensure the health and well being of all students, the Board shall promote and monitor student wellness in a manner that the Board determines is appropriate in the following areas:

❖ • *Nutrition Guidelines:* All foods available in each school during the day will have as a primary goal the promotion of student health and the reduction of childhood obesity. All guidelines for reimbursable school meals shall not be less restrictive than regulations and guidance issued by the Secretary of Agriculture, as those regulations and guidance apply to schools.

❖ • *Nutrition Education:* The goal is to influence students' eating behaviors by providing nutrition education that is appropriate for students' ages; reflects students' cultures; is integrated into health education or core curricula; and provides opportunities for students to practice skills and have fun.

❖ • *Physical Activity:* The goals for physical activity are to provide opportunities for every student to develop the knowledge and skills for specific physical activities, to maintain students' physical fitness, to ensure students' regular participation in physical activity, and to teach students the short- and long-term benefits of a physically active and healthful lifestyle.

❖ • *Other School-Based Activities:* The goal is to create a total school environment that is conducive to healthy eating and physical activity.

❖ • *Evaluation:* A primary goal will be to regularly evaluate the effectiveness of this policy in promoting healthy eating and changing the program as appropriate to increase its effectiveness.

❖ • *Parent, Community and Staff Involvement:* A primary goal will be to engage family members, students, and representatives of the school food authority, the Board, school administrators, and the public in development and regular review of this school policy.

A health advisory council consisting of parent(s), school food authority personnel, school board member(s), school administrator(s), school staff, student(s) and community member(s) shall be established by the Superintendent with the advice and consent of the Board. This council shall meet a minimum of twice a year for the purpose of making recommendations to the local board on the implementation, revision and evaluation of the wellness program. The Superintendent shall be the presiding officer of the health advisory council and shall provide

- A written, specific statement of the purpose of the council.
- The dates on which reports of the council are to be rendered.
- Recommendations on replacements required upon a council members unavailability or resignation.
- The extent to which facilities, supplies, equipment, and clerical support will be provided to the council.
- A briefing on the requirements of the New Mexico Open Meeting Law (10-15-1 NMSA 1978) as it applies to committees of the Board.
- Posting of all Notices and agendas of meetings of the council.



The Superintendent is directed to seek the input of the council in the develop of recommendations and administrative regulations to implement this policy, including such provisions as may be necessary to address all food and beverages sold and/or served to students at school (i.e., competitive foods, snacks and beverages sold from vending machines, school stores, and funding-raising activities and refreshments that are made available at school parties, celebrations and meetings), including provisions for staff development, family and community involvement and program evaluation. Regulations and exhibits created for the purpose of implementing this policy shall be considered, in effect, to be an extension of this policy.

*Adopted:* May 15, 2007

LEGAL REF.: [6.12.5.8 NMAC, New Mexico Requirements for Competitive Foods Sold to Students](#)

[6.12.6.8 NMAC, Wellness Requirements](#)

[6.29.6.8 NMAC, Health Education](#)

[6.29.9.8 NMAC](#), Physical Education

[42 U. S. C. 1751](#) *et seq.*, The National School Lunch Act

[42 U.S.C. 1771](#) *et seq.*, The Child Nutrition Act as amended.

CROSS REF.: [ABA](#) - Community Involvement in Education

[ABAA](#) - Parental Involvement

[BBA](#) - Board Powers and Responsibilities

[EF](#) - Food Services

[EFE](#) - Competitive Food Sales/Vending Machines

[IHA](#) - Basic Instructional Programs

## STUDENT WELLNESS

**Physical Activity** within the coordinated school health approach provides students with increased opportunities to engage in moderate to vigorous physical activity before, during and/or after school through recreational, fitness and sport activities.

**Health Education** shall include a planned, sequential, kindergarten (K) through grade twelve (12) health education curriculum that addresses the physical, mental, emotional and social dimensions of health in order to acquire life skills to attain personal, family, community, consumer and environmental health.

The curriculum shall provide the opportunity to motivate and assist all students to maintain and improve their health, prevent disease and reduce health-related risk behaviors. It shall meet the content standards with benchmarks and performance standards as set forth in 6.30.2.19 NMAC.

**Physical Education** is a planned, sequential, kindergarten (K) through grade twelve (12) physical education curriculum that provides the optimal opportunity for all students to learn and develop skills, knowledge and attitudes necessary to personally decide to participate in lifetime healthful physical activity and is aligned to the physical education content standards with benchmarks and performance standards as per 6.29.9.8 NMAC.

The **Healthy and Safe Environment** shall include safety plans at each school building that include prevention programs, policies and procedures, emergency response plans, and a crisis response component.

**Social and Emotional Well-Being** shall include a plan to address the behavioral health needs of all students in the educational process.

**Health Services** provide for students to apprise, protect and promote health. These services are designed to ensure access or referral to primary health care or behavioral health services or both; foster appropriate use of primary health care services, behavioral health services, prevent and control communicable disease and other health problems; provide emergency care for illness or injury; promote and provide optimum sanitary conditions for a safe school facility and school environment; and provide educational and counseling opportunities for promoting and maintaining individual, family and community health.

**Staff Wellness** encourages school staff to pursue a healthy lifestyle that contributes to their improved health status, improved morale and a greater personal commitment to the school's overall coordinated school health approach. This shall include an equitable work environment and meets the Americans with Disabilities Act, Part III.

**J-5000   ©   JLA**  
**STUDENT INSURANCE PROGRAMS**

The Board may provide or make available a student health benefits insurance program for the District. The program will be conducted at no expense to the District.

The Superintendent will provide to parents or guardians information on student health benefits insurance if such insurance is available.

*Adopted:*    date of manual adoption

LEGAL REF.:    [22-2-2 NMSA \(1978\)](#)

**J-5100   ©   JLC**  
**STUDENT HEALTH SERVICES**  
**AND REQUIREMENTS**

The Superintendent shall establish procedures for the student health services program in the District. Such procedures will provide for:

- Administration of patent or proprietary medications (over-the-counter [OTC] medications) in compliance with New Mexico Statutes Annotated, New Mexico Administrative Code and District policies.
- Administration of prescription medications in compliance with New Mexico Administrative Code and District policies.
- Administration of immunizations in conjunction with the Health Department and in compliance with New Mexico Administrative Code.
- Providing preventive health information.
- The treatment of school-related injuries/illnesses, and recommendation for follow-up care.
- Screening clinics for selected physical impairments.

*Adopted:*    date of manual adoption

**J-5150 © JLCA  
PHYSICAL EXAMINATIONS  
OF STUDENTS**

Each student participating in high school and junior high school interscholastic athletics is required to submit to a physical examination when required by the New Mexico Activities Association or to submit evidence of being physically fit, as verified by competent medical personnel.

**Dental Examination Requirements**

Beginning July 1, 2021, a student shall not initially enroll in a school district or charter school (first time enrollment in New Mexico) unless the parent or guardian has provided satisfactory evidence, as determined by the school district or charter school, of having received a dental examination (by a licensed dental health care provider) within the past year. Alternatively, a student dental examination waiver (a designated field within a school district's enrollment application signed by a parent or guardian).

Such a dental examination shall be obtained at the expense of the enrollee/parent or guardian.

*Adopted:* November 17, 2023

LEGAL REF.: [21-1-14 NMSA](#) *et seq.*

6.12.3.1 NMAC

New Mexico Activities Association Handbook

**J-5190   ©   JLCAA  
VISION SCREENING  
OF STUDENTS**

A person trained to administer vision screening in accordance with the standards of the department of health shall administer a vision screening test to students in pre-kindergarten, kindergarten, first grade, third grade and all new or transfer students in those grades unless a parent affirmatively prohibits the screening. Such affirmation shall be accepted in writing and kept as a part of the student's health record. If the parent affirmatively prohibits the vision screen verbally, the action shall be put in writing, witnessed and placed in the student's health record.

Should the vision screening of a student indicate the need for further evaluation, the parent of the student shall be notified of that need and be provided with information on the availability of funds from the save our Children's Sight Fund.

*Adopted:*   June 19, 2007

LEGAL REF.:   \_\_\_\_\_   NMSA  
24 \_\_\_\_\_   NMSA  
\_\_\_\_\_   NMAC

CROSS REF.:

**VISION SCREENING  
OF STUDENTS**

**(Follow-up Notice to Parents)**

Dear Parent:

In a routine vision screening, using the standards established by the Department of Health, it was determined that \_\_\_\_\_ is in need of a comprehensive vision screening. If your child is not already covered by health insurance for a comprehensive eye examination, you may be eligible to apply to the Children's Sight Fund for the following expenses as a result of the screening:

- a comprehensive eye examination by an optometrist or ophthalmologist whose services are used to follow up the school vision screening;
- the cost of contact lenses or polycarbonate lenses and frames for eyeglasses; and
- replacement insurance for lost or broken lenses.

The School District will assist you in applying for these funds through the Department of Health.

Salutation,

Signature

**J-5200 © JLCB**  
**IMMUNIZATIONS OF STUDENTS**

Subject to the exemptions as provided by law, no student shall be enrolled unless the student can present satisfactory evidence of commencement and completion of immunization in accordance with the immunization schedule and rules and regulations of the Public Health Division, except that a homeless student shall not be prevented from attendance until the fifth (5th) calendar day after enrollment.

The student is exempt from immunization pursuant to Section 6.12.2.8 NMAC upon filing with the governing authority:

- a statement or certificate signed by a licensed physician or certified nurse practitioner stating that the physical condition of the person seeking enrollment is such that immunization would seriously endanger the life or health of the person;
  - an exemption granted by the public health division on the basis of:
    - • • notarized affidavits or written affirmation from an officer of a recognized religious denomination that such student's parents or guardians are bona fide members of a denomination whose religious teaching requires reliance upon prayer or spiritual means alone for healing; or
    - notarized affidavits or written affirmation from the student's parent or legal guardian that the student's religious beliefs, held either individually or jointly with others, do not permit the administration of vaccine or other immunizing agent.
- ▲ An original copy of an affidavit or written affirmation for either of the above exemption requests shall be forwarded to the Director of Public Health Division by the Superintendent of Schools within seven (7) days of receipt.

Exemption from obtaining the required immunizations, when approved, is valid for a period not to exceed nine (9) months and will not extend beyond the end of the school year in which the student is currently enrolled.

Any student with serologic confirmation of the presence of specific antibodies against a vaccine-preventable disease shall not be subject to immunization against that disease as a condition for attending school.

The District will cooperate with Public Health Division in programs of immunization. Parents' permission must be secured before a student may participate in such immunization projects.

*Adopted:* August 20, 2013

LEGAL REF.: 24-5-3 NMSA

[6.12.2.8 NMAC](#)

[6.12.2.9 NMAC](#)

[6.12.2.10 NMAC](#)

[7.4.3.8 NMAC](#)

[7.4.3.13 NMAC](#)

[7.5.3.8 NMAC](#)



**REGULATION REGULATION**

**IMMUNIZATIONS OF STUDENTS**

Immunizations required as indicated below shall be administered in accordance with guidelines established by the Advisory Committee on Immunization Practices of the United States Department of Health and Human Services (ACIP) and the American Academy of Pediatrics.

