

# **Cien Aguas International School**

## **Student Handbook**



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**CIEN AGUAS INTERNATIONAL SCHOOL**

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## **Section I: Purpose**

### **Mission**

CAIS is a K-8 school with a focus on dual language instruction, inquiry, and environmental sustainability. Cien Aguas seeks to develop students who can ask and investigate important questions about the world around them, are committed to a sustainable society, and are working toward cross-cultural competence, bilingualism and biliteracy in Spanish and English.

### **Philosophy**

Cien Aguas is a dual language school with instruction in Spanish and English, and will employ a curriculum framework that fosters meaningful, inquiry-based teaching and learning. It utilizes the dynamic instructional strategies of Project GLAD (Guided Language Acquisition Design) to reach all learners in ways that are active, energetic, and engaging.

The founders of Cien Aguas are five bilingual educators with expertise in program and curriculum design.

Our school will:

- Create a productive learning environment for students of diverse backgrounds.
- Demonstrate that English language learners are capable of higher levels of achievement than the levels they are currently reaching in public education.
- Act as a model for the wider community of schools with Bilingual and English as a Second Language (ESL) programs.
- Root itself in inquiry-based learning, pursuing depth of knowledge rather than superficial achievement.
- Use good literature and student-centered instructional techniques rather than core reading programs, and demonstrate the long-term success of these methods on student achievement.
- Offer a high-quality dual language middle school for the graduates of dual language elementary schools in the Albuquerque Public Schools, featuring a small school environment and significant student-teacher interaction.
- Model environmental sustainability through responsible practices and community commitment to creating a green school. The ultimate goal is to create a zero-energy campus that gets a monthly check from PNM because it generates more energy than it uses.

Cien Aguas holds the philosophy that an academically challenging school for a diverse population will yield excellent results when:

- The academic program is developed with care by committed, well-educated professionals using first-rate curriculum and instructional methods.
- The curriculum is based in rich, important, and meaningful content that aligns with New Mexico standards and benchmarks.
- Teaching and learning are energetic and active.
- Teaching and learning are reflective and focus on process as well as product.
- Teaching and learning promote the importance of working in a team, and the sense of belonging that comes from being accountable to the group.
- An atmosphere of mutual respect is maintained among staff, students and parents.

## Dual Language Philosophy

Cien Aguas is a dual language school. Dual language may also be known as bilingual immersion. It means the teaching of academic subjects in two different languages, which hold equal status at the school. The languages of Cien Aguas are English and Spanish.

Although Cien Aguas recognizes the primary importance of competence in English for residents of the United States, it will work through its curriculum and atmosphere to teach all students that no language is by its nature superior to others. Our school offers instruction in only two languages, but it will guide its students to appreciate the number and variety of languages throughout the world.

The Center for Applied Linguistics, a research organization in Washington, D.C, states on its website: *Well-implemented two-way immersion programs are among the most impressive forms of education available in the United States. Students who participate in these programs gain grade level academic ability, well-developed language and literacy skills in two languages, and cross-cultural competence.* ([www.cal.org/twi](http://www.cal.org/twi), accessed June 22, 2008)

## Dual Language Program Model

The Cien Aguas elementary school will follow a 90:10 program model. Instruction in kindergarten will be given 90% in Spanish and 10% in English. The amount of English will increase every year until a 50%-50% balance is reached in fourth grade. The middle school will follow a 50:50 program model, in which 50% of instruction is delivered in each language.

Literacy instruction at Cien Aguas will begin in Spanish for all students in kindergarten, and formal English literacy instruction will be added in second grade. This approach follows two bodies of research. The first has studied minority language speakers – who in Cien Aguas will be the students with a primary home language of Spanish. This body of research shows that “students who receive considerable native language literacy instruction eventually score much higher on literacy tests in English and in their native language than students who have been

provided literacy instruction largely or entirely in English.” In other words, these students do better both in their native language *and* in English if they learn to read in their native language first. The second body of research, which is from Canada and the United States, focuses on language majority students – who at Cien Aguas will be the students with a primary home language of English – and shows that “teaching literacy through the second language does not place language majority students at risk in their development of the two languages. By third or fourth grade they usually score at least as high as native English speakers from monolingual classrooms on standardized tests of reading achievement.” This means that parents should not worry that their English-speaking children’s English will suffer because of all the Spanish they are learning. The quotes are from the [Guiding Principles for Dual Language Education](#) available on the Center For Applied Linguistics website page 31.

## **Cien Aguas Philosophy and Approach to Learning**

### *Learning is energetic and active*

All students participate in the traditional core academic subjects, as well as physical education, arts education, environmental education and social/interpersonal education. In grades K-5, most of these subjects will be integrated into a thematic unit. In grades 6-8, the subject areas will be distinct.

The pace of a Cien Aguas day is brisk and varied. During some part of the day, most every Cien Aguas student will be learning in a second language. Dynamic strategies will be used to keep every child involved and able to understand in his/her second language. Students will be expected to participate fully during the entire school day.

### *Learning is reflective and focuses on process as well as product.*

Cien Aguas has a focus on inquiry; students are expected to ask, research and answer important questions. They will also be asked to reflect on their own learning and their own behavior. Because the process of working and learning together is a priority, student attendance is especially important. It will be hard for students to make up for missed class time by completing extra assignments.

### *Learning promotes the importance of working in a team, and the sense of belonging that comes from being accountable to the group.*

Cooperative learning groups are features of all Cien Aguas classrooms. Students will not receive group grades for academic content, but they will be evaluated on their ability to work well in groups. Research tells us this is one of the most important skills for success in the workplace.

### *Learners are respected at Cien Aguas.*

We do not expect that students will know everything – only that they are willing to do their best to learn.

We put equal value on their ability to answer questions and their ability to ask good questions.

Everyone in the Cien Aguas community is expected to show respect. Staff will use respectful language to other adults and to students, and they will expect that students will speak and behave respectfully to one another at all times. Respectful behavior is also expected of family members.

### *Instructional time is a priority at Cien Aguas.*

Our school revolves around what happens in the classroom. This means that we put a priority on time to teach and learn. Interruptions will be kept to a minimum. The administration will try not to pull teachers out during the school day for professional development or other reasons. We ask parents to respect instructional time by making an appointment if they need to speak to a teacher. A parent, who needs to speak to a teacher briefly, or urgently, is asked to do so before or after school whenever possible, rather than interrupting instruction.

### *We expect students to respect instructional time in the following ways:*

- Having excellent attendance
- Arriving at school on time and ready to learn
- Staying for the entire school day
- Minimizing classroom interruptions
- Participating in all learning activities.

### *Special needs*

Cien Aguas, as a public school, is responsible for following the Individuals with Disabilities Act and the Individualized Educational Plans of students in special education, as well as the Americans With Disabilities Act and Section 504 of the Rehabilitation Act. Certified special education teachers will be responsible for coordinating the implementation of student IEPs, including meeting the time obligations as written in the IEP, modifying instruction to meet students' capabilities, and communicating with parents and regular education teachers as needed. Other required therapies and interventions specified by the IEP may be met by contracted staff. Special education is a legally mandated education program that allows students with exceptional needs equal access to the least restrictive educational environment. The philosophy of Cien Aguas regarding students with special needs is that students should be included in all classroom learning activities to the extent that such participation is beneficial for them and others. The multi-level classrooms of Cien Aguas are designed to be places that welcome a range of students with diverse strengths and needs.

## Special Programs

### Fine Arts

The arts subject group of the curriculum encompasses:

- visual arts
- performing arts.

At Cien Aguas, students will be exposed to the art forms and aesthetic values of other cultures as well as their own, and helped to make connections between ideas and art. They will also be encouraged to identify particular creative abilities and to master techniques appropriate to those forms of expression.

The program:

- organizes learning around the creative cycle—a dynamic, ongoing process of sensing, planning, creating and evaluating art, and one in which all the senses are involved
- encourages creative energy, communication, interaction and reflection
- aims to help the student become a developing artist—one who is able to assess the level of skill and target the areas that need development
- seeks to acquaint young people with the creations of men and women whose works have proven to be of enduring worth.

### Physical Education

The goal of Cien Aguas' physical education program is to cultivate a healthy and active lifestyle for students. Activities will not only be enjoyable, but will also contribute to healthy living. Students will develop the motor skills necessary to enable them to participate successfully in a variety of physical activities, and learn about the nature of physical fitness. The broader aim of physical education in the Middle Years Program is to facilitate physical, intellectual, emotional, and social development.

### Technology

The technology goal of the Cien Aguas elementary school is to familiarize students with computers as learning and research tools. This includes computer programs and use of the internet. Keyboarding (formal typing instruction) is a subject in grades 4 and 5.

The technology goal of the Cien Aguas middle school is to stimulate students' ingenuity, and encourage them to combine intellectual talents and practical skills. In particular, students are encouraged to display creativity in devising practical solutions to given tasks. Students use the design cycle to:

- investigate

- design
- plan
- create
- evaluate



## Teaching Philosophy and Approach

### Teaching is energetic and active.

At Cien Aguas, teachers demonstrate and use all the strategies they expect the students to use. Teachers employ the dynamic strategies of “Project GLAD” in order to help students understand and participate during the entire school day, in both languages. In grades 1-5, teachers implement complete GLAD units. In Kindergarten, teachers implement early childhood GLAD units, and in grades 6-8, teachers make use of GLAD strategies as a tool in their instruction. Classroom teachers in grades K-5 are also drama teachers and will incorporate drama activities into their curriculum.

Classroom teachers in every grade use an inquiry approach to guide their instruction. This means that teachers actively plan curriculum and gather resources for students. They create many of the materials they use.

### Teaching is reflective and focuses on process as well as product.

Cien Aguas implements an inquiry approach to learning. Inquiry is the asking and answering of important questions. The role of the teacher in an inquiry classroom is to act more as facilitator than expert. The teacher learns to ask the students questions, instead of handing them answers. This makes the students focus their learning and work to find out the answers for themselves.

Grade level teacher teams meet in weekly collaboration to plan together and reflect upon their instruction. How did the lesson go? Are the students learning what we wanted them to learn? How do we know? How can we improve what we are doing? These are some of the questions that will be asked over and over. This is part of the process of “guided inquiry” – putting responsibility for learning into the hands of the students, but always taking care as a teacher to review their progress and steer them in the right direction.

### Teaching promotes the importance of working in a team, and the sense of belonging that comes from being accountable to the group.

In the classroom, teachers expect students to work together productively. They do not just assume that students can do this; they teach them how and review these skills again and again. Students are expected to solve problems in their groups. Group configurations change over the course of the year, but it is not common practice to move students from one group to another in the middle of a curriculum unit.

Teachers are also expected to work cooperatively with one another. Grade-level teams are responsible for meeting regularly to plan curriculum together. In

addition, the entire staff meets regularly and works to develop its own identity as a team.

## **Special Education: Continuum of Services**

1. To ensure that Cien Aguas International School provides appropriate special education and related services to eligible students in compliance with federal and state laws and regulations.
2. The school will have a continuum of alternative placements available to meet the needs of students eligible for special education and related services.
3. The continuum of alternative placements which may be considered by an IEP team as possible for special education will include:
  - a. Instruction taking place in:
    - i. Regular education classes (full time or part time)
    - ii. Special classes (full or part time)
  - b. Supplementary services, including but not limited to resource rooms, and instruction, to be provided in conjunction with the student's regular class placement.

## **Section II: Admissions**

### **Admission Policy**

**Applications Available:** 8:30 a.m. on the First Monday of December

**Application Deadline:** 4:00 p.m. on the Last Friday of February

**Lottery Drawing:** 4:00 p.m. on the First Monday of March

#### **Free Public Charter School**

Cien Aguas International School is a public charter school funded by the state of New Mexico. It does not charge tuition or have admission requirements.

#### **Instructional Program**

Cien Aguas International School is a dual-language school with high-level instruction in both Spanish and English. Because of this, any students wishing to enroll in **second grade and above** will be better prepared for school success if they already have a working knowledge of both languages. At Cien Aguas, 90% of the day in kindergarten, 80% of the day in first grade, 66% of the day in second and third grade, and 50% of the day in fourth through eighth grades will be conducted entirely in Spanish.