- Diphtheria.
- Tetanus.
- Pertussis.
- Poliomyelitis.
- Rubeola (measles).
- Mumps.
- Rubella (German measles).
- Hepatitis B (for 7th grade entry) (effective 09-01-2000 for facilities regulated by CYFD as described in 8.16.2 NMAC (effective 09-01-2002 for school entry).
- Haemophilus influenzae b (Hib) (only for facilities regulated by CYFD as described in 8.16.2 NMAC).
- Varicella (effective 09-1-2000 for facilities regulated by CYFD as described in 8.16.2 NMAC) (effective 09-01-2002 for school entry).
- Hepatitis A in areas/counties targeted by the Office of Epidemiology of the Department. Targeted areas/counties will include any area/county whose three (3) year running average rate of hepatitis A is at or above twenty (20) cases per one hundred thousand (100,000) people per year or which has been determined by the Office of Epidemiology of the Department to have an elevated risk of hepatitis A (effective 09-01-2002 for school entry and for facilities regulated by CYFD as described in 8.16.2 NMAC). Targeted areas/counties will be reassessed and redefined annually by the Office of Epidemiology of the Department. For non-targeted areas/counties, routine vaccination of children two (2) years of age and older is recommended in conformance with the recommendations of the ACIP and the American Academy of Pediatrics.

A child shall be non-compliant with these regulations if the child is eligible to receive and has not received any of the remaining required immunization doses within the recommended intervals between doses published by the ACIP.

No child shall be enrolled in a school in New Mexico unless satisfactory evidence of immunization requirements has been provided.

The admitting official shall deem the student to be in compliance with the requirements of this regulation if:

- A statement, certificate or record signed by a duly licensed physician or other recognized licensed health facility stating that the required immunizations have been given to the person is provided; or
- An exemption from immunization is submitted in accordance with the procedures set forth in 6.12.2.9 NMAC.

Immunization records shall be kept current and available to the Public Health Division.

A completed Immunization Roster shall be filed annually with the Public Health Division. The Immunization Roster shall be filed on forms furnished by the Public Health Division.

All schools required to comply with these regulations shall notify the local Public Health Division District Health Officer if a child about to be enrolled or while enrolled has been held out of school for more than five (5) consecutive school days for noncompliance with these regulations.

**J-5250 © JLCC**  
**COMMUNICABLE / INFECTIOUS DISEASES**

Any student with, or recovering from, a communicable disease will not be permitted in school until the period of contagion is passed or until a physician recommends a return.

Parents will be requested to provide a history of the communicable diseases for each student, and such records will be kept and maintained by the District.

A student suffering from a communicable disease shall be excluded from school to protect the student's own welfare and also to protect other students from illness. Early recognition of a communicable disease is of prime importance.

A principal or person in charge of a public school having knowledge of any person having or suspected of having a notifiable condition, shall immediately report the instance to the office of public health in accordance with New Mexico Administrative Code 7.4.3.8.

**Pediculosis (Lice Infestation)**

Students with pediculosis shall be excluded from school until treatment specific for pediculosis has been initiated and the student is symptom free.

*Adopted:*    date of manual adoption

**J-5300 © JLCCA  
ACQUIRED IMMUNE DEFICIENCY SYNDROME  
AND HUMAN IMMUNODEFICIENCY  
VIRUS INFECTIONS**

Students ill with HIV virus or acquired immune deficiency syndrome (AIDS) have a right to receive a public education. The Board has a responsibility to assure that the school provides a safe environment for all of its students and employees.

The Board directs that:

- Infected students receive a public education.
- Information be provided for parents, faculty and staff members, and other concerned persons concerning the actual and potential dangers of transmission of the disease.
- Decisions concerning the educational placement of infected students be determined upon the best medical knowledge available and on a case-by-case basis.
- Restrictions be placed upon a student as required by state laws and regulations, and advice of a physician selected by the District.
- Protection for the rights of privacy of each infected student be a primary consideration.

Decision(s) regarding the type of educational setting for the student who is infected with HIV virus shall be based upon the behavior, neurologic development, and physical and mental condition of the student. Recommendations will be made upon consultation with public health personnel, school officials, the student's physician and parents, and, at the discretion of the District, a physician selected by the District.

*Adopted:*    date of manual adoption

**J-5350 © JLCD  
ADMINISTERING MEDICINES  
TO STUDENTS**

Under certain circumstances, when it is necessary for a student to take medicine during school hours, the District will cooperate with the health care professional and the parents if the following requirements are met:

- For prescription medication and medical cannabis there must be a written order from the authorized health care professional stating the name of the medicine, the dosage, and the time it is to be given.
- Any order or plan for administering medications shall only be valid during the school year provided and while the student is enrolled.
- There must be written permission from the parent to allow the school or the student to administer the prescription medication, cannabis or over-the-counter medicine. Appropriate forms are available from the school office.
- The medicine must come to the school office in the prescription container or, if it is over-the-counter medication or cannabis, in the original container with all warnings and directions intact.
- A student should not carry medication to and from school unless authorized by the District to self-administer.
- Any and all medications left at the end of the current school year must be inventoried and picked up by the parents within the week following the end of school or they will be destroyed. Clean-up and witnessed destruction of any medical spillage or destruction of soiled medication must be accomplished within the same day in which destruction, spillage or waste occurs.

A responsible adult should bring medications to the school office if necessary. If medications are necessary for emergency use during transportation a written health management plan shall be prepared in consultation with the parents and school authorities indicating where the medication will be located during transportation and who will administer the medication.

In the case of medical cannabis, should there be no licensed school employee who is willing upon designation to administer medication, a written health management plan shall be prepared in consultation with the parents and school authorities indicating the conditions under which the parent may be present to administer the medication. This will include directions on where and how as well as when the medication may be administered.

The District reserves the right, in accordance with procedures established by the Superintendent, to circumscribe or disallow the use or administration of any medication on school premises if the threat of abuse or misuse of the medicine may pose a risk of harm to a member or members of the student population.

This policy and any related policies or amendments to such policies shall be forwarded to the District liability insurance carrier for review.

*Adopted:* November 17, 2023

LEGAL REF.: [22-1-2 NMSA](#)

[22-5-4.3 NMSA](#)

[22-10A-3 NMSA](#)

[26-2B-1 NMSA et seq.](#)

6.12.2.9 NMAC

6.12.10.1 NMAC *et seq.*

6.41.4.9 NMAC

CROSS REF.: [EBC-RC](#) - Emergencies (First Aid)

[EEAB](#) - Special Education Student Transportation  
(Students with Special Transportation Needs)

[GBEC](#) - Drug-Free Workplace

[GBECA](#) - Non Medical Use or Abuse of Drugs or Alcohol

[JIC](#) - Student Conduct

[JICG](#) - Tobacco Use by Students

[KI](#) - Visitors to Schools

## ADMINISTERING MEDICINES TO STUDENTS

### (Medication Procedures)

#### **Prescription Drugs And Medical Cannabis**

For occasions when it is necessary for a student to receive a prescription drug or medical cannabis during the school day, the following procedure has been established to ensure the protection of the school and the student and to assure compliance with existing rules and regulations:

#### ***Administration by school personnel:***

- The medication must be prescribed by an authorized health care professional.
- The parent or guardian must provide written permission to administer the medicine to the student (additionally, for medical cannabis a written treatment plan, a copy of written certification for use of cannabis, and a signed release of school liability). Appropriate forms or directions are available from the school office.
- The medication must come to the school office in the original container as put up by the pharmacist or provider. Written directions from the authorized health care professional or pharmacist must state the name of the patient, the name of the medicine, the dosage, and the time it is to be given. In the case of asthma, anaphylaxis episodes or cannabis, a written treatment plan for management of the student's medications to or from school or school-sponsored activities must be developed.
- An administrator may designate and train a licensed school employee to administer, possess and store the medication.
- Each administration of medications must be documented, making a record of the student having received the medication, the time and dosage administered.
- Drugs must be kept in their original containers in a locked medicine cabinet with access limited to administratively designated personnel.

#### ***Self-administration:***

- When the authorized health care professional feels it is necessary for the student to carry and self-administer the medication, the authorized health care professional shall provide written recommendations, to be attached to the signed parent permission form (not available for cannabis).
- The parent or guardian must provide written permission for the student to self-administer and carry the medication. Appropriate forms are available from the school office.
- The child must demonstrate the ability to self-administer to the medication provider and school nurse or other school personnel.
- The medication must come in the prescription container as put up by the pharmacist.

#### ***Asthma medication and emergency anaphylaxis self-administration:***

- When the physician feels it is necessary for the student to carry and self-administer either of these medications, the physician shall provide written recommendations, to be attached to the signed parent permission form, including a written treatment plan for managing asthma or anaphylaxis episodes; and

- Backup medication may be provided by the parent. Such medication must come in the prescription container as prepared by the pharmacist with a written permission to administer on an emergency basis from a parent and shall be kept in a locked area in the office.

### **Over-the-Counter Medication**

When it is necessary for a student to receive a medicine that does not require a prescription order but is sold, offered, promoted, and advertised to the general public, the following procedure has been established to ensure the protection of the school and the student:

#### ***Administration by school personnel:***

- Written permission must be provided by the parent or guardian for the administration of specific over-the-counter medication.
- Any over-the-counter medicine sent by the parent to be administered to a student must come to the school office in the original manufacturer's packaging with all directions, dosages, compound contents, and proportions clearly marked.
- An administrator may designate a licensed school employee to administer a specific over-the-counter medication.
- Each instance of administration of an over-the-counter medication must be documented in the daily log.
- Over-the-counter medication must be kept in their original containers in a locked medicine cabinet.

#### ***Self-administration:***

- Written permission must be provided by the parent or guardian for the administration of specific over-the-counter medication by the student.
- Over-the-counter medicine sent by the parent to be administered by the student must be kept by the student in the original manufacturer's packaging, with all directions, dosages, compound contents, and proportions clearly marked.
- *Necessity* for self-administration of an over-the-counter medicine shall be determined by the student's authorized health care professional and must be verified by that person's signed statement attached to the parent or guardian permission form, indicating the specific medicine.

### **Protection of Students**

Use or administration of medication on school premises may be disallowed or strictly limited if it is determined by the Superintendent, in consultation with medical personnel, that a threat of abuse or misuse of the medicine may pose a risk of harm to a member of the student population.

The student shall take extraordinary precautions to keep secure any medication or drug, and under no circumstances shall make available, provide, or give the item to another person. The student shall immediately report the loss or theft of any medication brought onto school campus. Violation of this regulation may subject the student to disciplinary action.



EXHIBIT EXHIBIT

**ADMINISTERING MEDICINE  
TO STUDENTS**

**REQUEST FOR GIVING MEDICINE AT SCHOOL**

Name \_\_\_\_\_ Grade \_\_\_\_\_

Teacher \_\_\_\_\_ School \_\_\_\_\_

Medication \_\_\_\_\_

Diagnosis/reason for giving \_\_\_\_\_

Time to be given \_\_\_\_\_ a.m. Time to be given \_\_\_\_\_ p.m.

Dates from \_\_\_\_\_ to \_\_\_\_\_

Prescription medication must be in the original container as prepared by a pharmacist and labeled, including the patient name, name of medication, dosage, and time to be given. An over-the-counter medication must be in the original packaging, with all directions, dosages, compound contents, and proportions clearly marked. Student misuse of medication being self-administered may result in seizure and disciplinary action.

\_\_\_\_\_  
Parent's or Guardian's Signature

\_\_\_\_\_  
Date

A signed authorized health care professional's statement indicating the necessity must accompany any request for self-administration of medicine, whether it is prescription or over-the-counter medicine.

EXHIBIT EXHIBIT

**ADMINISTERING MEDICINE  
TO STUDENTS**

**ADMINISTERING MEDICAL  
CANNABIS TO STUDENTS**

**(Request for Giving Medical Cannabis at School)**

Student Name \_\_\_\_\_ Grade \_\_\_\_\_

Teacher or Counselor \_\_\_\_\_ School \_\_\_\_\_

Specific Medication Name \_\_\_\_\_  
(*Must be non-aerosol, cannot be smoked or inhaled as a vapor or by burning*)

Time to be given \_\_\_\_\_ a.m. Time to be given \_\_\_\_\_ p.m.

Dates from \_\_\_\_\_ to \_\_\_\_\_

Medication must be in the original packaging, with all directions, dosages, compound contents, and proportions clearly marked.

Attached to this request must be:

- a copy of the qualified student's written certification for use of medical cannabis pursuant to the Lynn and Erin Compassionate Use Act.
- a written treatment plan for administration of medical cannabis agreed to and signed by the school principal, qualified student's parent or legal guardian and certifying medical health care professional.
- a written statement from the qualified student's parents or legal guardian releasing the school and personnel from liability as follows:
  - releases from civil liability the following persons and entities for acting in accordance with the provisions of Chapter 261, Laws of 2019 and this rule, as well as the Lynn and Erin Compassionate Use Act and applicable department of health rules;
    - ▲ school districts, school district personnel and volunteers, schools, school personnel and volunteers, local school boards, and local school board members.
  - releases the persons and entities from any liability and reimbursement claims for costs associated with accidental spillage or waste of medical cannabis;
  - acknowledge that the qualified student shall not be entitled to the implementation of the provisions of Chapter 261, Laws of 2019 and this rule, as well as the Lynn and Erin Compassionate Use Act and applicable department of health rules, outside of this state.

\_\_\_\_\_  
Parent's or Guardian's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent's or Guardian's Printed Name

**(Diabetes Management)**

The parent or guardian of each student with diabetes, who seeks diabetes care for that student while at school, shall submit a diabetes medical management plan approved by their personal health care provider to the school. Each school that receives a diabetes medical management plan shall review and implement the diabetes medical management plan. Parents shall also complete forms as required by the school for administering medications.

"Diabetes" means type one or type two diabetes mellitus, complications related to diabetes mellitus, or prediabetes as diagnosed by competent medical personnel.

Training as established pursuant to the 6.12.11.1 NMAC *et seq.*, shall be provided to all school nurses and diabetes care personnel (a minimum of two [2] school employees at each school attended by a student with diabetes). At a minimum, the training guidelines shall address:

- recognition and treatment of hypoglycemia and hyperglycemia;
- understanding the appropriate actions to take when blood glucose levels are outside of the target ranges indicated by a student's diabetes medical management plan;
- understanding health care practitioner instructions regarding diabetes medication drug dosage, frequency and manner of administration;
- the administration of glucagon and insulin and the recording of results;
- understanding how to administer glucagon and insulin through the insulin delivery system;
- recognizing diabetes-related complications that require emergency assistance; and
- as relates to students with diabetes, understanding recommended schedules and food intake for meals and snacks, the effect of physical activity upon blood glucose levels and actions to be implemented in the case of schedule disruption.

If at any time fewer than two (2) school employees are available to be trained at a school, the principal or other school administrator shall distribute to all staff a written notice stating that the school is seeking volunteers to serve as diabetes care personnel. The notice shall inform staff of the following:

- that the school is required to provide diabetes care to one (1) or more students with diabetes and is seeking personnel willing to be trained to provide that care;
- the tasks to be performed by diabetes care personnel;
- that participation is voluntary and no school, school district or governing body will take action against any staff member who does not volunteer to be designated;
- that training will be provided to employees who volunteer to provide care; and
- the identity of the person whom staff should contact in order to volunteer to be diabetes care personnel.

The training required pursuant to 6.12.11.10 NMAC shall be provided by:

- a school nurse if the school has a school nurse; or
- a health care practitioner with expertise in diabetes.

The following training is to be provided on an annual basis to all school personnel who have primary responsibility for supervising a student with diabetes during some portion of the school day and to bus drivers responsible for the transportation of a student with diabetes:

- recognition of hypoglycemia;
- recognition of hyperglycemia; and
- actions to take in response to diabetes related emergency situations.

All students with diabetes shall receive appropriate and needed diabetes care as specified in students' diabetes medical management plans. In accordance with the request of a parent or guardian of a student with diabetes and the student's diabetes medical management plan, a school nurse or, in the absence of a school nurse, diabetes care personnel shall perform diabetes care functions that shall include, at a minimum those indicated in 22-34-5 NMSA and 6.12.11.10 NMSA:

- checking and recording the student's blood glucose levels and ketone levels or assisting the student with checking and recording these levels;
- responding to blood glucose levels that are outside of the student's target range;
- administering glucagon and other emergency treatments as prescribed;
- administering insulin or assisting a student in administering insulin through the insulin delivery system that the student uses;
- providing oral diabetes medications; and
- following instructions regarding meals, snacks and physical activity.

Medication administered by any school personnel, shall be in compliance with JLCD and JLCD-R. Insulin will be kept in accord with Policy JLCD in an original container in a locked medicine cabinet at a temperature between thirty-six and eighty-six-degrees Fahrenheit (36-86°F) for daily use unless other arrangements are approved by the administration.

A school nurse or at least one (1) diabetes care person shall be at each school where a student with diabetes is attending and shall be available to provide care to each student with diabetes as provided pursuant to 22-34-5 NMSA during regular school hours and during all school-sponsored activities, trips, extended off-site excursions and extracurricular activities in which a student with diabetes is a participant and on buses where the bus driver has not been trained in diabetes care and a student with diabetes is a passenger.

Students with diabetes shall attend the school they would otherwise attend if they did not have diabetes, and the diabetes care specified in 22-34-5 NMSA of the Student Diabetes Management Act, shall be provided at the student's school. A student who has diabetes shall not be restricted from attending any school on the basis that the student has diabetes, that the school does not have a full-time school nurse or that the school does not have trained diabetes care personnel.

A school shall not require or pressure parents or guardians to provide diabetes care for a student with diabetes at school or school-related activities nor require that diabetes care personnel be health care practitioners.

### **Diabetes Self-Management**

Upon the written request of a parent or guardian of a student with diabetes and authorization by the student's diabetes medical management plan, a student with diabetes shall be permitted to:

- perform self-management blood glucose monitoring to check blood glucose and ketones;

- administer prescribed medication for the treatment of diabetes including the self-administration of insulin through the insulin delivery system that the student uses as determined in the student's diabetes medical management plan;
- treat hyperglycemia as determined in the student's medical management plan;
- treat hypoglycemia as determined in the student's diabetes medical management plan;
- self-manage in any area of the school or school grounds so long as it does not disrupt the education environment of other students; and
- possess on the student's person at all times all necessary supplies and equipment to perform these monitoring and treatment functions.

If a student's parent or guardian or the student requests, the student shall have access to a private area for performing diabetes care tasks.

### **Enforcement and Reporting**

Effectuated parties may submit complaints in writing via e-mail or via mail, to the secretary of public education. Reports as required by the public education department shall be provided by the District on October 15 each year pursuant to 6.12.11.13 NMAC.

*Adopted:* November 17, 2023

LEGAL REF.: [22-10A-3 NMSA](#)

[22-34-1 NMSA](#) *et seq.*

6.12.11.1 NMAC *et seq.*

6.41.4.9 NMAC

CROSS REF.: [AC - Nondiscrimination/Equal Opportunity](#)

[EBC-RC - Emergencies \(First Aid\)](#)

[EEAB - Special Education Student Transportation](#)

(Students with Special Transportation Needs)

[JLCD](#) - Administering Medicines to Students

[KE - Public Concerns and Complaints](#)

**J-5450      JLCG**  
**DO NOT RESUSCITATE ORDERS**

Do not resuscitate (DNR) orders shall not be accepted, honored, or followed by any employee of the District while such employee is on duty for the District.

*Adopted:*    date of manual adoption

**REGULATION REGULATION**

**DO NOT RESUSCITATE ORDERS**

District employees who are health care providers, as part of their duties and in lieu of compliance with a DNR order, shall:

- Immediately inform a parent or guardian of a student who presents a DNR order on behalf of the student, of their refusal to comply with the DNR order pursuant to this policy.
- Provide care for the student until transfer of the student can be made; and,
- Unless the student or the student's parent or guardian refuses care, make all reasonable efforts to assist the transfer of the student to another facility that is willing to comply with the health care decisions of the student or the student's parent or guardian.

**J-5490 JLCGA**  
**EMERGENCY ADMINISTRATION OF**  
**MEDICATIONS TO STUDENTS**

In compliance with 22-33-1 NMSA and under specific circumstances, the Board may apply for and receive albuterol aerosol canisters and spacers and standard-dose and pediatric-dose epinephrine auto-injectors to be maintained and used in selected schools for emergency treatment of students in respiratory distress or anaphylactic shock.

**Respiratory Distress**

Albuterol may be administered by a school nurse to a student who is perceived to be in respiratory distress, regardless of whether the student has been identified or documented as having asthma, has a prescription for albuterol or has supplied the school with albuterol. The procedure to be followed is:

- The nurse must be able to recognize the symptoms of respiratory distress after having had training provided by the department of health;
- The albuterol must be administered using a spacer;
- 911 must be called to initiate an emergency medical system;
- The nurse must continue to monitor the student's condition and deliver any additional treatment indicated until an emergency medical system responder arrives
- The parent, guardian or legal custodian of the student having respiratory distress shall be notified; and
- The nurse must take any other necessary actions based on training completed pursuant to the Emergency Medication in Schools Act [22-33-1 NMSA 1978].
- A log of emergency medication use and outcome will be kept for five (5) years by the nurse in the health office; and
- The nurse will complete a health department adverse events form and submit the form to the department within three (3) working days.

**Anaphylactic Shock**

Epinephrine may be administered by a school nurse or other trained personnel designated by the school principal or school leader to a student who is reasonably believed to be having an anaphylactic reaction, regardless of whether the student has been identified or documented as having a severe allergy, has a prescription for epinephrine or has supplied the school with epinephrine auto-injectors; and

- The personnel must recognize the symptoms of respiratory distress from training approved by the department of health and documented by the school nurse, school principal or school leader;
- The epinephrine must be administered using an autoinjector;
- 911 must be called to initiate an emergency medical system;
- The student's condition must be continuously monitored and any additional treatment indicated delivered until an emergency medical system responder arrives
- The parent, guardian or legal custodian of the student having anaphylactic reaction shall be notified; and
- The personnel must take any other necessary actions based on training completed pursuant to the Emergency Medication in Schools Act [22-33-1 NMSA 1978].



- A log of emergency medication use and outcome will be kept for five (5) years by the nurse in the health office; and
- The nurse will complete a health department adverse events form and submit the form to the department within three (3) working days.

The District will follow the protocols of 22-33-4 NMSA and department of health rules compliant with 22-33-1 *et seq.*, in preparing policies and procedures to implement the Emergency Medications in Schools Act.

*Adopted:* November 17, 2023

LEGAL REF.: [22-5-4.3 NMSA](#)  
[22-33-1 NMSA](#)  
6.12.2.9 NMAC

CROSS REF.: [EBC-RC](#) - Emergencies (First Aid)

## EMERGENCY ADMINISTRATION OF MEDICATIONS TO STUDENTS

### (Medication Procedures)

#### Emergency Medications

The purpose is to allow access to emergency medications in the school setting for the treatment of respiratory distress with albuterol and the treatment of anaphylactic reactions with epinephrine. Stock emergency medications are intended for students who have not previously been diagnosed with conditions leading to respiratory distress or anaphylaxis or who have a history of these conditions and do not have medications on their person or stored at school.