#### **Procedures**

**Enrollment Applications will be made available** at 8:30 a.m. on the first Monday of December of the current school year. The online application will be available on [www.cienaguas.org](http://www.cienaguas.org) and a paper copy can be completed at the front office of Cien Aguas International School located at 2501 Buena Vista Drive SE. All applications must be completed either online or hand-delivered to our office. If parents/guardians need assistance completing the form in English or Spanish, they must call the school at 505-255-0001.

**When an application is received** the child's name and information are logged in a lottery database by the grade indicated on the application. Receipts are provided in person for hand-delivered applications. A confirmation email of receipt is sent to the parent email that was provided on the online application. Parents/guardians are fully responsible for verifying all information entered on the application. Any errors entered in contact information, grade level, or date of birth can result in a student not being granted admission.

**The Application Deadline** is 4:00 p.m. on the last Friday of February of the current school year. All paper applications must be received in person no later than 4:00 p.m. on the last Friday of February. The online application closes at

4:00 pm on the last Friday of February. No exceptions will be made for late submissions.

**After the enrollment window has closed**, parents/guardians can review the names of all students who will be participating in the lottery for each grade level. Three days before the lottery (Monday of the lottery week). Parents/guardians should review the list posted in the front office of the school. Parents/guardians may either review the list in person or call to verify that their child's name is listed. It is the parent's/guardian's full responsibility to verify that their child is listed. If for some reason it is found that a child is not on the list even though an application was submitted, the receipt will serve as verification that a child should be included. The school must be notified immediately to further investigate and correct the error situation. Once the lottery has started, no more reviews or corrections may be made.

**Immediately before the lottery drawing** if there are enough spaces at a given grade level, all applicants will be admitted. If there are more applicants than spaces available, admission will be determined through the lottery.

**The lottery drawing** will be held on the first Monday of March of the current school year at 4:00 p.m. virtually. A telecommunication platform (IE - Zoom) will be created and a link will be shared with all applicants to the email addresses provided on their student's application. Attendance of the lottery is optional. Attending the lottery does not affect a child's chances of being drawn. Lottery proceedings are open to the public.

**The lottery process:**

1. Priority for enrollment is offered to our returning students.
2. The second priority is extended to children of CAIS staff.
3. The third priority is extended to the siblings of those returning students.
4. Once all priority groups listed above have been identified and admitted, available spaces per each grade level will be determined.

Student names for a given grade level will be drawn one by one starting with the lowest grade requiring a lottery. The first name pulled will be assigned number one, the second name will be number two, and so on until every name is assigned a number.

The number drawn refers to the child's place on the waiting list.

**Lottery results** are posted the morning after the drawing at the school's front office. Parents/guardians who are unable to view the list in person may call the office to find out the status of their student's admission. The results of the drawing are not mailed.

- For students who were waitlisted, families may expect an email informing them of this status. A contact number will be provided for families to reach the school to inquire about the number their student is assigned on the waitlist.
- Even if a child draws a low lottery number, space is not guaranteed until there is an official opening in that grade level.
- It is the parent's/guardian's responsibility to ensure that the contact information provided on the application is correct and legible. If we are unable to reach the parent/guardian within the allotted time listed below, the space will be forfeited to the next person on the list.

**After a student is selected in the lottery** parents/guardians must pick up and return completed enrollment/registration forms within **48 HRS**. A selected student whose enrollment forms are not received in the school office within **48 HRS** forfeits his/her spot to the next student on the waiting list.

When a student on the waiting list is offered admission **the parent/guardian will have 48 hours to respond to the offer. If accepted, a completed registration packet must be received within 48 hours of acceptance. If parents/guardians fail to respond within the allotted time, the position will be forfeited to the next person on the list.**

**On the first day of school**, the student is expected to attend. If the child is not in attendance **by day three**, and the child hasn't been called in as excused, the position will **immediately** be forfeited and offered to the next student on the waiting list.

## **Admission for Siblings of Current Students**

New Mexico statute 22-8B-4.1 describes the enrollment procedures for admitting students to charter schools in their second year and beyond as being able to give preference to:

1. students who have been admitted to the charter school through an appropriate admission process and remain in attendance through subsequent grades; and
2. siblings of students already admitted to or attending the same charter school.

Our school gives priority to siblings of current students ahead of number one in the lottery in each grade. However, like all prospective students, the application must be received by the same deadline.

Verification of sibling relationships is required. A sibling is defined as a brother or sister living in the same household with one or both parents in common, a half or step-sibling, or a foster child or child under legal guardianship of parent(s) of a student currently attending Cien Aguas. Birth certificates or documentation of legal guardianship must show the relation between the student and parent/guardian.

## **Admission for Relocating Military Families**

Military families relocating to military installations in New Mexico pursuant to official military orders may submit their student's name for the lottery and, if selected, enroll their student in CAIS, prior to actual physical presence in the state. The school shall accept electronic enrollment applications from military families relocating to New Mexico pursuant to official military orders, and shall provide such families requesting information with information regarding the School's program, materials regarding academic courses, electives, sports and other relevant information regarding the School. A student's parent:

- (1) shall provide proof of residence in the state within forty-five days after the published arrival date provided on official military documentation; and
- (2) may use any of the following addresses related to the family's military move:
  - (a) a temporary on-base billeting facility;
  - (b) off-base military housing; or
  - (c) a purchased or leased residence.

Ref.: §22-8B-4.1 NMSA 1978; §22-1-4 NMSA 1978

### **Section III: Operation**

## **Attendance for Success Policy**

**PURPOSE.** To articulate an attendance policy that meets the requirements of the New Mexico Attendance for Success Act (“Act”). NMSA 1978, §§22-12A- 1 et seq. This Policy applies to students and their parents or legal guardians.

**POLICY STATEMENT.** CAIS (“School”) requires a high level of participation in engaged learning. Regular classroom attendance enables students to benefit from classroom discussions, presentation and interactive activities. These shared academic experiences are integral to the learning process.

The presence or absence of each student must be recorded each school day. Teachers follow School directives and state requirements in coding unexcused/excused absences and tardiness. The school also complies with mandatory reporting or record keeping of student absenteeism that is required to be submitted to the Public Education Department.

The New Mexico Attendance for Success Act requires that all school-age children attend school until the age of eighteen, or until they graduate from high school or receive a GED certificate. This Policy implements the Act; to the extent that any portion of this Policy conflicts with state law, the state law shall control.

### **DEFINITIONS**

“Absence” is when a child is not at school for a class or school day, whether excused or not, provided that Absence does not apply to participation in interscholastic extracurricular activities.

“Absence equivalencies”:

- Any combination of two Half-Day Excused absences will equate to one Excused Absence.
- Any combination of two Half-Day Unexcused Absences will equate to one Unexcused Absence.

“Chronically Absent” means an absenteeism rate of 10%, but less than 20% of classes or school days, regardless of the reason for absence, and/or whether excused or not. Chronically absent students require Early Intervention; see below.

“Early Release” is a student’s departure from school 30 minutes or less prior to dismissal for reasons listed in this Policy. Early releases longer than 30 minutes will be considered a Half-Day absence.

“Excessively Absent” means an absenteeism rate of 20% or greater from classes or school days, regardless of the reason for the absence and/or whether excused or not. Excessively Absent students require Intensive Support; see below.

“Excused Absence” An absence due to illness, medical absence, death in the family, religious instruction or tribal obligations. At the School’s discretion, a written confirmation may be required by the office when the student returns to school. If requested, such letter should come from medical practitioner, funeral service provider, provider of religious education or tribal official. Special family situations may be considered appropriate for excused absence when prior approval is received from the Director. The Director’s decision on the request shall be considered final.

“Excused Absence due Interscholastic Extracurricular Activity” Except for C and D level special education students, a student must 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 eligible to participate in any interscholastic extracurricular activity. A grading period is not less than 6 weeks. A student cannot miss classes in excess of 15 times per semester due to interscholastic extracurricular activity.

“Excused Absence due to Religious Instruction” A student may, subject to the prior approval of the Director, be absent from school to participate in religious instruction for not more than 1 class period of the school day with the written consent of the parent/guardian, at a time that is not in conflict with the academic program of the school. School does not assume responsibility for the religious instruction for any student, nor does it permit religious instruction to be conducted on School property. School shall provide time for the student to make up the school work missed during the absence.

“Excused Absence due to Tribal Obligations” A student may, subject to the prior approval of the Director, be absent from school to participate in tribal obligations with the written consent of the parent/guardian. The School shall provide time for the student to make up the school work missed during the absence.

“Excused Absence for Birth of Child” A student who provides documentation of a birth of that student’s child shall be provided at least 10 days of Medical Absence and be provided time to make up work during the absence.

“Excused Absence for Parenting Student” A student who provides documentation of pregnancy or that a student is a parent of a child under the age of 13 needing care, shall be provided four days of Excused Absences and an opportunity to make up work missed during the absence.

“Excused Early Release” is an early release for excused reasons listed in this Policy.

“Excused Half Day Absence” is a half day absence from school for excused reasons identified in this Policy.

“Excused Tardy” is a Tardy for excused reasons listed in this Policy.

“Half Day Absence” is an absence from school for less than half the school day.



“Medical Absence” means a student does not attend for a class or a school day for a parent or doctor-authorized medical reason.

“Online Assignments for Pregnant and Parenting Students” Pregnant and parenting students may be afforded the opportunity to attend online classes and such time shall not be counted as Absences as long as the students are online with the School or other appropriate virtual course and complete their class assignments according to the class requirements. Such opportunity shall be approved by the Director who may set limitations for the duration or extent of participation in online classes.

“Tardy” is an arrival to school after the start of the day, but 30 minutes or less late. Late arrivals in excess of 30 minutes will be considered a “Half Day Absence.”

“Unexcused Absence” is an absence from school or from a class for which the student does not have an allowable excuse as identified in this Policy.

“Unexcused Half Day Absence” is a half day absence from school or from a class for which the student does not have an allowable excuse as identified in this Policy.

“Voluntary Withdrawal” is the School interpreting a student’s continued Unexcused Absences to constitute a voluntary disenrollment of the child from the School, after all School’s intervention attempts have been exhausted. Voluntary withdrawal is not an expulsion of a student and does not require the due process for expulsion. After 10 consecutive absences, a Cien Aguas student will be withdrawn.

## **PROCEDURES**

### **1. Attendance Requirements**

- a. The Act requires that all persons between the ages of 5 and 18 attend a public, private, or home school, or a state institution, unless that person has graduated from high school or has received a general education development certificate, or that person’s parent or guardian provides written, signed permission for that person to leave school for health reasons or in case of hardship, and that permission is approved by the Director.
- b. Parents and guardians are responsible for their students attending school.
- c. Students enrolled in CAIS shall attend school for the length of time of the school year as established by the School’s calendar and any resulting reauthorization thereof.
- d. Students are expected to have no more than 5% absentee rate per school year, which includes both Excused Absences and Unexcused Absences.
- e. Students are expected to arrive on time to school each day and to remain in school until the scheduled dismissal.

### **2. Whole School Efforts to Ensure Student Attendance**

- . Teachers or another adult responsible for the class are required to take accurate attendance for each class of every school day.

- a. Notification of an Absence by a Parent or Guardian: The parent or guardian shall notify School's Truancy Monitor each day that his or her student will be absent from any part of the school day, except in the case of an emergency, and shall give the reason for the absence and shall provide a written parental verification upon the child's return to school.
  - b. Notification of an Unexcused Absence by the School: If a student is absent from school or class without a parent or guardian's notification of absence, School's Truancy Monitor (or the designee) will, as soon as practicable, contact the parent or legal guardian by telephone, text or e-mail to give notice of the student's Unexcused Absence and to ascertain and document the reason for the Absence.
  - c. The School shall notify parent/guardian of a child who has reached a 5% absentee rate regardless of reason for absence and shall keep a record of notification(s).
- i. Using the School's data reporting system,
1. The School will notify parents with a phone call after 3 absences
  2. The School will send a form letter home after 5 absences
  3. The School will schedule a phone conference with parents and the Director after 10 absences.
  4. After 18 absences, the student will be classified as a chronically absent student by the State of NM Public Education Department.
3. Make up of Work Missed Following an Excused Absence, parent or guardians shall discuss make-up work with the student's teacher. The teacher within which to make up the work the student missed during the absence shall give a student a reasonable time. Following an Unexcused Absence, make-up work is at the discretion of the teacher.
  4. School Actions Regarding Attendance Issues
  5. Out-of-school suspension and expulsion will not be used as punishment for Chronically Absent or Excessively Absent students. However, after explicit notification to the parent/guardian that the student is Excessively Absent despite exhaustion of all intervention efforts described in this Policy, the School may consider further Unexcused Absences to constitute a voluntary withdrawal of the child from School's enrollment.
  6. Students in need of individualized prevention (5-9% absent). The Director or designee shall communicate with the parent/guardian (either in writing or in person) and inform them of the student's attendance history, the impact of student absenteeism on student academic outcomes, the intervention or services available to the family, and the consequences of further absences, which may include referral to the Children, Youth and Families Department (CYFD) for chronic absenteeism.
  7. Early Intervention for Chronically Absent Students (10 – 19% absent)
  8. Parents/guardians of students found to be Chronically Absent shall meet with the Director or designee.
  9. The School shall notify parent/guardian of a child found to be Chronically Absent in writing, and include the date, time and location for parent/guardian to meet with Director or designee.
    1. The purpose of the meeting will be to establish an Early Intervention Plan that focuses on strategies for improving student's attendance. This plan will include an Attendance Contract and weekly monitoring and reporting of student attendance to the parent/guardian.

10. Parents of students with any further Unexcused Absence after meeting with Director or designee to develop an Early Intervention Plan may be referred to the CYFD for suspected neglect.
11. Intensive Support for Excessively Absent Students (20% or greater absent). Parents/guardians of students found to be Excessively Absent shall meet with the Director or designee.
12. The School shall notify the parent/guardian of the student found to be Excessively Absent in writing, and include the date, time and location for parent/guardian to meet with the Director or designee.
  1. The purpose of this meeting will be to establish non-punitive consequences and appropriate specialized supports to address the causes of the underlying absenteeism, and to apprise the student and parent of the consequences of further absences.
13. The Director shall consult with a student's teacher and initiate meetings with the teacher, the student, and parent if the alleged cause of absenteeism is the teacher-student relationship.
14. If Unexcused Absences continue after written notice of excessive absenteeism and after meeting with the Director, the School is required by the Act to report the Excessively Absent student to the Probation Services Office of the local judicial district court ("Probation Services Office") for an investigation as to whether the student should be considered a neglected child or child in a family of need of family services. The Director shall report to further Unexcused Absences within 10 business days after such absence. Such referrals shall include documentation of interventions provided to the family.
15. A subsequent the Probation Services Office determines that the student and/or family are in need of services, a caseworker will be assigned and will meet with the family and School to determine if any other intervention services may be provided.
16. Voluntary withdrawal for 10 Consecutive Unexcused Absences: **The School will consider 10 consecutive Unexcused Absences as a voluntary withdrawal from enrollment.** Voluntary withdrawal will be processed by the School only after:
  1. The School has documented, and exhausted intervention efforts described in this policy to keep the child in school.
  2. The School has contacted the Probation Services Office.
  3. The School has notified the parent/guardian in writing upon the fifth consecutive Unexcused Absence that accumulating 10 consecutive Unexcused Absences will constitute a voluntary disenrollment of the student. Such notice will require a scheduled meeting between the parent and Director or designee.
17. The Public Education Department's truancy prevention coordinator (or designee) or CYFD representative, or representative of the Probation Services Office, shall be permitted to access the records and information related to Chronically Absent students or Excessively Absent students.
18. The School shall provide a parent/guardian, within 5 days of parent's written request, access to attendance data of the student, including information about any intervention strategies that have been employed.

**School Action for Tardy/Early Release**

1. The School shall notify parent/guardian of a child when the child has accumulated 15 or more of any combination of Tardies or Early Releases.
  1. Chronically late/leaving early: When a student's combined total of Tardies and/or Early Releases reaches 25, the parents/guardians shall be required to meet with the Director or designee
  2. The School shall notify the parent/guardian of the student found to have 25 Tardies and/or Early Releases, and include the date, time and location for parent/guardian to meet with the Director or designee.
19. The purpose of this meeting will be to discuss methods of ensuring on-time arrival and/or limiting early dismissal of students.
20. The Director or designee will decide on appropriate consequences for continued Tardies or Early Releases.
21. Continued meetings will be scheduled for every 10 instances of tardies or early releases.

**School Action for Excessively late/leaving early**

1. When a child's combined total of Tardies and/or Early Releases reaches 55, the parents/guardians shall be required to meet with the Director or designee.
2. The School shall notify the parent/guardian of the student found to have 55 Tardies and/or Early Releases, and include the date, time and location for parent/guardian to meet with the Director or designee.
3. The purpose of this meeting will be to discuss methods of ensuring on-time arrival and/or limiting early dismissal of students.
22. The Director or designee will decide on appropriate consequences for continued Tardies or Early Releases.
23. The Director or designee may create and implement additional measures to address chronic or excessive late arrivals/Early Releases.

**Native American Students:** In carrying out its duties under this rule and the Act, the School shall take into consideration the sovereignty of a Native American tribe. While all children attending public schools must be reported to the Public Education Department or other authorities per this Policy, the School shall respect tribal laws and traditions in carrying out its duties of early identification, intervention, and parental notification.

**Supports for Students who have Experienced a Disrupted Education**

1. "Disrupted Education" refers to a student who has one or more changes of school enrollment during a single school year as a result of
2. Homelessness as defined by the McKinney-Vento Homeless Assistance Act and as otherwise determined by the School;
  1. An Adjudication:
    1. As an abused or neglected child as determined by CYFD;
    2. A part of a family in need of court-ordered services or voluntary placement pursuant to the Family Services Act; or
    3. As a delinquent if the parent or guardian wishes to disclose the adjudication of delinquency; or

4. Placement in a mental health treatment facility or rehabilitation program for developmental disabilities, or placement in foster care.
3. A student who has experienced a Disrupted Education shall have:
  1. Priority placement in classes that meet state graduation requirements; and
  2. Timely placement in elective classes that are comparable to those in which the student was enrolled at the student's previous school as soon as the School receives verification from the student's records.
4. A student who has experienced Disrupted Education and has transferred between public schools shall receive credit for any work completed prior to the transfer, regardless of whether the transfer occurred at the end of a grading period.
5. Distribution of Attendance Policy. Upon enrollment at School, parents and guardians will be provided a copy of the Attendance Policy/Family Handbook and the School will keep a current version on its website.

### **School Responsibilities**

To ensure that the Cien Aguas International School is maintaining accurate records and supporting students and parents:

1. Class attendance must be taken and maintained for each student enrolled in school every instructional day. The classroom teachers must report attendance accurately and submit it to the office on a daily basis.
2. The school is responsible for accurately maintaining attendance records in a manner verifiable by the New Mexico Public Education Department.
3. The school procedure is to call parents after 3 student absences, send a letter home regarding absences after 5 student absences.

### **Parent Responsibilities:**

- **Tardiness:** If a student arrives to school late, he/she **must be walked to the office by a parent or guardian** and signed in with the secretary. The student will receive a pass to class, verifying that he/she arrived late and was officially signed in as being in attendance.
- **Early Release:** Parents or designees listed on the emergency contact form who are picking up their child from school **MUST COME TO THE OFFICE TO SIGN THEIR CHILD OUT. PLEASE BRING YOUR PHOTO I.D.** NO CHILD WILL BE ALLOWED TO WALK HOME DURING SCHOOL HOURS. During the school day teachers are not allowed to release children directly to adults from the classrooms unless they present a clearance slip from the office. This enables the office staff to identify those persons picking up children and to ensure the safety of your child. **Anyone attempting to sign out your child must be listed on the student's registration card. Should the approved list of authorized adults change, please update the information in our office immediately.**
- **Absences:** It is the responsibility of the parents/guardians to notify the school whenever their child is absent. Notification should be given as close to the beginning of the school day in question as possible, but **cannot be later than two (2) days after the date of the absence.** All absences are logged as "unexcused" until we receive notice describing the reason for the absence. If the reason for the

absence is not approved (as described in the definition of excused absence) or notification is not made to the office within two days, the absence will remain as “unexcused”. **TO NOTIFY THE OFFICE OF AN ABSENCE, PLEASE CALL OR SEND A WRITTEN NOTE TO THE OFFICE.**

- The parent/guardian must notify the school **each day that the student will be absent**, in accordance with the notification procedure established by the school.
- In the event that the school has not received notification of absence by a parent for **3 consecutive days**, the school must make an attempt to contact the parent/guardian. **Family vacations are considered unexcused absences** and it is expected that parents will schedule vacations during periods of time when school is not in session.

## Student Placement Policy

Cien Aguas welcomes parent input regarding student placement, but does not permit parents to request specific teachers for their children. Written parent input is accepted at the end of each school year and will include a parent description of classroom settings that are most helpful for their child. It is not common practice to move a child from one class to another after the school year has begun.

## Before and After School Policy

**For Elementary Students (K-6):** School hours are from 8:10-3:10 on Mondays, Tuesdays, Thursdays and Fridays. Hours are from 8:10-1:10 on Wednesdays. Students will not be supervised, and cannot be dropped off, before 7:45 or after 3:30 p.m.; all students must be picked up by 3:30.

**For Middle School Students (7-8):** School hours are from 8:10-3:20 on Mondays, Tuesdays, Thursdays and Fridays. Hours are from 8:10-1:20 on Wednesdays. Students will not be supervised, and cannot be dropped off, before 7:45 or after 3:30 p.m.; all students must be picked up by 3:30.

## Classroom Observations

Parents/guardians are welcome observers in the classroom on an occasional basis, as a courtesy and privilege rather than as a matter of right. School administration/staff reserve the right to restrict times and dates for parental observation; no observation shall be permitted during testing days/times. When observing, we ask that you come in and watch quietly, like a “fly on the wall.” This will give you the truest perspective on how the classroom operates. Before observing, all parents/guardians must check in at the school office. If visitations and observations become a distraction to the instruction of students, the school administration has the authority to limit the frequency or number of visits or visitors. Classroom observers shall be supervised by CAIS personnel at all times, and must follow all School rules and directives of CAIS staff. Parents/guardians observing who are disruptive and/or who refuse to comply with staff directives shall be removed from the premises, and future access may be restricted.

## Field Trips

Field trips are always tied in with curriculum units of study, and have an educational purpose. Parents must sign permission forms for their children to be able to go on field trips. Parents will sign a “walking field trip permission form” at the beginning of the school year that covers all walking trips. Any field trip requiring another form of transportation will require its own signed permission form. Parent chaperones on field trips are needed and welcome as long as the parent coordinates with the teacher ahead of time, follows all School rules and requirements for volunteers, and comes ready to help and support the teacher.

## Grade Change Policy

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

## Holidays

Celebration of holidays will be limited at Cien Aguas. Attention to national and cultural holidays will generally be limited to cases in which they fit into the curriculum at a given grade level (for example, MLK Day could be studied as part of a unit on heroes, or Day of the Dead as part of a unit on holidays around the world.) Classroom celebrations of cultural holidays will be at the discretion of the teacher, taking into account the cultures and beliefs of their students, and will not pre-empt the regular instructional program. School-wide holiday celebrations will be decided upon, and coordinated, by the school’s Instructional Council. Religious holidays will not be celebrated at Cien Aguas.

## Homework

The body of research shows that homework can have positive effects on student achievement if it is designed carefully, given for the right reasons and in appropriate quantities. However, there is also research indicating that inappropriate homework can damage student morale and achievement, especially at lower grade levels. Therefore, Cien Aguas holds the philosophy that homework has its uses, but that over emphasis on homework, especially in the early grades, can lead to counter-productive burdens on students and teachers. Cien Aguas instructional leaders will be happy to share summaries of relevant research with parents.