#### *Standing Orders:*

The School Board may request a standing order for a supply of albuterol aerosol cannisters and spacers, or a supply of standard-dose and pediatric-dose epinephrine auto-injectors for such schools as it may determine from a department approved physician by submitting a written request in accord with 7.30.12.8 NMAC. Gifts, grants, bequests, or donations from any source may be used to carry out the above purpose, for which records will be kept for three (3) years in the health office by the school nurse. The school nurse will also check all emergency medications periodically for expiration and supply, notifying the school principal when resupply is necessary.

#### *Storage provisions:*

*Albuterol* must be stored in a Class D Medication Room in compliance with the Board of Pharmacy Regulations which include requirements for procurement, storage, tracking and disposal of expired medications including:

- ◆ • • Being stored in a secure location that is unlocked and readily accessible to a school nurse to administer albuterol; and
- In a manner consistent with procedures employed for other emergency medications in a locked medication cabinet, within manufacturer-recommended temperature ranges, in the nurse's office, kept unlocked while the nurse or nurse's assistant are present.

*Epinephrine* must be stored in a room in compliance with the Board of Pharmacy Regulations which include requirements for storage, record maintenance, and medication room audits or consulting pharmacist's visits including:

- Being stored in a secure location that is unlocked and readily accessible to a school nurse or trained school personnel to administer epinephrine; and
- In a manner consistent with procedures employed for other emergency medications in a locked medication cabinet, within manufacturer-recommended temperature ranges, in a secure location where school staff are present full-time.

#### *Disposal:*

Disposal of expired emergency medication shall be pursuant to Board of Pharmacy Regulations and guidelines under the responsibility of the school nurse.

#### *Training:*

- All training for the use of albuterol and epinephrine will be as reviewed and approved by the health department.

- School nurses will complete training minimally one (1) time and refresher training on albuterol use may be recommended at a minimum of every five (5) years.
- School employees, agents or volunteers designated by the school principal or school leader to administer epinephrine on a voluntary basis outside of the scope of their employment, will be trained annually.
- Training will be documented by the school nurse, school principal, or school leader, and kept in a training log in the school health office for a minimum of five (5) years.

### ***Planning for and Preventing Respiratory Distress***

Should the District approve having a supply of epinephrine in a school, it will:

- develop and implement a plan to have one (1) or more trained personnel on the school premises during operating hours (operating hours is defined as during class time and after school activities).
- follow an anaphylactic reaction prevention protocol, as recommended by the department of health, to minimize an allergic student's exposure to food allergies.

**J-5500      JLD**  
**GUIDANCE AND COUNSELING**

The focus of the counseling and guidance program in the District is on the developmental needs of students.

Personnel involved in counseling will demonstrate respect for the dignity and worth of each individual, and encourage each student to develop individual responsibility and decision-making skills. Personnel involved in counseling coordinate the school guidance program and involve all staff members in designing and implementing plans to meet three (3) major goals:

- *Educational development.* Students may participate in planning their education.
- *Personal/social development.* Students will develop appropriate behaviors for a variety of social settings. Students will develop awareness of self and confidence in their own abilities in order to enhance their career options and development.
- *Career development.* Students will develop career options consistent with their interests, abilities, and values.

*Adopted:*    date of manual adoption

**J-5550 © JLDA  
SCHOOL COUNSELORS AND  
PSYCHOLOGISTS**

Psychological services, including testing, are available to students through the public schools. Initial referrals for psychological evaluations may come from licensed staff members or parents, or from the student. Parental or eligible student authorization must be obtained.

A school psychologist shall administer preliminary tests to determine the need for psychological evaluations.

Referrals to outside agencies shall be made only with parental or eligible student authorization.

*Adopted:*    date of manual adoption

**REGULATION      REGULATION**

**SCHOOL COUNSELORS AND  
PSYCHOLOGISTS**

**(Psychological Reports)**

Psychological reports or case study evaluations are confidential. Such information will be kept locked in the appropriate records location when not in use by authorized personnel.

Teachers may review a student's file under the cognizance of an administrator.

Psychological reports shall not be taken from the office of the department responsible for the preservation of records.

**J-6250 JLF**  
**REPORTING CHILD ABUSE /**  
**CHILD PROTECTION**

All licensed school employees shall be required to complete training in the detection and reporting of child abuse and neglect and substance abuse. This requirement shall be completed within the licensed school employee's first year of employment by a school district.

Every person, including a schoolteacher or a school official 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:

- a local law enforcement agency;
- the department office in the county where the child resides; or
- a tribal law enforcement or social services agency for any Indian child residing in Indian country.

The report shall contain the following information:

- The names and addresses of the minor, the parents, or the person or persons having custody of such minor, if known.
- The minor's age and the nature and extent of any injuries or physical neglect, including any evidence of previous injuries or physical neglect.
- Any other information that such person believes might be helpful in establishing the cause of the injury or physical neglect.

The building administrator should be informed, and the "Agency Referral Form and Procedure" should be used in order to have documentation and follow up.

A building administrator and/or their designee may permit a member of a law enforcement agency or an employee of the Human Services Department to interview the child with respect to a report without the permission of the child's parent, guardian or custodian.

A person who fails to report abuse as provided in 32A-4-3 NMSA 1978 is guilty of a misdemeanor. A person failing, neglecting or refusing to report a suspected case of child abuse, neglect or starving as provided in 9 N.N.C. 1123 is guilty of a misdemeanor and shall be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00).

*Adopted:*    date of manual adoption

LEGAL REF.:    [22-10A-32 NMSA \(1978\)](#)  
[22-5-4.2 NMSA \(1978\)](#)  
[32A-4-2 NMSA \(1978\)](#)  
[32A-4-3 NMSA \(1978\)](#)

CROSS REF.:    [GBEB](#) - Staff Conduct

[GBEBB](#) - Staff Conduct With Students

[JKA - Corporal Punishment](#)

**EXHIBIT      EXHIBIT**

**REPORTING CHILD ABUSE /  
CHILD PROTECTION**

**(Suspected Abuse/Neglect Definitions)**

"Abused child" means a child:

- who has suffered or who is at risk of suffering serious harm because of the action or inaction of the child's parent, guardian or custodian;
- who has suffered physical abuse, emotional abuse or psychological abuse inflicted or caused by the child's parent, guardian or custodian;
- who has suffered sexual abuse or sexual exploitation inflicted by the child's parent, guardian or custodian;
- whose parent, guardian or custodian has knowingly, intentionally or negligently placed the child in a situation that may endanger the child's life or health; or
- whose parent, guardian or custodian has knowingly or intentionally tortured, cruelly confined or cruelly punished the child.

"Neglected child" means a child:

- who has been abandoned by the child's parent, guardian or custodian;
- who is without proper parental care and control or subsistence, education, medical or other care or control necessary for the child's well-being because of the faults or habits of the child's parent, guardian or custodian or the failure or refusal of the parent, guardian or custodian, when able to do so, to provide them;
- who has been physically or sexually abused, when the child's parent, guardian or custodian knew or should have known of the abuse and failed to take reasonable steps to protect the child from further harm;
- whose parent, guardian or custodian is unable to discharge his responsibilities to and for the child because of incarceration, hospitalization or physical or mental disorder or incapacity; or
- who has been placed for care or adoption in violation of the law; provided that nothing in the Children's Code [this chapter] shall be construed to imply that a child who is being provided with treatment by spiritual means alone through prayer, in accordance with the tenets and practices of a recognized church or religious denomination, by a duly accredited practitioner thereof is for that reason alone a neglected child within the meaning of the Children's Code; and further provided that no child shall be denied the protection afforded to all children under the Children's Code.



J-6281 JLF-E

EXHIBIT EXHIBIT

**REPORTING CHILD ABUSE /  
CHILD PROTECTION**

**(Suspected Abuse/Neglect)**

Cross Report To: Law Enforcement Agency and Child Protective Services

CYFD Statewide Central Intake (SCI): 1-800-797-3260 Fax: 505-841-6691

Navajo Nation Department of Social Services: Shiprock: 505-368-1165  
Crownpoint: 505-786-2303

Law Enforcement Dispatch: 505-334-6622

*Remember that it is the responsibility of the person receiving the initial disclosure or the person who makes the initial observation of abuse to ensure that a report is made to the proper authorities in a timely manner.*

Student's name \_\_\_\_\_ DOB/ Age \_\_\_\_\_ Male \_\_\_ Female \_\_\_

Student's address \_\_\_\_\_  
(Physical Home Address)

Names of parents/guardians \_\_\_\_\_

List of *all* adults living with child \_\_\_\_\_

Child's school \_\_\_\_\_ Phone \_\_\_\_\_ Grade \_\_\_ Teacher \_\_\_\_\_

Is this child receiving special education services? \_\_\_\_\_

Person making the report \_\_\_\_\_ Title \_\_\_\_\_  
(Your Name)

**Document any bruising/injury/neglect observed.**

Date of bruising/injury/neglect \_\_\_\_\_. Description of injury (For example: abrasion, blister, laceration, lesions, scar, rash):

Severity: (circle one) Mild Moderate Severe

**Document child's disclosure** (Try to document the child's exact words)

Date of disclosure: \_\_\_\_\_

---

**Document any prior sign/symptoms of abuse or neglect:**

---

(Date) (Observation/disclosure/bruising or injuries observed.)

---

(Date) (Observation/disclosure/bruising or injuries observed.)

---

(Date) (Observation/disclosure/bruising or injuries observed.)

Copy filed in principal's office

Agencies/others reported to:    Person Notified    Date Reported    Time Reported

School supervisor/principal    \_\_\_\_\_    \_\_\_\_\_    \_\_\_\_\_

Law enforcement    \_\_\_\_\_    \_\_\_\_\_    \_\_\_\_\_

Child Protective Services    \_\_\_\_\_    \_\_\_\_\_    \_\_\_\_\_

Navajo Nation Div. Social  
Services (or) \_\_\_\_\_

State Children Youth and  
Families Department \_\_\_\_\_

Other \_\_\_\_\_

---

Signature and Title of Person Making the Report

Date

---

**School staff:** Only ask these exact questions, if needed.  
(Don't promise to keep it a secret.)

What happened?

Who did it?

Where were you when it happened?

When did it happen?

Copy filed in principal's office

**J-6400   ©   JLI**  
**STUDENT SAFETY**

Teachers will be responsible for their classes at all times. At no time are students to be left unsupervised. Students are not to be sent on errands from the school premises.

Teachers have the authority to prohibit the use of and/or to confiscate any article that is a hazard to a student or that may damage school property. In the case of an emergency, the teacher will seek help from the principal.

In addition, school buildings, playgrounds, and equipment will be regularly inspected for health, fire, and safety hazards.

*Adopted:*    date of manual adoption

**J-6450   ©   JLIA**  
**SUPERVISION OF STUDENTS**

When students are in school, engaging in school-sponsored activities, or traveling to and from school on school buses, they are responsible to the school and the school is responsible for them.

Supervision shall include being within the physical presence and, whenever possible, within a line of vision of the students so that school personnel will have a reasonable opportunity to control the behavior of and assist the students if necessary. Teachers shall exercise supervision as appropriate from the commencement of the school day, before classes begin, during class sessions, between classes, and at any other time when performing teaching or related duties on behalf of the school. Teachers shall not be required to perform the following noninstructional duties; noon hall duty, noon ground duty and noon cafeteria duty.