Cien Aguas teachers may assign homework for the following reasons:

- To develop study habits
- To share with families what students are learning?
- To give families ways to participate in their children’s schooling

- So that children make time to read and write, and pursue ongoing personal projects in the privacy of their own homes
- To practice skills or review content learned at school

In the elementary grades (K-5), homework will not be a central piece of the academic program, will not be used for extra credit or for punishment, and will only have a limited role in practicing academic content, or making up for missed class time. The primary role of Cien Aguas parents in their children's homework will be to engage in interactive assignments when given, and to support the development of their children's study habits (especially in the early grades.) Parents will not be expected to teach content to children nor do they need to speak or understand two languages.

Parents who wish to supplement their children's education by working with them more extensively at home are invited to communicate regularly with the teacher in order to coordinate the work they are doing at home with their children's schoolwork.

In the middle school grades (6-8), the amount of homework will increase. Students will be expected to complete assignments independently at home, study for tests, and work on projects. The primary role of Cien Aguas Parents should be to help their children keep track of assignments and deadlines.

#### **Homework Expectations by grade:**

Kinder: 2-3 times weekly

1st Grade: 20 min. nightly

2nd Grade: 20-30 min. nightly

3rd Grade: 30 min. nightly

4th & 5th Grade: 45 min. nightly

6th-8th Grades: 1 hour nightly

## **Make-up Work**

The Cien Aguas curriculum is dynamic and interactive. There is no make-up work that can fully substitute for missed class time. For this reason, Cien Aguas puts an emphasis on **excellent student attendance**.

If a student must miss school, Cien Aguas requests that the parent inform the school as soon as possible. If the absence is extended, it is the parents' responsibility to stay in regular communication with the teacher. The teacher may gather materials and assignments that help support the student's understanding of missed content, to the degree that this is possible. The student is expected to make every effort, with parental support, to work to understand the content that was missed, and to complete any assignments.

Partial credit shall be granted to students who are homeless, in foster care, incarcerated, in mental health treatment facilities, and/or in treatment foster care for work completed,



even if the course or class is not completed during the grading period. Ref: NMSA 1978 Section 22-12-10.

## **Newsletters**

Cien Aguas will communicate in writing with parents through a monthly newsletter or as needed to announce important events. Teachers will also communicate at least monthly with parents in writing. Please check your child's backpack regularly for these papers. All school and classroom newsletters and notices will be sent in Spanish and English.

## **Personal Belongings**

Toys and other personal belongings should not come to school, unless requested for instructional purposes. Any toys brought for recess must have the permission of the teacher, and must be cared for. Toys or other personal belongings that interrupt instruction will be confiscated and returned to a parent. Cien Aguas resources will not be expended in searching for lost personal belongings. Damaged or missing personal belongings will not be the responsibility of Cien Aguas.

## **Professionalism**

At Cien Aguas, the professionalism of the teaching staff is respected and expected. This means that:

- Teachers are trained in the curriculum approaches and practices used at Cien Aguas.
- Teachers continue their own professional development on a voluntary basis, deepening their own knowledge and improving their practice.
- Teachers do what is necessary to implement a high-quality instructional program, as described in the Cien Aguas charter.
- School administration does what is necessary to support teachers in the implementation of this program.
- The main role of classroom-based educational assistants is to lower the pupil-teacher ratio in classrooms. In order to achieve this, EAs work directly with students, with guidance from the classroom teacher and instructional coach.

Official parent-teacher conferences are scheduled two times yearly, but parents are welcome to schedule conferences with their child's teacher at other times if they have concerns or questions about their child's progress. Parents should approach the teacher about any classroom issues before approaching the Director.

## **Parental Custody Issues**

The school office personnel and classroom teacher should be notified of any custody issues involving your child. This notification should be supported by written, CERTIFIED court documents, which clearly state who has legal/physical custody, who may have access to your child, any restrictions, and any changes in the

situation. The school cannot deny access to a custodial parent unless there are CERTIFIED court documents provided which clearly limit such contact/access. Please update the court documents in the School's possession, as they are made available. Additionally, please make sure you regularly update, with the office, the list of emergency contacts and persons able to pick up your child. Teachers will contact both custodial parents at parent-teacher conference time.

## **Visitors**

To ensure the safety of all Cien Aguas students and staff, all visitors must check in with the office before proceeding to the rest of the campus. Campus visitors must be supervised at all times while on campus when students are present, and must adhere to all school rules and directives of CAIS staff. This includes parent volunteers and observers. Visitors who violate this policy/disrupt the learning environment shall be asked to leave/removed from campus.

## **Volunteers**

Volunteers are welcome and can participate at Cien Aguas in a variety of ways. All volunteers are required to complete a Volunteer packet and background check prior to volunteering at Cien Aguas. Every teacher has his/her own ways of using volunteer help, and will communicate the classroom volunteer policy to parents. Parents who wish to volunteer in a classroom should make arrangements with the teacher. Input will be solicited from the School Advisory Council members in order to further develop a volunteer program for the school. Volunteers who may have unsupervised access to students are subject to an approved background check/ethical misconduct check, as required by state law, prior to being allowed unsupervised access. Volunteers remain subject to all school rules and directives of CAIS staff.

## **Weather / School Cancellations**

A canceled or abbreviated school day is usually the result of bad weather. Cien Aguas will follow the Albuquerque Public Schools (APS) school abbreviated days. On an abbreviated day, school will begin two hours later than normal and end at the regular time. If APS has an asynchronous day (virtual snow day) Cien Aguas students will not have school.

Please ensure that your contact information (phone, email) are up to date as we send an automated call to all parents using the School Messenger system. You can also listen to local news on the television or radio for guidance.

## **Student Leave of Absence Policy**

### **PURPOSE**

Cien Aguas International School is a dual language immersion school, which focuses on Spanish language as the partner language to English. As part of our central belief,

we encourage students to speak Spanish and engage in Spanish speaking opportunities wherever possible. Because living and attending school in a foreign Spanish speaking country would provide a true immersion experience for students and support the fulfillment of the mission of our school, we support such a leave of absence for up to one academic year for students. Additionally, in the event that a serious medical emergency arises for the student or an immediate family member (father, step-father, mother, step-mother, brother, step-brother, sister, step-sister) that requires the temporary relocation specifically for medical treatment, Cien Aguas also supports the leave of absence for up to one academic year.

## **PROCEDURES**

1. The Cien Aguas International School will permit up to three-student leave of absences per academic year, not to exceed one per grade level, unless otherwise approved by the governing council.
2. To formally request a leave of absence, the parent must complete and submit an official Leave of Absence Application to the school director.
3. The Cien Aguas International School will hold a space for all students with an approved leave of absence application for up to one full academic year beginning in August and continuing through June provided that:
  1. For a leave based on enrollment in a foreign country: the child is enrolled during said academic year in a school program which specifically teaches in Spanish for at least 50% of the time.
  2. For leave based on medical treatment: the child is enrolled in a school and the parent makes a good faith effort to have their child participate in a bilingual (Spanish) program.
4. Upon returning from the leave:
  1. The parent will provide written documentation from the school showing final/exit grades and regular attendance.
  2. The Cien Aguas International School will guarantee a student returning from leave a spot at their grade level. The returning student will be placed into a class before placing any students entering through the lottery process.
5. Failure to provide written documentation required from the previous school within two weeks from the time of re-enrollment at the Cien Aguas International School will result in the held space being forfeited to the next eligible student in the lottery process. Parents are encouraged to have the temporary school prepare the documents and forward them to the Cien Aguas International School before final disenrollment.
6. The Leave of Absence applications will be:
  1. Available in the school office.
  2. Completed by the parent/legal guardian and submitted to the School Director at least one week prior to the next regularly scheduled Governing Council meeting.
7. Failure to make the submission deadline will cause the application to be acted upon at the next scheduled meeting for which the deadline is met.

8. Time Stamped upon receipt to certify when it was received.
9. Approved by the Cien Aguas Governing Council
  1. If more than the approved number of applications for the same grade level is submitted in a month, preference will be given to situations involving medical need.

## **Governing Council**

Cien Aguas International School is a public charter school currently authorized by the Albuquerque Public School District. Its Governing Council is accountable to the authorizer as well as to the New Mexico Public Education Department. The Governing Council governs Cien Aguas in accordance with the Charter Schools Act and all other applicable federal and state laws and regulations, and pursuant to the bylaws the Council has adopted.

The Governing Council holds collective authority over the school. Individual Council Members do not hold authority over the school or over a particular situation or matter. The Governing Council works to fulfill the mission of Cien Aguas International School. Its major roles and responsibilities include approving all major educational and operational policies, approving all major contracts, approving the school's annual budget, overseeing the school's fiscal affairs, and selecting and evaluating the School Director. The Governing Council does not run or manage the day-to-day affairs of the School; this is the responsibility of the School Director.

The Council is composed of 5-7 members appointed for 3-year terms, and follows a traditional decision-making model in which each Council Member has one vote. A majority vote of a quorum of the Governing Council carries any motion. A quorum is defined as a simple majority of the Council. The Governing Council meets monthly, and in accordance with the Open Meetings Act, all meetings are open to the public. Meeting dates and times are available on the School's website.

See the Cien Aguas Governing Council By-laws posted on the school website for more information.

Appointments to the Council, or committees of the Council, are made by the Council when members leave or finish their terms of service. The process begins with an application to the Nominating Committee of the Council. Interested parents and community members are encouraged to contact the Chair of the Council for an application. Council and committee members are selected based on the match between their skills and the needs of the Council, their commitment to the Cien Aguas charter, and their ability to work well with the group.

## **Section IV: Behavior Management**

### **Restorative Behavior Management Policy**

#### **Introduction:**

Cien Aguas recognizes the need to keep our community members safe and to preserve a learning environment that is free of distractions and which maximizes learning.

Corporal punishment of students is prohibited; any restraint/seclusion of students shall be done only in accordance with the CAIS restraint/seclusion procedures, below.

At Cien Aguas, we believe in a Restorative Justice philosophy which is based on three core principles:

- creating just and equitable learning environments
- nurturing healthy relationships
- repairing harm and transforming conflict (adapted from The Little Book of Restorative Justice in Education, Evans and Vaandering, 2016)

In support of this philosophy, our school behavior management plan incorporates Restorative Practices that have as primary goals the preservation of relationships, building and strengthening our community, and supportive structures for preventing, responding to, and repairing harm. We do this by implementing a continuum of practices that are guided by the principles of preserving dignity and respect for each community member. Where legal requirements dictate the use of a different process in a particular situation, CAIS will follow the requirements of law.

#### **Statement on Equity and Anti-racism/Discrimination**

At Cien Aguas, we unconditionally reject racism or unlawful discrimination in all of its forms and actively seek to foster a community in which all students are valued, have equal access to education and opportunities, and feel safe from harassment. Our school behavior policies address issues of racism and discrimination, including racist/discriminatory language in a manner that seeks to protect vulnerable populations including Black, Indigenous, Hispanic, and other people of color and legally protected classes, and other forms of discrimination to help to bridge differences, and to learn about each other in a way that builds strong connections between people.

#### **Foundational Focus Principles:**

Cien Aguas utilizes three foundational principles that we consider applicable to all behavior decisions and that guide our expectations of student behavior in classrooms, hallways, on the playground, on field trips, or in the lunchroom. We expect that students will internalize these principles and develop lifelong habits that will enable them to be respectful and productive community members inside and outside of school. These principles are:

Making Good Decisions  
Problem Solving  
Demonstrating Respect

**Restorative practices:**

Restorative practices are a continuum of protocols that are intended to prevent, respond to, and repair harm done to the community when one of the foundational principles is broken. They are designed to hold students accountable, enable them to make amends (repair harm done), and help them to re-engage with their community in a positive way.

**Holding students accountable:**

Each teacher will develop a restorative behavior management plan for their own classroom consistent with this Plan. These plans will be shared with the administration to keep on file. These classroom plans provide the ways in which teachers will support positive behavior within the classroom and are the first line of disciplinary action.