If it should be necessary in an emergency situation for a teacher to leave the physical presence of the students, then the teacher shall make a reasonable effort to obtain a school employee to supervise the students during the teacher's absence. In no case shall the teacher leave students unsupervised if there is a reasonable possibility that harm to students or property will result from the students being left unattended.

School administrators, teachers, and other staff members will ensure that anyone who wishes to contact a student during the school day is doing so for proper reasons.

*Adopted:*    date of manual adoption

LEGAL REF.:    [22-10A-20 NMSA \(1978\)](#)

**J-6500   ©   JLIB**  
**STUDENT DISMISSAL PRECAUTIONS**

No student will be removed from the school grounds, from any school building, or from any school function during school hours except by a person authorized to do so by the student's parent or by a person who has legal custody of the student, except as provided in law. Before a student is removed, the person seeking to remove the student must present, to the satisfaction of the Superintendent, evidence of proper authority to remove the student. If any police or court official requests the dismissal of a student during school hours, parents should be notified as soon as possible.

*Adopted:*    date of manual adoption

CROSS REF.:    [J1H](#) - Student Interrogations, Searches, and Arrests

**REGULATION REGULATION**

**STUDENT DISMISSAL PRECAUTIONS**

**(Student Release Requirements)**

At the time of school admission, the principal must complete the student's permanent record form, which will identify the student's legal name and the name, address, and telephone number of the student's lawful custodian(s).

Before releasing a student during the school day, the principal shall be responsible for the verification of the identity of any lawful custodian or any representative seeking release of a student.

If a lawful custodian, as indicated on the student's permanent record, is not recognized by sight, the principal shall require satisfactory identification before such release. If there is a doubt, release may not be granted.

In the case of a written or verbal authorization by a lawful custodian of record, the principal shall require satisfactory verification of the message as being from the lawful custodian of record. If there is a doubt, release may not be granted.

If an unauthorized person refuses to honor the decision of the principal, the principal shall call the local law enforcement authority.

If, in the granting of a release of a student, a change in the record of the student's lawful custodian(s) becomes apparent and is verified to the satisfaction of the principal, such change shall immediately be entered on the student's permanent record.

If any police or court official requests the release of a student during school hours, parents should be notified as soon as possible.

**J-6650   ©   JLIE**  
**STUDENT AUTOMOBILE USE**  
**AND PARKING**

The Superintendent shall establish procedures for registration, parking, and use of motorized vehicles and for searches for and seizures of illegal material contained therein. In the establishment of such procedures the Superintendent will be guided by the following:

- Students will not bring any motorized vehicles on any campus in the District other than the high school campus.
- All students will register their vehicles.
- Registration stickers must be displayed on all student vehicles.

*Adopted:*    date of manual adoption

LEGAL REF.:    6.11.2.9 NMAC

**REGULATION REGULATION**

**STUDENT AUTOMOBILE USE  
AND PARKING**

**Registration**

Students will register their vehicles if they intend to drive to school. The registration will require that the owner of the vehicle sign the forms and acknowledgments. Registration stickers will be affixed to the vehicles in a manner specified by the school administration. Students who fail to register their vehicles or who fail to follow school policy and procedures related to use of vehicles may be subject to discipline.

**Automobile Searches**

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of student parking lots and inspections of the exteriors of student automobiles on school property. The interiors of student vehicles may be inspected whenever a school authority has reason to believe that illegal or unauthorized materials may be contained inside. Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant.

**Seizure of Illegal Materials**

If a properly conducted search yields illegal or contraband materials, such findings shall be turned over to proper legal authorities for ultimate disposition.



**EXHIBIT      EXHIBIT**

**STUDENT AUTOMOBILE USE  
AND PARKING**

**ACKNOWLEDGMENT CONCERNING USE OF  
STUDENT PARKING LOTS**

I acknowledge and understand that:

- Students are permitted to park on school premises as a matter of privilege, not of right.
- The District retains authority to conduct routine patrols of student parking lots and inspections of the exteriors of student automobiles on school property.
- The District may inspect the interiors of student automobiles whenever a school authority has reasonable suspicion to believe that illegal or unauthorized materials are contained inside the automobiles.
- Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant.
- A student who fails to provide access to the interior of the car upon request by a school official will be subject to school disciplinary action.

\_\_\_\_\_  
Signature of the Student

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of the Parent/Guardian

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of the Vehicle Owner

\_\_\_\_\_  
Date

Vehicle license number: \_\_\_\_\_

**J-6750   ©   JN**  
**STUDENT VOLUNTEERS FOR**  
**SCHOOL AND COMMUNITY SERVICE**

The Board encourages the utilization of student volunteers in the educational program (e.g., student librarians, student office helpers, etc.) and in useful community services. However, student volunteers must be capable of carrying out the additional load without endangering their academic achievement. Therefore, all student volunteers shall be expected to maintain their grades, attend all classes, and recognize that the activity to which they are volunteering their services is secondary to their primary goal of getting an education.

Teachers and members of the community are encouraged to check with a student's teacher and the principal before a student is sought for volunteer help, to make sure that the additional responsibility can be undertaken without endangering the student's academic achievement.

*Adopted:*    date of manual adoption

**STUDENT DONATIONS AND GIFTS**

Students shall be discouraged from collecting money, setting aside funds, or purchasing gifts for the school or for faculty members.

Gifts from groups of students to other student(s) shall be limited to small expressions of condolence, remembrance, or appreciation. Guidelines for such remembrances shall be established by the Superintendent.

Solicitations by or of students are to be governed by the following policies:

- Students shall not be solicited to purchase books or other merchandise, except for materials approved by the District for use in the classroom.
- Solicitations by students shall be limited to small contributions, i.e., expressions of condolence, remembrance, or appreciation. Guidelines for such solicitations shall be established by the Superintendent.
- No other solicitations shall be made by or of students during school hours or on school premises.

*Adopted:*    date of manual adoption

**J-6950      JQ**  
**STUDENT FEES, FINES, AND CHARGES**

Students shall be assessed the cost for lost or damaged items such as textbooks, laboratory equipment, small tools and appliances, et cetera, pro rated on the age of the item.

Fees will not be assessed for required courses.

Students who enroll in elective courses which produce student projects as a part of the requirement of the course, may be assessed the cost of materials utilized to produce the project. The project will become the property of the student upon completion.

Students who enroll in elective courses which utilize consumable supplies and materials may be assessed a reasonable fee for such supplies and materials.

The Board, in endorsing the assessment and collection of student fees, fines and charges does not intend for the policy to deprive any student in the pursuit of a sufficient public school education. The building administrator will formulate and administer fair and equitable rules and regulations for the collection of student fees, fines and charges. Such rules and regulation will not unduly penalize a student for the late or non payment of such charges and assessments. Where parents are determined to be indigent according to the guidelines established by the State School Board of Education, the District shall bear the cost.

The building administrator will formulate and administer rules and regulations which will make it possible for charges and assessments to be waived in those instances where a student or his parents are not financially able to pay. The State of New Mexico furnishes textbooks. Textbooks are issued to students by teachers. Reasonable wear is expected as a result of daily use. Unreasonable damage to books will result in fines. Lost textbooks must be paid for and replaced immediately. The cost of these must be paid for in the school office. The students are responsible for textbooks after being issued the book. In case of lost or damaged books, the following charges will be made:

- Lost new books\*    -    Full price
- Lost used books    -    Half price
- Damaged new books\*    -    Half price
- Damaged used books    -    Quarter price

\*Books are considered new during the first year of use.

Grades, report cards and student records will not be withheld due to debts owed the school, except the District may withhold the grades, diploma and transcripts of the student responsible for damage or loss of instructional material.

*Adopted:*    date of manual adoption

LEGAL REF.:    [22-15-10 NMSA](#)

CROSS REF.:    [EDBA](#) - Maintenance and Control of Instructional

Materials

**J-7050 © JR**  
**STUDENT RECORDS**

Required student records (regular and special education) will be prepared in a manner consistent with the federal and state laws

The District will comply with the provisions of the Family Educational Rights and Privacy Act (FERPA) and the Individuals with Disabilities Education Act (IDEA), the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT ACT), and the No Child Left Behind Act of 2001 (NCLB) in the establishment, maintenance, correction, and disposition of student records.

The Board directs the Superintendent to establish procedures for such compliance, including informing parents, students, and the public of the contents. The Superintendent will implement procedures as required by law and will establish procedures for dealing with violations.

If a parent or eligible student believes that the District is violating the FERPA, that person has a right to file a complaint with the U.S. Department of Education. The address is:

The Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-4605  
Telephone number: (202) 260-3887

In adopting this policy it is the intent of the Board that the policy and related procedures be implemented immediately. Copies of the policy and procedures will be available for parent and eligible student review in the office of each school and in the Superintendent's office.

**Confidentiality**

The right to inspect and review education records and the release of or access to such records, other information, or instructional materials will be consistent with federal law in the Family Educational Rights and Privacy Act, Title 20, United States Code, sections 1232g and 1232h, the USA PATRIOT ACT, NCLB, and with federal regulations issued pursuant to such act.

**Annual Notification**

Within the first three (3) weeks of each school year, the District will publish in a District communication a notice to parents and eligible students of their rights under the FERPA and this procedure. This notice will also be provided to each parent of new students enrolling after school begins [34 C.F.R. 99.7]. The District will arrange to provide translation of the notice to non-English-speaking parents in their native language or mode of communication [34 C.F.R. 300.9]. The notice shall inform the parents of:

- The right of the parent or an eligible student to inspect and review the student's education records.
- The intent of the District to limit the disclosure of personally identifiable information contained in a student's education records, including disciplinary records, except by the prior written consent of the parent or eligible student or under certain limited circumstances as permitted by the FERPA, the USA PATRIOT Act or the NCLB Act.
- The right of the parent or eligible student to seek to correct parts of the school education records that the student or the parent believes to be inaccurate, misleading, or in violation of student rights. This right includes the right to a hearing to present evidence that the record should be changed if the District decides not to alter it according to the parent's or eligible student's request.
- The right of the parent or eligible student to file a complaint with the U.S. Department of Education if they believe the District has violated the FERPA.

Parents and eligible students have the following rights under the Family Educational Rights and Privacy Act (FERPA) and this procedure [34 C.F.R. 99.7 and 300.613]. The notice shall also include:

- The procedure for exercising the right to inspect and review education records.
- The procedure for requesting amendments of education records that the parent or eligible student believe to be inaccurate, misleading or otherwise a violation of the student's privacy rights.
- The conditions when prior consent is not required, the criteria for determining who constitutes a school official and what constitutes a legitimate educational interest.

*Adopted:* June 17, 2008

LEGAL REF.: [10 U.S.C. 503](#)  
[20 U.S.C. 1232](#)  
[20 U.S.C. 1400 et seq.](#)  
[20 U.S.C. 7908](#)  
[34 C.F.R. 300](#)

CROSS REF.: [IHB - Special Instructional Programs](#)

[JF - Student Admissions](#)

[JFAB - Admission of Nonresident Students](#)

[JRCA - Request for Transfer of Records](#)

REGULATION REGULATION

STUDENT RECORDS

This procedure is designed to meet the provisions of the Family Educational Rights and Privacy Act (FERPA) and the Individuals with Disabilities in Education Act (IDEA). All personnel in the District are expected to fulfill the requirements of policy and the following procedures in order to protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages [34 C.F.R. 300.612].

The Superintendent has the responsibility for ensuring the confidentiality of any personally identifiable information [34 C.F.R. 300.612].

All rights and protections given parents under the FERPA and this procedure transfer to the student upon reaching age eighteen (18) except where the student continues as a dependent under specified circumstances, or enrolling in a postsecondary school. The student then becomes an "eligible student" [34 C.F.R. 99.5 and 300.625].

**Definitions**

For the purpose of the procedure, the District has used the following definitions of terms:

- *Student* - Any person who attends or has attended a program of instruction sponsored by the District and for whom the District maintains education records.
- *Eligible student* - A student who has reached age eighteen (18) or is attending a postsecondary school.
- *Parent* - Either the natural parent of a student, unless the parent's rights under the FERPA have been removed by a court order, statute, or other legal document, or a guardian, or an individual acting as a parent or guardian in the absence of the student's parent or guardian. The District may presume that the parent has the authority to inspect and review education records relating to his or her child unless the District has been advised that the parent does not have authority under applicable law.
- *Education records* - Any information directly related to a student recorded in any way including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm or microfiche, that is maintained by the District, an employee of the District, or any agent of the District except:
  - Personal records kept by an employee of the District that meets the following tests:
    - ▲ . . . It is used only as a personal memory aid.
    - ▲ . . . It is kept in the personal possession of the individual who made it.
    - ▲ . . . It is not accessible and has never been revealed to any other person except the employee's temporary substitute.
  - Medical treatment records maintained for "eligible students."
  - Records collected and maintained by a law enforcement unit of the school.
  - Records containing only information about a person after that individual is no longer a student in the District.
  - An employment record that is used only in relation to a student's employment by the District. (*Employment* for this purpose does not include activities for which a student receives a grade or credit in a course.)

- Related alumni records after the student no longer attends classes provided by the District, and the records do not relate to the person as a student.
- *Personally identifiable information* - Any data or information that makes the subject of a record known. This includes the student's name, the name(s) of the student's parent(s) or other family member(s), the student's address, the student's Social Security number, a student number, a list of personal characteristics, or other information that would make the student's identity easily traceable.
- *Signed and dated written consent* - May include a record and signature in electronic form that:
  - Identifies and authenticates a particular person as the source of the electronic consent.
  - Indicates such person's approval of the information contained in the electronic consent.

## **Locations of Education Records**

A list of types and locations of education records collected, maintained, or used will be provided to the parents on request [34 C.F.R. 300.616]. See Exhibit JR-EA.

## **Procedure to Inspect Education Records**

Parents of a student, the designated representative of the parents, and an eligible student may inspect and review the student's education records that are collected, maintained, or used by the District [34 C.F.R. 300.501]. In some circumstances it may be mutually more convenient for the record custodian to provide copies of records. Charges for the copies of records will be costs of copying unless the fee would effectively prevent the parent from exercising rights to inspect and review those records [34 C.F.R. 300.613 and 300.617].

Since a student's records may be maintained in several locations, the school principal will offer to collect copies of records or the records themselves from locations other than a student's school so they may be inspected at one (1) site. However, if parents and eligible students wish to inspect records where they are maintained, the school's principal will make every effort to accommodate their wishes.

Parents, the designated representative of the parents, or the eligible student should submit to the student's school principal a signed and dated written request that identifies as precisely as possible the record or records wanted for inspection. The District will respond to any request without unnecessary delay before any meeting regarding any individual education program or hearing relating to the identification, evaluation, placement of a student, or the provision of a free appropriate public education, and in no case more than forty-five (45) days after the request has been made [34 C.F.R. 300.613 and 99.10]. See Exhibit JR-ED.

The principal, or other education records custodian, will contact the parent of the student or the eligible student to discuss how access will be best arranged (e.g., copies, at the exact location, or records brought to a single site).

Parents have the right, upon reasonable request, for explanations and interpretations of the information contained in the records and a right to request copies of the records containing the information, if not in violation of stated policy of FERPA. Parents have the right to have a representative of the parent to inspect and review the records [34 C.F.R. 300.613 and 99.10].

The principal, or other education records custodian, will make the needed arrangements as promptly as possible and notify the parent or eligible student of the time and place where the records may be inspected. This procedure must be completed in forty-five (45) days or less after receipt of the request for access [34 C.F.R. 300.613].

If for any valid reason, such as working hours, distance between record location sites, or health, the parent or eligible student cannot personally inspect and review a student's education records, the District will arrange for the parent or eligible student to obtain copies of the record. See below for information regarding fees for copies of records [34 C.F.R. 300.613 and 99.10].

When a record contains information about students other than a parent's child or the eligible student, the parent or eligible student may not inspect and review the records of the other students [34 C.F.R. 300.615, 99.5 and 99.12].



## **Fees for Copies of Records**

All records subject to disclosure under this procedure shall be available for inspection free of charge. If copies are desired, they shall be furnished by the District to the parent or eligible student on request and free of charge. Additional copies may be sent to other schools or agencies without charge. However, the District reserves the right to charge up to thirty-five cents (35¢) per page for multiple or excessive requests. Copies of available records shall be produced as promptly as possible upon receipt of the request. No fee will be charged for search and retrieval of records [34 C.F.R. 300.617 and 99.11].

The District will provide copies of records:

- When the refusal to provide copies effectively denies access to the records by the parent or eligible student [34 C.F.R. 300.617].
- At the request of the parent or eligible student, when the District has provided the records to third parties by the prior consent of the parent or eligible student.
- At the request of the parent or eligible student when the District has forwarded the records to another school where the student seeks or intends to enroll.

## **Directory Information**

The District designates the following personally identifiable information contained in a student's education records as "directory information" and may disclose that information without prior written consent [1232g(a)(5)(A)]:

- The student's name.
- The student's address.
- The student's telephone listing.
- The student's date and place of birth.
- The student's electronic mail address.
- The student's photograph.
- The student's grade level.
- The student's major field of study.
- The student's dates of attendance.
- The student's enrollment status (e.g., part time or full time).
- The student's participation in officially recognized activities and sports.
- The student's weight and height if a member of an athletic team.
- The student's honors and awards received.
- The student's most recently attended educational agency or institution.

Within the first three (3) weeks of each school year the District will publish in a District communication or send home with each student the above list, or a revised list, of the items of directory information designated as directory information. For a student who enrolls after the notice is published, the list will be given to the parent or eligible student at the time and place of enrollment. See Exhibit JR-EB.

After the parents or eligible student have been notified, they will have two (2) weeks to advise the District in writing (a letter to the Superintendent's office) of any or all of the items they refuse to permit the District to designate as directory information about that student.

According to state and federal law if the Board permits the release of directory information relating to students to persons or organizations who inform students of educational or occupational opportunities, then the Board shall provide access to directory information on the same basis to military official recruiting representatives for the purpose of informing students of educational and occupational opportunities available to them, unless the parent or eligible student requests in writing to the District (a letter to the Superintendent's office within two [2] weeks after notification) not to release directory information to any person or organization without prior signed and dated written consent. If the parent or eligible student refuses to allow the release of directory information without prior signed and dated written consent, then the District will not provide military recruiters, upon request, directory information containing the student's name, addresses and telephone listings.

At the end of the two-week period, if the parent or eligible student has not returned the form indicating refusal to allow the release of directory information, the District will assume it has their permission to release the above-mentioned information. This designation will remain in effect until it is modified by the prior signed and dated written direction of the parent or eligible student. The student's records will be appropriately marked by the records custodian to ensure compliance with the parents' or eligible student's request.

### **Use of Student Education Records**

To carry out their responsibilities, school officials will have access to student education records for legitimate educational purposes. The District will use the following criteria to determine who are school officials [34 C.F.R. 99.31]:

- A person duly elected to the Board (under limited circumstances).
- A person licensed by the state and appointed by the Board to an administrative or supervisory position.
- A person licensed by the state and under contract to the Board as an instructor.
- A person employed by the Board as a temporary substitute for administrative, supervisory, or instructional personnel for the period of such performance as a substitute.
- A person employed by or under contract to the Board to perform a special task, such as a secretary, a clerk, the Board attorney, or auditor, for the period of such performance as an employee or contractor.

School officials who meet the criteria listed above will have access to a student's records if they have a legitimate educational interest in doing so [34 C.F.R. 99.32]. A "legitimate educational interest" is the person's need to know in order to:

- Perform an administrative task required in the school employee's position description approved by the Board.
- Perform a supervisory or instructional task directly related to the student's education.
- Perform a service or benefit for the student or the student's family, such as health care, counseling, student job placement, or student financial aid.

Records of students placed in special educational programs will be under the direct supervision of the program administration. All persons collecting or using personally identifiable information in records of students determined to be a student with a disability will receive training or instruction regarding New Mexico's policies and procedures for the protection of these records at the collection, storage, disclosure, and destruction stages in accordance with FERPA and IDEA [34 C.F.R. 300.623].

The District will maintain for public inspection a current listing of the names and positions of employees who have access to personally identifiable information maintained on students placed in special education [34 C.F.R. 300.623].

When the information maintained in these records is no longer needed to provide educational services to the student, the District will notify the parents of their right to have the personally identifiable information destroyed [34 C.F.R. 300.624]. However a permanent record of a student's name, address, phone number, grades, attendance record, classes attended, grade level completed, and year completed will be maintained [34 C.F.R. 300.624]. Destruction of records will be accomplished in accordance with the requirements of New Mexico law and regulations of the New Mexico Commission of Public Records. [34 C.F.R. 300.623]

The District will release information from or permit access to a student's education records only with a parent's or eligible student's prior signed and dated written consent, except that the Superintendent or a person designated in writing by the Superintendent may permit disclosure [34 C.F.R. 99.30, 99.31, 99.34, and 99.37]:

- When a student seeks or intends to enroll in another school district or a postsecondary school, the District will not further notify parents or eligible students prior to such a transfer of records. Parents and student have a right to obtain copies of records transferred under this provision. See Exhibit JR-EC.
- When certain federal and state officials need information in order to audit or enforce legal conditions related to federally supported education programs in the District.
- To parties who provide or may provide financial aid to a student to:
  - Establish the student's eligibility for the aid.
  - Determine the amount of financial aid.
  - Establish the conditions for the receipt of the financial aid.
  - Enforce the agreement between the provider and the receiver of financial aid.
- If a state law adopted before November 19, 1974, required certain specific items of information to be disclosed in personally identifiable form from student records to state or local officials.
- If a state law adopted before November 19, 1974, required certain specific items of information to be disclosed in personally identifiable form from student records to state or local officials of the juvenile justice system and the officials certify in writing that the information will not be disclosed to any other party, except as provided under state law, without prior signed and dated written consent of the parent or the eligible student.
- When the District has entered into a written agreement or contract for an organization to conduct studies on the District's behalf to develop tests, administer student aid, or improve instruction.
- To accrediting organizations to carry out their accrediting functions.
- To parents of an eligible student if the parents claim the student as a dependent as defined by the Internal Revenue Code of 1954.
- To comply with a judicial order or lawfully issued subpoena. The District will make a reasonable effort to notify the parent or the eligible student before making a disclosure under this provision unless directed otherwise by a court of competent jurisdiction.
- To comply with an *ex parte* order from a court of competent jurisdiction requiring the District to permit the U.S. Attorney General or U.S. Attorney General's designee to collect education records in the possession of the District that are relevant to an authorized investigation or prosecution of an offense listed in 18 U.S.C. 2332b(g)(5)(B) for an act of domestic or international terrorism as defined in 18 U.S.C. 2331. An *ex parte* order is an order issued by a court of competent jurisdiction without notice to the adverse party. A disclosure pursuant to an *ex parte* order will not be recorded as a disclosure of information from a student's education records by the District.
- If the District initiates legal action against a parent or student, the District may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the District to

proceed with the legal action.