While many behavior concerns may be managed with simple positive correction reminders within the classroom or community space, at times those interventions do not elicit the desired change in behavior. In such cases and when students are not demonstrating positive behavior, in appropriate instances (some egregious behaviors may not be appropriate for restorative behavior management procedures; this will be determined by the teacher/school administration) the following procedures will be in place:

- Redirect: **Take-A-Break:** Students will have an opportunity to reflect on their behavior for a few minutes in a quiet place inside the classroom. After the student returns, they should participate in an **Individual Conference with the teacher:** Teacher will pull the student aside for a short conversation to help the student reflect on the behavior, set the expectation for behavior, and help the student make a plan to change the behavior and fix the problem. *Teachers should make a plan with the student for follow-up about the behavior.*
- 1st Written Reflection (in classroom, with the teacher): **Written Reflection:** Students will complete a written self-observation of behavior in their classroom. This can happen during instructional time in a quiet area of the classroom. They will reflect on their behavior and write about what problems it caused. They will also develop a plan to change the behavior and how they will make amends for the behavior. The reflection will be signed by the teacher for approval, and students will take the reflection home and have parents sign. The reflection will be turned-in to the reflection teacher the next day. *Teacher will document the behavior chart.*
- 2nd Written Reflection (in classroom or with a partner teacher): Student will complete a written self-observation of behavior in their classroom or with a

partner teacher. They will reflect on their behavior and write about what problems it caused. They will also develop a plan to change the behavior and how they will make amends for the behavior. The reflection will be signed by the teacher for approval, and students will take the reflection home and have parents sign. The reflection will be turned-in to the teacher the next day. Teachers will contact parents either by email or phone, depending upon the severity of the behavioral disruption. *The classroom teacher will document the behavior chart. Copies of the reflections need to be made so that the Classroom (ES) or Crew Teacher (MS) can review with parents during Student Led Conferences.*

**After three written reflections from any combination of staff, or two written reflections from one teacher, teachers will complete the behavioral referral report and turn-in to the office.** *A single teacher should never have three written reflections from any one student before turning the report into the office.*

- **Office Referral (in the Director's Office):** At this point, it will be determined by The Director or designee what sort of action will be most successful in helping to repair the harm and restore the community. Possible actions may include: an individual conference with the student, a conference with the student and family, a small group conference with several students and parents, or a behavior contract with a restorative action plan. *Administration will document in the system.*

#### **Administrative Interventions:**

Consequences will be determined by the following:

1. Level of progression on the discipline continuum as outlined in the tiers of behavior chart;
2. Implementation of a plan of action based on restorative justice for the student;
3. Existence and implementation of an Individualized Education Plan or 504 Plan and disciplinary requirements/restrictions mandated by state/federal law for students with disabilities;
4. Degree of violation;
5. Attempts to support and intervene will be made as appropriate to redirect and educate students to engage in appropriate, student conduct;
6. Legal requirements.

**Examples of Behaviors and Possible Restorative Responses (Note: staff have discretion to implement practices/responses not set forth below, or at intervention levels other than set forth below, if deemed warranted by the situation, provided that such practices/responses are not in violation of other applicable policies/procedures or state/federal laws governing student discipline. Student disciplinary measures, processes, and consequences prescribed/required by other School policies, or by applicable State/Federal**



law and regulations, are not subject to this Restorative Behavior Management Plan):

<p><b>Tier 1:</b> Low level behaviors that require interventions that can be provided by the classroom teacher or support staff member. Behaviors are typically addressed at the time that they occur, and do not require documentation or formal procedures to manage.</p>	
Student Behavior- Examples	Supportive Practices/Response Options
<ul style="list-style-type: none"> <li>• Academic dishonesty</li> <li>• Use of racist or racially charged, homophobic, or misogynistic language without the intention of causing harm. (1x)</li> <li>• Use of personal electronic devices during the school day</li> <li>• Inappropriate use of technology</li> <li>• Lack of understanding of physical boundaries (poking, tugging, touching)</li> <li>• Lying</li> <li>• Minor conflict</li> <li>• Minor interruptions/distractions (rough-housing, blurting, etc.)</li> <li>• Misuse of school property or equipment</li> <li>• Hiding the property of another student, teacher, or staff member</li> <li>• Not following classroom agreements/procedures</li> <li>• Not being prepared for class</li> <li>• Off task behavior</li> <li>• Tardiness</li> <li>• Use of profanity, not directed at individual</li> <li>• Inappropriate display of affection (kissing, frontal hugs, sitting on laps)</li> <li>• Out-of-school conduct having a direct and immediate effect on school discipline or the general safety and welfare of the school (1st offense)</li> </ul>	<ul style="list-style-type: none"> <li>• Positive behavior correction (proximity, rule reminder, non-verbal cues, quiet questioning, pause-direction, etc.)</li> <li>• Affective statement and conversation</li> <li>• Take a break-quiet self-reflection</li> <li>• Temporary seat change when appropriate</li> <li>• Restorative conversation</li> <li>• Written reflection in class-parent signature <i>may</i> be required</li> </ul>



**Tier 2:** Behaviors that require more intensive interventions by instructional staff and which may or may not require Director involvement. Formal documentation should be utilized through referral procedures. Parent/guardian communication is required to ensure students receive the support needed to understand and correct behavior. The reporting staff member may:

- 1) Request a correction that involves other staff members OR
- 2) Request administrative input on the incident OR
- 3) Notify the Director or designee and maintain a record of the situation

Student Behavior- Examples	Supportive Practices/Response Options
<ul style="list-style-type: none"> <li>• Caused minor injury, except in self-defense or through no-fault or intention) (1st offense only)</li> <li>• Caused or attempted to cause damage to school property or private property (1st offense only)</li> <li>• Engaged in habitual profanity or vulgarity</li> <li>• Engaged in an act of bullying (1st offense only)</li> <li>• Habitual disruption during class or of other classes</li> <li>• Habitual inappropriate use of technology, other than cyberbullying (which is treated under bullying prevention policy)</li> <li>• Possessed or used tobacco, or products containing tobacco or nicotine (1st offense only)</li> <li>• Stolen or attempted to steal school or private property (1st offense only)</li> <li>• Under the influence of a controlled substance or an alcoholic beverage, or an intoxicant of any kind (1st offense only)</li> <li>• Ditching class-Off campus or on campus</li> <li>• Out-of-school conduct having a direct and immediate effect on school discipline or the general safety and welfare of the school (2nd offense)</li> </ul>	<ul style="list-style-type: none"> <li>• Any lower-level interventions from Level 1</li> <li>• Lunch reflection with parent signature</li> <li>• Parent shadow day</li> <li>• Phone call or email home to parent by either teacher or administrator</li> <li>• After school counseling or support group</li> <li>• In-school suspension - 1 to 5 days</li> <li>• Administrator-assigned intervention</li> <li>• Change in schedule/class</li> <li>• Create a safety plan</li> <li>• Mini-course/training (e.g., conflict resolution, anger management)</li> <li>• Modification of IEP, if applicable ○ Create a behavior intervention plan (BIP)</li> <li>• Parent/guardian outreach</li> <li>• Peer mediation - restorative conference</li> <li>• Referral to community-based services</li> <li>• Referral to school-based social worker</li> <li>• Referral to support staff (e.g. counselor, psychologist, nurse)</li> <li>• Self-charting of behaviors</li> </ul>

	<ul style="list-style-type: none"> <li>• Short-term behavioral progress reports</li> <li>• Social skills training</li> <li>• Student/teacher/parent or guardian restorative conference</li> <li>• Substance-use intervention group or module</li> <li>• Written apology</li> <li>• Small research project and teaching other students about the issue</li> </ul>
<p><b>Beyond Tier 2:</b> All other behaviors not specified above and which violate the School's anti-harassment/bullying policies, nondiscrimination policies, sexual harassment/Title IX policies, anti-weapons policies, anti-tobacco/drug policies, anti-violence policies, or which constitute violations of applicable laws and policies protecting student/community safety, refusal to cooperate with school personnel, or which are not appropriate for Tier 1 or Tier 2 practices in the opinion of the Director, requires administrative/Director involvement. Such behaviors violate applicable policies, regulations, codes and/or laws, are severe and/or continuing, or pose a threat to the physical safety of the individual student and/or others.</p> <p>Beyond Tier 2, described above, Restorative Behavior Management practices cease and the School's other policies/procedures governing student discipline apply. Written formal documentation describing interventions initiated, conducted or attempted, and parent/guardian communication is required.</p>	

### **Restorative Practice Implementation:**

The following principles are critical to our successful preservation of restorative community:

- Clear agreements about interactions with one another in our community
- Creating and maintaining safe spaces on campus
- Using restorative practices after incidents occur that threaten community members' sense of safety
- Repairing and restoring relationships between students and/or adults after harm has taken place in order to re-establish safe spaces for all
- Prioritizing the development of positive relationships between students and staff
- Promoting high standards of behavior through explicit teaching of the foundational principles of respect, problem solving, and positive decision making.

- Pairing school discipline with meaningful social emotional learning that offers students the necessary guidance to learn from their mistakes and positively contribute to their school community
- Ensuring that all students have a trusted adult to support them through a restorative process that is fair and thorough
- Understand that student behaviors may be associated with trauma, crisis, disabilities, cultural differences or norms, or medical conditions
- Understanding and protecting the rights of victims of poor behaviors

### **School programs/structures that support the implementation of restorative practices:**

- Elementary school Peacemakers is a social emotional learning curriculum that helps students to learn, practice, and model essential personal life skills that contribute to academic and social success.
- Middle school CREW is a class that all 6-8 grade students participate in four times a week. CREW is a space where students meet in a safe space to connect with others and develop meaningful relationships with at least one adult. It is designed to foster social-emotional well-being, foster belonging, and provide a place to engage in important conversations.
- Peer-mediation program: students are trained in anti-bullying and peer mediation processes so that they may advocate for one another and step in to solve problems they observe with other students
- Restorative Justice Team- a team of five teachers and administrators who serve as staff and student resources for restorative justice implementation and who guide the whole-school roll out
- Equity Council-
- Project GLAD® in the Elementary School provides all students access to grade-level content through multidisciplinary units that support language learners in meeting grade-level standards while in an environment that supports equity and voice for all students..
- Expeditionary Learning in the Middle School - Expeditionary learning in the middle school emphasizes authentic, multidisciplinary, experiential learning and the integration of rigorous academic content with real-world experiences.

### **Types of restorative conferences (examples):**

RE-ENTRY MEETING- After suspension or removal from Campus for Investigative Purpose, a Re-entry meeting is required with the student, parent/guardian, administration and any other person administration deems necessary. The purpose of the meeting is to determine the student's readiness and the circumstances under which the student may return to the community. It may also include the drafting of a Behavior Contract and a plan for the student to make amends for the harm done to the community. In certain situations, Administration may waive the Re-entry Meeting requirement. Parent/guardian and/or student may not waive the Re-entry Meeting requirement.

**RESTORATIVE CONFERENCE BETWEEN STUDENTS:** If there is a conflict between students that is on-going and has not been resolved using redirection, reminder, and reflection, a restorative conference may be required. This will be mediated by an administrator and/or a teacher. A restorative conference script will be used to ensure that each student is asked the same questions and to have time to include their perspectives on the issue. It will include formal documentation that will include an agreed upon summary of the problem, an agreement for how to repair the harm, as well as what behaviors will no longer occur. It will include a monitoring plan and a plan for what will happen if one or both of the students breaks the agreement. Normally, the guardians of the students will participate in such conferences, though it may be sufficient to inform parents in advance and include them in the agreements after the fact.

**LEAVING WELL MEETING:** If, after working with a student using applicable and appropriate restorative protocols and completing the long-term suspension/expulsion hearing process(es), it is determined that the student must receive long-term suspension or expulsion, or the student/parent voluntarily withdraws from the school, an exit meeting will be offered by the School. The intention of this meeting is to help the student transition out of the school in a positive way that may increase the likelihood that the next placement will be successful. This meeting will include the student, parent/guardian, and administration. The goal of the conference is for the student to leave CAIS with a clear understanding of the disciplinary action and will include opportunities for participants to share a positive memory and a piece of advice for the student to take to the next school.