- If a parent or eligible student initiates legal action against the District, the District may, without a court order or subpoena, disclose the student's education records that are relevant for the District to defend itself.
- To comply with the request of authorized law enforcement officials conducting an investigation of acts of terrorism.
- The disclosure is in connection with a health or safety emergency. Time is an important and limiting factor in determining whether the disclosure is in connection with a health or safety emergency. The District will permit any school official to make the needed disclosure from student education records in a health or safety emergency if:
  - The official deems the disclosure is warranted by the seriousness of the threat to the health or safety of the student or other persons.
  - The information is necessary and needed to address the emergency.
  - The persons to whom the information is to be disclosed are qualified and in a position to deal with the emergency.
- The District may release student attendance, disciplinary, and other education records to a law enforcement agency and county attorney pursuant to an intergovernmental agreement between the District, the law enforcement agency, the county attorney, and other state, local, or tribal government agencies to create a local or tribal juvenile justice network for the purpose of:
  - providing appropriate programs and services to intervene with juveniles currently involved in the juvenile justice system.
  - providing appropriate programs and services designed to deter at-risk juveniles from dropping out of school or other delinquent behavior.
  - increasing the safety and security of the community and its children by reducing juvenile crime.
- Education records provided pursuant to an intergovernmental agreement entered into in accord with the above provisions shall be used solely for the purposes of the agreement and shall not be disclosed to any other party, except as provided by law.

A District school official may release information from a student's education records, other than directory information, to a third party if the parent or the eligible student gives prior signed and dated written consent for the disclosure and the third party agrees that the information will not be disclosed to any other party without the prior consent of the parent or eligible student. The signed and dated written consent must include at least:

- A specification of the records to be released.
- The reasons for the disclosure.
- The person or the organization or the class of persons or organizations to whom the disclosure is to be made.
- The signature of the parent or eligible student.
- The date of the consent and, if appropriate, a date when the consent is to be terminated.

The parent or the eligible student may obtain a copy of any records disclosed under this provision, unless otherwise provided.

## **Records of Requests for Access and Disclosures Made from Education Records**

The District will maintain an accurate record of all requests for it to disclose information from or to permit access to a student's education records, and of information it discloses and access it permits, with some exceptions as listed below. This record will be kept with, but will not be a part of, each student's cumulative school records. It will be available only to the record custodian, the eligible student, the parent of the student, or to federal, state, or local officials for the purpose of auditing or enforcing federally supported educational programs [34 C.F.R. 99.32]. See Exhibit JR-EE

The record will include at least:

- The name of the person, organization or agency that made the request.
- The interest the person, organization or agency had in the information.
- The date the person, organization or agency made the request.
- Whether the request was granted and, if it was, the date access was permitted or the disclosure was made.

The District will maintain this record as long as it maintains the student's education records. The record will not include requests for access or access granted to:

- the parent or eligible student,
- authorized law enforcement officials conducting an investigation of acts of terrorism,
- school officials who have a legitimate educational interest in the student,
- requests for or disclosures of information contained in the student's education records if the request is accompanied by or authorized by the prior signed and dated written consent of the parent or eligible student, or
- for requests for or disclosures of directory information designated for that student.

## **Procedures to Seek to Correct Education Records [34 C.F.R. 99.20 and 99.21]**

Parents of students and eligible students have a right to seek to change any part of the student's record they believe is inaccurate, misleading, or in violation of student rights [34 C.F.R. 300.618 and 99.20]. (Note: Under the FERPA, the District may decline to consider a request to change the grade a teacher assigns for a course.)

For the purpose of outlining the procedure to seek to correct education records, the term *incorrect* will be used to describe a record that is inaccurate, misleading, or in violation of student rights. The term *correct* will be used to describe a record that is accurate, not misleading, and not in violation of student rights. Also, in this section, the term *requester* will be used to describe the parent of a student or the eligible student who is asking the District to correct a record.

To establish an orderly process to review and correct education records for a requester, the District may make a decision to comply with the request for change at several levels in the procedure [34 C.F.R. 300.618 and 99.20].

***First-level decision.*** A parent of a student or an eligible student who finds an item in the student's education records that appears to be inaccurate, misleading, or in violation of student rights should immediately ask the record custodian to correct it. If the record is incorrect because of an obvious error and it is a simple matter to make the record change at this level, the record custodian will make the correction. However, if the record is changed at this level, the method and result must satisfy the requester.

If the custodian cannot change the record to the requester's satisfaction or the record does not appear to be obviously incorrect, the custodian will:

- Provide the requester a copy of the questioned record at no cost.
- Ask the requester to initiate a written request for the change.
- Follow the procedure for a second-level decision.

***Second-level decision.*** The written request to correct a student's education records through the procedure at this level should specify the correction the requester wishes the District to make. It should at least identify the item thought to be incorrect and state whether the requester believes the item:

- Is inaccurate and why,
- Is misleading and why, or
- Violates student rights and why.

The request will be dated and signed by the requester.

Within two (2) weeks after receiving a written request, the record custodian will study the request, discuss it with other school officials (the person who made the record or those who may have a professional concern about the District's response to the request), make a decision to comply or decline to comply with the request, and complete the appropriate steps to notify the requester or move the request to the next level for a decision.

If, as a result of this review and discussion, a decision is reached that the record should be corrected, the record custodian will effect the change and notify the requester, in writing, of that action. Each such notice will include an invitation for the requester to inspect and review the student's education records to make certain the record is in order and the correction is satisfactory.

If a decision is reached that the record is correct, the custodian will make a written summary of any discussions with other officials and of the findings in the matter. This summary and a copy of the written request will be transmitted to the Superintendent.

***Third-level decision.*** The Superintendent will review the material provided by the record custodian and, if necessary, discuss the matter with other officials such as the school attorney or the Board (in executive session unless otherwise requested by parent[s]). The Superintendent will then make a decision concerning the request and complete the steps at this decision level. Ordinarily, this level of the procedure should be completed within two (2) weeks. If it will take longer, the Superintendent will notify the requester in writing of the reasons for the delay and a date when the decision will be made.

If the Superintendent decides the record is incorrect and should be changed, the record custodian will be advised to make the changes. The record custodian will advise the requester of the change.

If the Superintendent decides the record is correct, a letter to the requester will be prepared that will include [34 C.F.R. 300.619 and 99.20]:

- The District's decision that the record is correct and the basis for the decision.
- A notice to the requester explaining the requester's right to ask for a hearing to present evidence that the record is incorrect and that the District will grant such a hearing.
- Instructions for the requester to contact the Superintendent to discuss acceptable hearing officers, convenient times, and a satisfactory site for the hearing. (The District will not be bound by the requester's positions on these items but will, as far as possible, arrange the hearing as the requester wishes.)
- Advice that the requester may be represented or assisted in the hearing by other parties, including an attorney, at the requester's expense.

***Fourth-level decision.*** After the requester has submitted (orally or in writing) any wishes concerning the hearing officer and the time and place for the hearing, the Superintendent will, within one (1) week, notify the requester when and where the District will hold the hearing and whom it has designated as the hearing officer [34 C.F.R. 300.621, 99.21, 99.22, and 99.34].

At the hearing, the hearing officer will provide the requester a full and reasonable opportunity to present material evidence and testimony to demonstrate that the questioned part of the student's education records is incorrect as shown in the requester's written request for a change in the record (second level).

Within one (1) week after the hearing, the hearing officer will submit to the Superintendent a written summary of the evidence submitted at the hearing. Along with the summary, the hearing officer will submit recommendations, based solely on the evidence presented at the hearing, that the record should be changed or should remain unchanged.

The Superintendent will prepare the District's decision within two (2) weeks after the hearing. That decision will be based on the summary of the evidence presented at the hearing and on the hearing officer's recommendation. However, the District's decision will be based solely on the evidence presented at the hearing. Therefore, the Superintendent may overrule the hearing officer if the hearing officer's recommendation is deemed inconsistent with the evidence presented. As a result of the District's decision, the Superintendent will take one (1) of the following actions:

- If the decision is that the District will change the record, the Superintendent will instruct the record custodian to correct the record. The record custodian will correct the record and notify the requester as at the second-level decision [34 C.F.R. 300.620 and 99.21].
- If the decision is that the District will not change the record, the Superintendent will prepare a written notice to the requester that will include [34 C.F.R. 300.620 and 99.21]:
  - The District's decision that the record is correct and will not be changed.
  - A copy of a summary of the evidence presented at the hearing and a written statement of the reasons for the District's decision.
  - Advice to the requester that an explanatory statement may be placed in the student's education records stating the reasons for disagreement with the District's decision and/or the reasons for believing the record to be incorrect.

***Final administrative step in the procedure.*** When the District receives an explanatory statement from a requester after a hearing, it will maintain that statement as part of the student's education records as long as it maintains the questioned part of the record. The statement will be attached to the questioned part of the record and whenever the questioned part of the record is disclosed the explanatory statement will also be disclosed [34 C.F.R. 300.620 and 99.21].

**Annual Notification to Parents Regarding  
Confidentiality of Student Education  
Records [34 C.F.R. 300.612]**

Dear Parent:

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. The Board has established written policies regarding the collection, storage, retrieval, release, use, and transfer of student educational information collected and maintained pertinent to the education of all students to ensure the confidentiality of the information and to guarantee parents' and students' rights to privacy. These policies and procedures are in compliance with:

The Family Education Rights and Privacy Act; Title 20, United States Code, Sections 1232g and 1232h; and the Federal Regulations (34 C.F.R., Part 99) issued pursuant to such act;

Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT ACT);

No Child Left Behind Act of 2001 (NCLB); and

The Individuals with Disabilities in Education Act; 20 U.S.C. Chapter 33; and the Federal Regulations (34 C.F.R. Part 300).

Student education records are collected and maintained to help in the instruction, guidance, and educational progress of the student, to provide information to parents and staff members, to provide a basis for the evaluation and improvement of school programs, and for legitimate educational research. The students' records maintained by the District may include - but are not necessarily limited to, identifying data, report cards and transcripts of academic work completed, standardized achievement test scores, attendance data, reports of psychological testing, health data, teacher or counselor observations, and verified reports of serious or recurrent behavior patterns.

These records are maintained in the office of the District under the supervision of the school administrator and are available only to the teachers and staff members working with the student. Upon request, the School discloses education records, including disciplinary records without consent to officials of another school district in which a student seeks or intends to enroll. Otherwise, records are not released to most agencies, persons or organizations without prior signed and dated written consent of the parent [34 C.F.R. 99.7]. The signed and dated written consent may be in electronic form under certain conditions [34 C.F.R.99.30].

You shall be informed when personally identifiable information collected, maintained, or used is no longer needed to provide educational services to your child. The information must be maintained for two (2) years after the date your child was last enrolled in this school district.

You have the right to inspect and review any and all records related to your child within forty-five (45) days of the day of receiving a request for access, including a listing of persons or organizations who have reviewed or have received copies of the information [34 C.F.R. 99.7]. Parents who wish to review their children's records should contact the principal for an appointment or submit to the principal a written request that identifies the record(s) you wish to inspect. School personnel will make arrangements for access and notify you of the time and place where the records may be inspected. School personnel will be available to explain the contents of the records to you. Copies of student education records will be made available to parents when it is not practicable for you to inspect and review the records at the school. Charges for the copies of records will be costs of copying unless the fee prevents the parent from exercising rights to inspect and review those records.