**OTHER CONFERENCES:** Less formal conferences are scripted conversations but are not necessarily documented with formal agreements. They include:

- Individual conferences (restorative chats)
- Small group conferences (mini conference)- may be impromptu and used to address low-level conflict
- Large group conferences- to address a concern involving many students, not necessarily from the same class or grade (wide-spread playground, hallway, or cafeteria issues)
- No-blame Classroom conference (to address issues that arise in one or multiple classrooms that impede learning and undermine the safety of the environment)

## **Internet Acceptable Use Policy**

Internet access is available to students and staff of Cien Aguas International School. The School believes the Internet offers vast, diverse and unique resources to both students and staff. The School's goal in offering this service is to promote educational excellence by facilitating resource-sharing, communication, and

providing students with access to the latest educational technology opportunities. Along with access to online libraries, computers, and people all over the world comes the availability of material that may not be considered of educational value in a school setting. The School firmly believes that the valuable information and interaction available on this worldwide network far outweighs the possibility that users may procure material that is not consistent with the educational goals of the School. Precautions have been taken to restrict access to controversial materials by teaching students about responsible use and by installing software that is available to block access to inappropriate materials.

Internet access involves:

- Electronic mail
- Online Library access
- Access to local area and wide area networks
- World Wide Web

The purpose of providing Internet access is to support curriculum objectives which include core curriculum subject areas, library and information literacy skills, technology literacy skills, and community collaboration and interaction. Student use of the Internet will be limited to achievement of those objectives and the educational objectives of Cien Aguas International School. The use of the School's Internet access is a privilege and not a right. Inappropriate use of these privileges by students and/or staff will result in a cancellation of those privileges.

## **Bullying, Cyberbullying, Harrassment, Hazing and Violence Prevention Policy**

Cien Aguas International School believes that providing an educational environment for all, free from harassment, intimidation, violence, hazing or bullying of any kind, supports a total learning experience that promotes personal growth, healthy interpersonal relationships and wellness. The safety and wellbeing of all students in the CAIS learning environment is of primary importance. CAIS prohibits bullying, cyberbullying, harassment, hazing and violence, and it is the school's goal to prevent and respond to all such acts, in accordance with applicable laws, including the New Mexico Safe Schools for All Students Act, NMSA 1978, §§22-35-1, et seq. This Policy and prohibition applies on school property, including electronic communication on or using School property; at school-sponsored functions; and on CAIS's to-and-from transportation or any school-sponsored transportation.

### **A. DEFINITIONS.**

1. **Bullying.** Bullying includes any severe, pervasive or persistent act or conduct that targets a student or group, whether physically, electronically or verbally, and that (1) may be based on a student/group'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 any person, with one or more of the actual or perceived distinguishing characteristics; and/or (2) can be reasonably predicted to: (a) place a student in reasonable fear of physical harm to the student's person or property; (b) cause a substantial detrimental effect on a student's physical or mental health; (c) substantially interfere with a student's academic performance or attendance; (d) substantially interfere with a student's ability to participate in or benefit from the services, activities or privileges provided by the School; or (e) create a hostile environment on the school campus that is so severe or pervasive as to substantially interfere with student educational benefits, opportunities or performance. Out-of-school conduct which has a direct and immediate effect on school discipline or the general safety and welfare of the school may, in appropriate cases determined by the Director, constitute bullying/harassment.

2. **Harassment.** Bullying includes harassment, which is knowingly pursuing a pattern of conduct that is intended to annoy, seriously alarm or terrorize another person or group.
3. **Hazing.** Includes committing an act against a student, or coercing another student into committing an act, that creates a risk of harm to that student, in order for that student to be initiated into or affiliated with an organization, gang, clique, group or for any other purpose.
4. **Cyberbullying.** Includes any bullying that takes place through electronic communications, that is published with the intent that it be seen by or disclosed to a student/group, and that substantially interferes with the student/group's ability to participate in or benefit from the services, activities or privileges provided by CAIS.
5. **Electronic Communication.** Includes a communication transmitted by means of an electronic device, including a telephone, cellular phone, computer, electronic tablet, pager or video/audio recording, and any other forms of electronic resources/mobile devices.
6. **Gender Identity.** Includes a student's self-perception, or perception 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.
7. **Physical or Cognitive Disability.** Includes a physical or cognitive impairment that substantially limits one or more of a student's major life activities.
8. **Progressive Discipline.** Includes 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, including, where appropriate, restorative school practices to repair the harm done to relationships and other students from the student's misbehavior, and may include (but is not limited to):

- Meeting with the student and student's parents/guardians;
  - Reflective activities, such as requiring the student to write an essay about the student's misbehavior;
  - Counseling;
  - Anger management;
  - Health counseling or intervention;
  - 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.
9. ***Sexual Orientation.*** Includes heterosexuality, homosexuality, or bisexuality, or other sexual orientations protected by law, whether actual or perceived.
10. ***Regular Volunteers.*** Means those persons, including relatives of students, who commit to serve at school on a regular basis.

B. ***EXAMPLES of PROHIBITED CONDUCT.*** Actions, including actions using electronic communication, that will be viewed as prohibited conduct include, but are not limited to:

1. ***Bullying, Cyberbullying and Harassment.***
- Spreading rumors, attacking someone physically or verbally, and excluding someone from a group on purpose.
  - Repeated teasing, use of sarcasm or malicious jokes.
  - Name-calling, belittling comments.
  - Nonverbal behavior such as gestures, or graphic written statements.
  - Conduct that is physically threatening, harmful, intimidating or humiliating.
  - Inappropriate physical restraint.
  - Posting mean, embarrassing, threatening, intimidating or humiliating pictures, videos, websites, comments, fake profiles or other communications over social media platforms, such as Facebook, Twitter, Instagram, LinkedIn, Pinterest (not an exhaustive list).
2. ***Hazing.***
- Any type of physical brutality such as whipping, beating, striking, branding, shocking, or placing a harmful substance on the body.
  - Any type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics or other activity that subject the student to an



unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.

- Any activity involving the consumption of any alcoholic beverage, drug, tobacco product or any other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
- Any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, embarrassment, shame, or humiliation, that adversely affects the mental health or dignity of the student or discourages the student from remaining in school.
- Any activity that causes or requires the student to perform a task that involves a violation of state or federal law, or school policies.

C. **REPORTING AND COMPLAINTS.** Students and parents may, and are strongly encouraged to, file verbal or written reports concerning suspected Bullying/Harassment/Cyberbullying/Hazing/Violence to school personnel or to the Director. See “Bullying/Harassment/Cyberbullying/Hazing/Violence Report Form” available online or in the CAIS administrative offices. Students, parents and/or staff should use the following guidelines when reporting Bullying/Harassment/Cyberbullying/Hazing/Violence:

1. **Who and What?** Any student who believes he/she has been the victim of conduct prohibited by this policy by a student or school personnel, or any person with knowledge or belief of such conduct that may constitute Bullying/Harassment/Cyberbullying/Hazing/Violence toward a student, should immediately report the alleged acts, either orally or using the Report Form. Reports may be made in the reporter’s preferred language. Reports may be made anonymously, and will be investigated pursuant to this Policy, but no formal disciplinary measures shall be taken solely on the basis of an anonymous report.
2. **Report to Whom?** The report may be made to any staff member, including a teacher, or directly to the Director.
3. **Prompt Notice & Form.** Teachers, Regular Volunteers, and school staff who witness Bullying/Harassment/Cyberbullying/Hazing/Violence or who receive student reports of Bullying/Harassment/Cyberbullying/Hazing/Violence are required to promptly notify the Director. Reports should be made in writing using the Report Form, and submitted to the Director.
4. **Assisting Student Reporting.** If a student makes a verbal report to a teacher/Regular Volunteer/staff member, the teacher/Regular Volunteer/staff member shall complete the Report Form or take the student to the Director, where a form will be completed on the student’s behalf.



5. **Staff Obligation to Report.** A school employee who has information about or a reasonable suspicion of conduct that may constitute Bullying/Harassment/Cyberbullying/Hazing/Violence toward a student shall report the matter immediately or as soon as practical to Director, but in no event later than two calendar days after the employee witnesses or receives a report of bullying.

D. **INVESTIGATION.** The Director or an administrator designated by the Director will accept and promptly investigate *all* reports of Bullying/Harassment/Cyberbullying/Hazing/Violence and follow this policy/procedure, regardless of whether any interim restorative disciplinary approaches are also employed while the investigation is pending. The administrator will notify the parents of the student(s) alleged to have committed the act of Bullying/Harassment/Cyberbullying/Hazing/Violence and the parents of the student(s) targeted by the alleged act, unless the administrator believes, in his/her professional capacity, that notifying the parents would endanger the health or well-being of a student, in which case the administrator may delay such notification, as he/she deems appropriate. The Director may take immediate steps to protect the reporter, the alleged victim, other students, school faculty and staff, or other individuals on school grounds pending the completion of an investigation.

1. **Process.** The investigation shall consist of personal interviews with the reporter, the individual(s) against whom the report was filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of other methods or documents deemed relevant by the investigating administrator.
2. **Confidentiality.** The right to confidentiality, of the reporter, the victim and the accused, shall be preserved consistent with applicable laws and to the extent possible. However, CAIS cannot guarantee absolute confidentiality, because it may be necessary to discuss the report with others who are witnesses or who may have information about the report.
3. **Outcome.** The investigation shall be completed as soon as possible. The Director (or designated administrator) shall make a written report concerning the results of his/her investigation. In determining whether the alleged conduct violates this Policy, the totality of the circumstances, the nature of the conduct, the student's history, and the context in which the alleged conduct occurred will be investigated. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this Policy. A copy of the investigation materials and completed report will be maintained by the Director for no less than four years from the date of the completed report. To the extent permitted under the Family Educational Rights and Privacy Act (FERPA)(to protect the privacy of the accused student) the Director will notify the parents/guardians of the accused student and the victim of the

outcome of the investigation, but shall not provide a copy of the written report. The Director or designee shall notify the parent or guardian about a determination that their student has committed an act violating this Policy, and the consequences for the student's actions.

E. *CONSEQUENCES. Verified*

Bullying/Harassment/Cyberbullying/Hazing/Violence conduct shall result in intervention by the Director or his/her designee that is intended to ensure that this Policy is enforced. The Director will use Progressive Discipline approaches, which may or may not involve Restorative Behavior Plan approaches, appropriate to the situation to address Bullying/Harassment/Cyberbullying/Violence, and/or may impose other disciplinary consequences. The level and severity of the prescribed consequence shall be determined by the Director. All consequences shall be designed to (a) appropriately correct the bullying behavior; (b) prevent another occurrence of bullying or retaliation; (c) protect the target of the bullying; (d) be flexible so that, in application, the consequences can be unique to the individual incident and varied in method and severity based on the nature of the incident, the developmental age of the student who is bullying, and any history of problem behavior from the student who is bullying; and (e) for cyberbullying incidents, use the least restrictive means necessary to address the interference with the student's ability to participate in or benefit from the services, activities or privileges provided by the school, to the greatest extent possible. Certainly, repeated offenses will warrant increasingly severe consequences, up to and including suspension/expulsion.

F. *CONSEQUENCES FOR KNOWINGLY MAKING FALSE REPORTS.* False allegations against another student, member of the faculty or staff, or others, pursuant to this Policy shall be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

G. *RETALIATION.* Retaliation against an individual who witnesses, orally reports or files a written complaint regarding Bullying/Harassment/Cyberbullying/Hazing/Violence, or who acts as a witness, participates in or cooperates with an investigation of such, is prohibited.

H. *APPEAL.* A student accused of bullying/harassment/cyberbullying/hazing/violence, or a student who is the target, who is not satisfied with the outcome of the Director's/administrator's investigation may appeal the investigation report's conclusions to the CAIS Governing Council in the manner described in the CAIS Grievance Policy.

I. *ANTI-BULLYING INCLUDED IN HEALTH EDUCATION CURRICULUM.* Anti-bullying education shall be included in the School's health education curriculum, in accordance with health education content standards with benchmarks and performance standards as set forth in NMPED regulation 6.30.2.19 NMAC.

J. *DISSEMINATION OF POLICY.* Parents and Staff will be reminded at the beginning of each school year about this policy as well as their responsibilities regarding preventing and reporting Bullying/Harassment/Cyberbullying/Hazing/Violence. A copy of the policy will be disseminated annually and be posted on the School's website.

K. *TRAINING*. All School employees, and regular volunteers with significant contact with students shall complete annual training on bullying, harassment, hazing, violence and cyberbullying prevention. New employee training shall incorporate training on this Policy and procedures.

L. *STUDENT SAFETY SUPPORT PLAN*. The school shall develop a student safety support plan for students who are targets of conduct prohibited by this policy that addresses safety measures the School will take to protect targeted students against further acts of bullying/cyberbullying/harassment/hazing/violence.

M. *ANNUAL REPORTING*. The School shall report aggregate incidents of bullying/harassment/cyberbullying/violence as required under applicable federal or state laws, along with the School's responses to these incidents, and shall report this information annually to the NMPED in the form and content required by NMPED.

N. *PUBLICATION*. This Policy shall be made available on the CAIS school website.

The School's Director shall be the point of contact for any bullying-related concerns, or other concerns relating to this Policy. Parents and students shall be informed about this Policy at least annually, through student handbooks and the School's website.

## **THREATS OF VIOLENCE**

1. Threats of violence toward other students, school staff, or facilities are prohibited and may result in suspension or expulsion, regardless of whether the student has previously engaged in such conduct.
2. All employees and students are required to report evidence of threats of violence to the director. Such reports shall be investigated by the director or designee. All such reports shall be documented by the director.
3. In cases of threats that constitute a violation of criminal law, the director or designee shall notify law enforcement authorities, when it is substantiated through the use of the threat assessment tool.
4. If the director finds a significant behavior violation upon investigation, the student(s) who are charged with violation of this policy shall be placed on short-term suspension pending investigation of the charge(s). Those found, through a due-process hearing, to have violated this regulation shall be subject to discipline, up to or including long-term suspension or expulsion. For Students receiving Special Services, administration will consult with the special education staff regarding the appropriate process.

## Search and Seizure Policy

*Search Generally* – School property assigned to a student, and a student's person or property while under the authority of a public school, are subject to search, and items found are subject to seizure, in accordance with the following:

*Who May Search:* Certified school personnel, school security personnel and school bus drivers are authorized to conduct searches when a search is permissible as set forth herein. An authorized person conducting a search may request the assistance of one or more people, who upon consent become authorized to search for the purpose of that search only.

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

*Conduct of Search:*

a. 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 one, or circumstances otherwise render such action necessary in the judgment of the Principal.

b. 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, above.

c. Physical searches of a student's person may be conducted only by an authorized person of the same sex as the student and, except when circumstances render it impossible, may be conducted only in the presence of another authorized person of the same sex. The extent of the search must be reasonably related to the infraction, and the search shall not be excessively intrusive in light of the students age and sex, and the nature of the infraction.

*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:* The Director may notify the local children's court attorney, district attorney, or other law enforcement officers when a search discloses illegally possessed contraband material or evidence of some other crime or delinquent act.

## Restraint and Seclusion Policy

CAIS shall follow requirements for the use of restraint and seclusion techniques in accordance with Section 22-5-4.12 NMSA 1978 and 6.11.2.10.E NMAC.

CAIS shall establish and review annually policies and procedures for the use of restraint and seclusion techniques. Such policies and procedures shall require and describe appropriate training for school personnel and shall include requirements in relation to the use of restraint and seclusion techniques.

- a) A school may permit the use of restraint or seclusion techniques on a student pursuant to the requirements in Section 22-5-4.12 NMSA 1978, and only if the student's behavior presents an imminent danger of serious physical harm to the student or others, and only if less restrictive interventions appear insufficient to mitigate the imminent danger of serious physical harm.
- b) Less restrictive interventions, including positive behavioral intervention supports or other comparable behavior management techniques, shall be implemented prior to the use of restraint and seclusion techniques.
- c) If a restraint or seclusion technique is used on a student, trained and authorized school employees shall maintain continuous visual observation and monitoring of the student while the restraint or seclusion technique is in use.
- d) Restraint or seclusion techniques shall be used only by school employees who are trained in de-escalation strategies, positive behavioral intervention supports, and the safe and effective use of restraint and seclusion techniques, unless an emergency does not allow sufficient time to summon those trained school employees.
- e) The restraint or seclusion techniques shall not impede the student's ability to breathe or speak, shall be in proportion to a student's age and physical condition, and shall end when the student's behavior no longer presents an imminent danger of serious physical harm to the student or others.
- f) A school employee shall provide the student's parent with written or oral notice on the same day the incident occurred, unless circumstances prevent same-day notification. If notice is not provided on the same day of the incident, notice shall be given within 24 hours after the incident.
- g) Within a reasonable time following the incident, no longer than two school days, a school employee shall provide the student's parent with written documentation that includes information about any persons, locations, or activities that may have triggered the behavior, if known, and specific information about the behavior and its precursors, the type of restraint or seclusion technique used, and the duration of its use.

CAIS shall develop and implement an annual training for designated school personnel regarding positive behavioral intervention supports or comparable behavior management techniques and the use of restraint and seclusion techniques. In the event that new designated school personnel are employed within the school after the provision of the annual training, the director of the school, or a person authorized to act officially in a matter involving school discipline or the maintenance of order within the school, shall ensure that a training is provided to new designated school personnel within 60 days of employment.

CAIS shall update school safety plans with regard to restraint/seclusion and make reports to the NMPED in accordance with state law.

If a student has been restrained or secluded two or more times within 30 calendar days, CAIS shall review strategies used to address the student's behavior and determine whether the student needs a functional behavior assessment or referral to a SAT or BIP team, or, if a student has an IEP, a referral to the student's IEP team. The student's IEP, BIP, or SAT team shall meet within two weeks of each subsequent use of restraint or seclusion to provide recommendations for avoiding future incidents requiring the use of restraint or seclusion; the review shall include whether school personnel involved in the incidents were trained in the use of de-escalation strategies, positive behavioral intervention supports, or restraint and seclusion techniques. Additionally, the review shall consider whether the individual who restrained or secluded a student needs additional training.

CAIS shall conduct an annual review and analysis of all incidents in which restraint or seclusion techniques were used, including the number of incidents, the type of incident, personnel involved, the need for additional training, and student demographics.

If the school summons law enforcement instead of using a restraint or seclusion technique on a student, the school shall comply with the reporting, documentation, and review procedures established herein and in 6.11.2.10 NMAC and Section 22-5.-4.12 NMSA.

Restraint or seclusion techniques used in compliance with 6.11.2.10.E NMAC shall not be deemed to be corporal punishment.

## Parent Grievance Policy

### TO ADDRESS STUDENT CONCERNS

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

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

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

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

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

## Community Grievance Policy

### TO ADDRESS MATTERS OTHER THAN THOSE COVERED IN THE ABOVE SECTION.

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

follow. (Note: Grievances by School employees follow a separate Employee Grievance Policy/Process: see Employee Handbook)

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

*Governing Council Review -* The Governing Council, in its sole discretion, may decide whether any particular issue submitted to them is appropriate for Governing Council intervention. Typically, the Governing Council will NOT review administrative decisions regarding the following: student discipline, student placements (in special education or regular education classes), complaints about a staff member's performance (except the Principal), matters particularly within the expertise of the educational staff and administration, matters in which a different review process is specified by law or this Handbook. The following procedure shall be followed for any Governing Council Review granted:

1. The community member may submit his/her grievance in writing to the Cien Aguas International School's Governing Council within five days of receiving the Principal's statement concerning the good faith effort to resolve the dispute.
2. The letter must be in writing, signed by the community member and delivered to the Governing Council at the school. A copy of the Principal's statement should be enclosed.
3. If the community member does not submit a written grievance within five days from the date the written summary prepared by the administrator is delivered to the community member, the grievance will be deemed "resolved."
4. The grievance submitted to the Governing Council should include specific reasons why the community member is not satisfied with the administrator's decision, any specific school policy that the member believes has been violated, and any other relevant information and documentation that supports the grievance. The written grievance must be dated and signed by the person submitted the complaint.
5. The Governing Council will decide at the first meeting immediately following receipt of the written grievance whether it will hear the matter, and if it agrees to hear the matter, it will schedule a time for the meeting, which shall not be unreasonably delayed. Depending on the substance of the complaint, the Governing Council will also decide whether the grievance shall be heard as an informal meeting of the concerned parties, an informal hearing with each party being allowed to present his/her side of the story or any other procedure the Governing Council deems appropriate.
6. Cien Aguas International's Governing Council members who are interested parties or who may have an actual or apparent conflict of interest shall



disclose such conflict and be excused from the grievance meeting if the Governing Council deems the excusal necessary to provide the complaining community member a fair consideration of the grievance.

7. Any meeting or hearing concerning a matter that relates to personnel issues, that is confidential, or that implicates an individual's privacy rights will be held in a closed meeting in accordance with the Open Meetings Act, unless written permission by the affected individual is obtained prior to the meeting.
8. A decision will be established by a majority vote of the members of the SCHOOL Governing Council hearing the issue. The Cien Aguas International School's Governing Council may designate a committee of the Governing Council to meet with or conduct the hearing. Any final action required to be taken by the Governing Council will be made after the committee's recommendation is presented to the full Governing Council.
9. If additional information or investigations are necessary after the initial meeting or hearing, the meeting or hearing may resume as soon as is practical after further information has been gathered or an investigation has been conducted. The Governing Council will issue a final written decision regarding the grievance. The decision of the Governing Council is final.

## **SUSPENSION/EXPULSION PROCEDURES**

**Immediate Removal.** Students whose presence poses a continuing danger to persons or property or an ongoing threat of interfering with the educational process may be immediately removed from school without a prior hearing, subject to the following:

1. A rudimentary hearing, as required for short-term suspensions, will follow as soon as possible;
2. Students shall be reinstated after no more than one school day, unless within that time a short-term suspension is imposed after the required rudimentary hearing. In such circumstances, a single hearing will support both the immediate removal and a short-term suspension imposed in connection with the same incident(s); and
3. The school shall make reasonable efforts to inform the student's parent of the charges against the student and the action taken as soon as practicable. If the school has not communicated with the parent by telephone or in person by the end of the school day following the immediate removal, the school shall on that day mail a written notice with the required information to the parent's address of record.

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

- The school administration must provide written notification to each of a student's teachers and to the Student's parents/legal guardians within one (1) school day of imposing *any* form of suspension.
- The school administration must keep on file a copy of the notification for any suspension occurring during a school year.
- The Director is responsible for notification, compliance, and documentation.
- Any student suspended from CAIS shall be delivered directly by a school official to the student's parent or an adult designated by the parent or kept on school grounds until the usual end of the school day.

### **Short-Term Suspension**

Short-term suspension will be at the discretion of the Director and will address unsafe behaviors and those that disrupt the educational process. Short-term suspension will be limited to no more than ten (10) days.

### **In-School Suspension**

In-School suspension may be imposed with or without further restriction of student privileges. Any student who is placed in in-school suspension for longer than 10 school days must be provided with an instructional program that meets state educational requirements. Student privileges (extracurriculars, etc.), however, may be restricted for longer than 10 school days.

In-school suspensions of any length shall be accomplished according to the procedures for a short-term suspension, below. No student in in-school suspension shall be denied an opportunity to eat lunch or reasonable opportunities to go to the restroom.

### **Long-Term Suspension**

Long-term suspension is defined as the removal of a student from instruction and off school-related activities for more than ten (10) days and up to the balance of the semester or longer in cases which are near the end of a given semester. A student who has been validly long-term suspended is not entitled to receive any educational services during the period of exclusion from school. This may result in loss of credit.