You have the right to request that an amendment be made to the student's education records and to add comments of your own if you believe information in the record file is inaccurate or misleading [34 C.F.R. 99.7(a)(1)]. You should write the principal, clearly identify the part of the record you want changed, and specify why it is inaccurate or misleading. If the School decides not to amend the record as requested by you, the School will notify you of the decision and advise you of your right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to you when notified of the right to a hearing.

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

Copies of the District student education records confidentiality policies and procedures may be reviewed in the assigned office in each school [34 C.F.R. 99.7]. You have the right to file a complaint with the Family Educational Rights and Privacy Act Office in Washington, D.C., concerning alleged failures by the School to comply with the requirements of FERPA [34 C.F.R. 99.7]. The name and address of the Office that administers FERPA are:



**Washington, DC 20202-4605**

Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT ACT);

[illegible]

No Child Left Behind Act of 2001 (NCLB);

[illegible]

The Individuals with Disabilities in Education Act; 20 U.S.C. Chapter 33; and the Federal Regulations (34 C.F.R. Part 300); and

[illegible]

New Mexico Revised Statutes, Title 15, sections 141 and 142.

[illegible][illegible]



[illegible]

[illegible]

**EXHIBIT      EXHIBIT****STUDENT RECORDS****Locations of Education Records**

<b>Types</b>	<b>Location</b>	<b>Custodian</b>
Cumulative school records	School site	Principal
Cumulative school records (former students)	School site	Principal
Health records	School site	Principal
Speech therapy records	Student services office	Special education director
Psychological records	Student services office	Psychologist
Special test records	School site	Principal/counselor/ psychologist
School transportation records	Transportation	Principal/transportation director
Occasional records: education records not identified above, such as those in the Superintendent's office, in the school attorney's office, or in the personal possession of teachers (examples: discipline records, Honor awards)	The principal will collect and make available at the student's school	

EXHIBIT EXHIBIT

STUDENT RECORDS

DESIGNATION OF DIRECTORY INFORMATION

During the school year, District staff members may compile nonconfidential student directory information specified below.

According to state and federal law the below-designated directory information may be publicly released to educational, occupational or military recruiting representatives without your permission. If the Board permits the release of the below-designated directory information to persons or organizations who inform students of educational or occupational opportunities, by law the District is required to provide the same access on the same basis to official military recruiting representatives for the purpose of informing students of educational and occupational opportunities available to them, unless you request in writing that the school not to release the student's information without your prior signed and dated written consent. *If you do not object to the release of any and all of the below-designated information in writing, then the District must provide military recruiters, upon request, directory information containing the student's names, addresses and telephone listings.*

If you *do not* want any or all of the below-designated information about your son/daughter to be released to any person or organization without your prior signed and dated written consent, you must notify the District in writing by checking off any or all of the rejected information, signing the form at the bottom of this page, and returning it to the Principal, within two (2) weeks of receiving this form. If the School District does not receive this notification from you within the prescribed time, *it will be assumed that your permission is given* to release your son's/daughter's designated directory information.

-----  
TO: Principal

I *do not* want **any or all** the information I have ☒ below concerning (student's name) \_\_\_\_\_ designated as directory information and released to any person or organization without my prior signed and dated written consent:

- ☐ Name    ☐ Address
- ☐ Telephone listing    ☐ Electronic mail address
- ☐ Date and place of birth    ☐ Photograph
- ☐ Dates of attendance    ☐ Grade level
- ☐ Honors and awards received    ☐ Major field of study
- ☐ Enrollment status (e.g., part time or full time)
- ☐ Participation in officially recognized activities and sports
- ☐ Weight and height of members of athletic teams
- ☐ Most recent educational agency or institution attended

\_\_\_\_\_  
(Parent/guardian signature)

\_\_\_\_\_  
(Date)

**EXHIBIT      EXHIBIT**

**STUDENT RECORDS**

**(Notification to New School of Attendance  
of Records Available at Previous  
School of Attendance)**

Dear Principal,

\_\_\_\_\_ has been attending District school(s) at \_\_\_\_\_, New Mexico. Records available at our school contain information that should be helpful to your staff in developing an educational program. Our student education records policy permits forwarding copies of records to schools in which the student intends to enroll upon a formal request to receive them.

To expedite the transfer of the information, please review the enclosed Request for Student Education Records and check the records for which you are requesting a copy.

Return this form and the enclosed Request for Student Education Records to:

\_\_\_\_\_

(Records Custodian)

\_\_\_\_\_

(School District Name)

\_\_\_\_\_

(Date)

\_\_\_\_\_

(Address)

Enclosed: Request for Student Education Records

EXHIBIT EXHIBIT

STUDENT RECORDS

(Request for Student Education Records)

Copy to

student  
file

_____	_____
Name of Agency	Address

Requester

_____	_____
Name of Authorized Person	Phone

---

Requested \_\_\_\_\_  
from \_\_\_\_\_

Name of Agency	Address
----------------	---------

---

_____	_____
Student Name	Address

Student \_\_\_\_\_

Parent Name	Address
-------------	---------

_____	_____	_____
Previous School	Address	Dates Attended

---

☐ No information available    ☐ Need information to help prepare  
about previous school program    an educational program for the

☐ Need assistance in under-    student

Purpose for    standing complex behavior    ☐ Need verification that the student



request and needs has a disability

- ☐ Need evaluation information for immediate special education placement ☐ Other: \_\_\_\_\_

---

Permanent record data: ☐ Basic identifying data, attendance data, and academic data

General cumulative data: ☐ General administrative data and results

Type of information of group tests

Health data: ☐ General medical data and reports

requested Specialized student data: ☐ Individualized evaluation records and specialized reports (including reports from outside agencies)

Special education placement records: ☐ All records of placement if special education

Suspension and/or expulsion records: ☐ All records of suspension and/or expulsion

---

In making this request, the undersigned agrees that the information received will be used only by the professional school staff members who are assigned to work with the student in the educational program and will not be released to any other party without the prior written consent of the parent.

signatures

\_\_\_\_\_

Date Requested

Authorized Signature

---

I, \_\_\_\_\_, consent to the release of records

*Consent*            listed above to the party named above. I am aware of my rights to review the records  
and receive a copy at my expense, if I so request.

_____	_____
(Signature of Parent)	(Date)

**- or -**

_____	_____
(Signature of Eligible Student)	(Date)

EXHIBIT EXHIBIT

STUDENT RECORDS

RECORD OF ACCESS

(To be Placed Inside the Student's Record File.)

Requester (Name or Agency)	Date of Request	Date Request Filled	Records Requested	Method of Access (C- copy, E- examine, V-Verbal)	Educational Interest or Purpose	Date Parents Notified

EXHIBIT EXHIBIT

**STUDENT RECORDS**

**DESTRUCTION OF INFORMATION**

Date \_\_\_\_\_

Dear \_\_\_\_\_ (parent or guardian) \_\_\_\_\_,

This is to advise you that District schools may destroy special education data and other information on a student who has been in a special education program whenever the student has been withdrawn, transferred, or graduated from the District for at least five (5) years or when the information is no longer needed to provide education services to

\_\_\_\_\_ (Student's name) \_\_\_\_\_

However, information contained in these records may be needed for other purposes, such as documentation for eligibility for Social Security benefits.

Before these records are destroyed, you have the right to review the records and obtain copies of any information. Please indicate your desire below and return this form to the School District before

\_\_\_\_\_ (Date) \_\_\_\_\_

Sincerely,

\_\_\_\_\_

Signature and Title of District Official

I ☐ **Do** ☐ **Do Not** wish to review the records of \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Parent's or Guardian's Signature      Date

**If you do not complete and return this form within 90 days, records will be destroyed in accordance with established policy.**

LEGAL REF.: [20 U.S.C. 1232](#)(f)(a)

34 C.F.R. 80.42

EXHIBIT EXHIBIT

STUDENT RECORDS

(Transcript Release)

Request \_\_\_\_\_

for Student Name Identification Number Class/year

Transcripts may be released to those indicated below

Check ☐ Postsecondary Institutions ☐ United States Armed Forces

Those

That ☐ State Militia (National Guard) ☐ Other: \_\_\_\_\_

Apply \_\_\_\_\_

\_\_\_\_\_

In making this request, the undersigned agrees that a transcript requested

Assurance by a party meeting the description indicated above may be transmitted upon

statement such party's request without further authorization .

and The student and parent must sign this request if the student is under 18 years  
signatures of age. Only the student need sign if over 18 years of age.

\_\_\_\_\_

Date Requested

Student \_\_\_\_\_

Print Name

Authorized Signature and date

I, \_\_\_\_\_, as the parent of \_\_\_\_\_,  
(Parent Name) (Student's Name)

Parental consent consent to the release of transcripts to the party named above. I am aware of  
my rights to review the records and receive a copy at my expense, if I so request

statement \_\_\_\_\_

(Date)

Parent \_\_\_\_\_

*authorization*

Print Name

Authorized Signature and date

**J-7200 © JRCA  
REQUEST FOR TRANSFER  
OF RECORDS**

The Superintendent shall develop procedures that comply with federal and New Mexico law related to the request for, and the response to such request for, records of students who transfer into or out of the schools of the District from or to another school.

*Adopted:*    date of manual adoption

LEGAL REF.:    [20 U.S.C. 1232](#)

**REGULATION REGULATION**

**REQUEST FOR TRANSFER  
OF RECORDS**

**Requesting Records of Transfer Students**

Upon enrollment of a transfer student from a private school or from a public school in another district, the principal shall request that the student's parent or guardian (or an emancipated student) authorize consent for the request for the student's education records on form JR-ED.

Within five (5) school days after enrolling a transfer student from a private school or from a public school in another district, the principal shall request, directly from the student's previous school, a certified copy of the student's record.

**Responding to Requests for Student Records**

Upon receiving a request for the records of a student who has withdrawn from school, the principal shall comply and forward the record within five (5) days after receipt of the request, unless the request does not conform to the requirements related to proper release of records by an emancipated student or parent.



**J-7250   ©   JRD**  
**STUDENT PHOTOGRAPHS**

The Superintendent shall establish procedures for selection of school photographers and collection of funds for school pictures.

In any circumstance where an agreement or arrangement for school photography requires prepayment by students prior to the receipt of services and products, the photography company shall provide a copy of a current commercial performance bond in an amount not less than the total projected receipts to be collected from students.

*Adopted:*    date of manual adoption

**REGULATION      REGULATION**

**STUDENT PHOTOGRAPHS**

School pictures may be taken for individual or school purposes.

The selection of a school picture photographer shall be considered annually. Specifications for photographic products and services must be drafted to serve as a standard for proposals that shall be solicited from qualified studios or individuals. Proposals shall be solicited from qualified persons. Proposals shall be evaluated according to the following criteria:

- Ability to provide required services in a timely manner.
- Quality of service and products.
- Reliability of contractor.
  - Contractor experience and reputation.
- Lowest cost to students.

The Superintendent shall select a school photographer.

Procedures for collection of funds for school pictures shall be approved by the principal.

If an agreement or arrangement for school photography requires the students to prepay for their pictures, the photography company must provide a copy of their current commercial performance bond in an amount at least as great as the cumulative gross total amount of money to be collected from the students.