- A student shall be given the opportunity for a due process hearing prior to suspension. See "Due Process", below.
- The student may, at his/her expense, choose to be represented by an attorney at the hearing.

At the Director's discretion, students may be suspended for up to 10 days pending a long-term suspension due process hearing. Where a decision following the required formal long-term suspension hearing is delayed beyond the 10-day temporary suspension period, the student shall be returned to school pending the final outcome, unless the student and parents have knowingly and voluntarily waived the required hearing, or the student's right to return to school pending the outcome of the hearing.

***Students can be long-term suspended for serious violations or offenses, including but not limited to, the following:***

- Weapons
  - Possession, use of or threatening with a gun, explosive/projectile device, knife or other instrument with intent to cause bodily harm
  - Sale or furnishing of weapons (gun, sharp object, club, explosive/projectile device or an object that could inflict serious bodily injury)
- Arson
  - Starting a fire resulting in injury to a person
  - Starting a fire resulting in serious damage to property over \$200.00.
- Drug Dealing or Distribution
  - Possession with intent to distribute alcohol or drugs, other illegal substances or look-alikes
  - Repeated use and/or possession of drugs, alcohol, or any intoxicant
- Harassment
  - Any gesture or written, verbal or physical act that is reasonably perceived as being motivated by any actual or perceived characteristic, such as race, religion, national origin, sex, or disability.
  - Any of the above that will have the effect of harming a student or damaging a student's property, placing the student in reasonable fear of harm to his or her person, including the initiation process referred to as **hazing**, or has the effect of causing a disruption to the educational process
- Acts of Violence
  - Cause of attempt to cause physical injury to a staff member
  - Bomb threats
  - Repeated fighting
  - Causing physical harm to another person
  - Rioting or gang fighting

### **Expulsion**

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

- A student must be given a due process hearing prior to expulsion. See "Due Process", below.
- The student may, at his/her own expense, choose to be represented by an attorney at the hearing.
- A student who has been validly expelled is not entitled to receive any educational services during the period of the exclusion. This may result in loss of credit.

### **Gun Free Schools Act**

The Gun Free Schools Act provides for an expulsion of a period of not less than one year for a student who is determined to have brought or to have possessed a firearm or explosive device at school or any setting that is under the control or supervision of school officials; the Director or Governing Council may modify the expulsion requirement on a case-by-case basis. All school-related incidents of firearm possession must be reported to the Albuquerque Police Department. Discipline of students with disabilities must be pursuant to 6.11.2.11.D NMAC.

### **Referral for Legal Action**

Any illegal action by a student taking place at school or a school-sponsored or school-related activity will be referred to the appropriate authorities or law enforcement agency. New Mexico law requires that, if any school employee has reasonable cause to believe that a child is or has been in possession of a firearm on school property, the employee shall immediately report the child's actions to a law enforcement agency, to the Director, and to the Children, Youth, and Families Department.

### **Suspension from Extra-Curricular Privileges**

Students may be removed, at the discretion of the Director, from any part or all of extra-curricular privileges for time periods up to one (1) full calendar year.

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

**Participation in extra-curricular activities is not a student right, and suspension of such privilege does not require a due process hearing procedure.**

### **Due Process Hearings/Meetings:**

1. Short-Term Suspension: A student facing in-school or out-of-school suspension for fewer than ten (10) days is not entitled to a formal hearing, but is entitled to notice and an opportunity for a rudimentary hearing as follows:
  1. Before the student is placed on short-term suspension, the student shall meet with the Director or designee and shall be informed of the charges against him or her and, if (s) he denies them, shall be told what evidence supports the charge(s). The student shall be given an opportunity to present his or her version of the facts and refute the charges in that meeting. The Director is not required to divulge the identity of informants, although (s) he should not withhold such information without good cause. The Director or designee shall disclose the substance of all evidence on which (s) he proposes to base a decision in the matter. The meeting may be an informal discussion and may follow immediately after the notice of charges is given.

2. If the student denies the charge(s), the Director or designee may delay the suspension in order to conduct further investigation, but is not required to. The discussion with the student may take place and a temporary suspension may be imposed within minutes after the alleged misconduct has occurred.
3. If the student's continued presence endangers persons or property or threatens disruption of the academic process, the student shall be immediately removed from school without notice and/or opportunity to be heard, but shall be given such notice and opportunity to be heard in a meeting with the Director or designee scheduled within one school day thereafter. If no such meeting has been or can be scheduled within that timeframe, the student shall be reinstated to school until such time as the meeting can occur.
4. The Director/designee is not required to allow the student to secure counsel, to confront or cross-examine witnesses supporting the charge(s), or to call witnesses to verify the student's version of the incident, but none of these is prohibited.
5. The school shall make reasonable efforts to inform the student's parent or guardian of the charges against the student and the possible or actual consequence as soon as practical. If the school has not communicated with the parent/guardian by telephone or in person by the end of the first full day of suspension, the school shall on that day mail a written notice with the required information to the parent/guardian's address of record.

2. Long-Term Suspension or Expulsion: A student recommended by the Director for long-term suspension (more than ten (10) days) suspension may, in writing, request a hearing before a third-party Hearing Officer designated by the Governing Council. A student may waive his or her right to a long-term suspension hearing, or the parent/guardian may choose to waive the student's right to a hearing before the Hearing Officer. Expulsion hearings are required and cannot be waived.

1. Hearing Officer and Transcript
  1. The Hearing Officer is the person designated by the school Governing Council to hear recommendations for long-term suspensions and expulsions
  2. A taped transcript of the proceedings before the Hearing Officer shall be recorded and kept at the school for a period of one year, after which the transcript will be destroyed, except in cases of expulsion where records are kept for longer periods
2. Hearing Officer Procedure
  1. Notice. If a hearing is requested or required, school authorities shall prepare and serve the student and his/her parents or legal guardians with a written notice of the long-term suspension or expulsion, and the date, time, and place of the hearing thereon, hand-delivered or by certified mail, return receipt requested. The notice shall contain notice of the school

rule(s) alleged to have been violated, a concise statement of the alleged acts of the student, a statement of the possible penalty, the date/time/place of the hearing, a statement that both student and parent are entitled and/or urged to be present, a clear statement that the hearing will take place as scheduled unless the Hearing Officer grants a delay, a clear and conspicuous warning that a failure to appear will not delay the hearing and may lead to the imposition of the proposed penalty by default, a statement that the student has the right to be represented at the hearing by legal counsel, a parent or some other representative designated in a written notice filed at least 72 hours before the hearing, a description of the procedures governing the hearing, the name/business address/telephone number of a contact person through whom the student/parent/representative may request a delay or seek further information, and any other information/materials/instruction deemed appropriate by the administrative authority preparing the notice. The school shall provide copies of documents supporting its actions and a list of witnesses to the student and his/her parents/legal guardians at least two (2) working days in advance of the hearing.

2. Scheduling. The hearing shall be scheduled no sooner than five (5) days and no later than ten (10) school days from the date of receipt of notice by the parents or legal guardians.
3. Burden of Proof
  1. The hearing is not a legal proceeding, and formal rules of evidence shall not govern the conduct of the hearing.
  2. The burden of proof of misconduct is on the school authorities.
4. Witness and Time Limits
  1. The student may, at his/her own expense, choose to be represented by an attorney during the hearing.
  2. The student or his/her counsel may present evidence and shall have the right to call witnesses on his/her behalf and to question witnesses against him/her.
  3. The school authorities including legal counsel, shall have the right to call witnesses and to question any witnesses who testify.
  4. The Hearing Officer must schedule adequate time to hear the matter but may impose reasonable time limits on the parties' presentations.
5. Failure to Appear
  1. If no one has appeared on the student's behalf within a reasonable time after the announced time for the hearing, the Hearing Officer shall determine whether the student, through the parent, received notice of the

hearing. If so, the Hearing Officer shall review the school's evidence to determine whether it is sufficient to support the charge(s) of misconduct

6. Decision of Hearing Officer
  1. The Hearing Officer shall determine first whether the alleged act(s) of misconduct have been proved by a preponderance of the evidence presented at the hearing.
  2. If the misconduct is so proved, the Hearing Officer then shall decide upon the appropriateness of the disciplinary action taken, or in the case of a proposed expulsion, whether expulsion is appropriate.
  3. The Hearing Officer may request additional evidence from the parties and may receive that additional evidence after the formal hearing.
  4. All parties shall have the right to comment in writing upon any additional evidence submitted. Any such commentary shall be submitted within five(5) days of submission of the additional evidence.
  5. The Hearing Officer shall serve its written decision on the parties stating its findings, conclusions and implementations, by certified mail, return receipt request and/or by hand-delivery, within five (5) school days after hearing, receiving and considering all the evidence and arguments.
  6. The Hearing Officer's decision shall take effect immediately upon notifying the student and his/her parent/guardian and shall continue in force during any subsequent appeal.
7. Appeal to the Governing Council Due Process Committee.
  1. The student, parent, or guardian may appeal the decision of the Hearing Officer to the school Governing Council Due Process Committee by serving a written Notice of Appeal to the Council President or designee within five (5) days after the Hearing Officer's decision has been served.
8. The Governing Council Due Process Committee shall be a three-member committee composed of and appointed by the members of the Governing Council to hear due process appeals in the long-term suspension/expulsion context. If the Due Process Committee is composed of a quorum of the Governing Council, the Due Process Committee shall meet in accordance with the provisions and exceptions of the Open Meetings Act.

9. The Due Process Committee shall then review a summary of the transcript and the evidence before the Hearing Officer within ten (10) calendar days.
10. No new information shall be considered in the appeal, unless the student persuades the Governing Council Due Process Committee that a finding of fact was arbitrary, capricious or unsupported by substantial evidence, or that new evidence which has come to light since the hearing and which would not with reasonable diligence have been discovered in time for the hearing would manifestly change the factual determination. Upon any such finding, the Due Process Committee shall have the discretion to receive new evidence, reconsider evidence introduced at the hearing or conduct a de novo hearing. In the absence of such finding, the review shall be limited to an inquiry into the appropriateness of the penalty imposed.
11. After reviewing the record and all materials presented at the hearing before the Hearing Officer, the Due Process Committee shall render a decision within fifteen (15) school days after a student's written request for review is received, which affirms, overrules, or modifies the decision of the Hearing Officer.
12. The severity of any sanction previously imposed may not be increased on appeal.
13. The Due Process Committee decision is the final administrative action to which a student is entitled.

## **Disciplinary Considerations for Students with Disabilities under Individuals with Disabilities Act (IDEA)**

Students with disabilities are not immune from the school's disciplinary process once placement procedures are properly followed.

**Immediate removal** of students whose presence poses a continuing danger to persons or property or an ongoing threat of interfering with the educational process may be immediately removed from school pursuant to the immediate removal process outlined in the "Suspension/Expulsion" section herein.

**Temporary suspension** (of not more than 10 consecutive school days) of students with disabilities may be imposed in accordance with the "Suspension/Expulsion" section herein, provided that the student is returned to the same educational placement after the temporary suspension, and unless a temporary suspension is prohibited pursuant to the student's IEP. Students may be suspended, or removed to an appropriate interim alternative educational setting or another setting, for not more than 10 consecutive school days. Additional removals of not more than 10



consecutive school days may occur in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change in placement pursuant to 34 CFR Sec. 300.536 and 6.11.2.11.G NMAC..

**Removal to Interim Alternative Educational Setting.** In accordance with 34 CFR Sec. 300.530(g) and (i), the IEP Team can remove a student to an interim alternative educational setting for not more than 45 school days without regard to a manifestation determination (described below), if the student (1) carries a weapon to or possesses a weapon at school, on school premises, or to or at a school function; (2) knowingly possesses or uses illegal drugs, or sells them at school; (3) has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function. The student's IEP team determines the interim alternative educational setting for services.

**Long-term suspension/expulsion.** Since the exclusion of a student with a disability from his/her education program for more than ten (10) consecutive school days may constitute a significant change in placement, the following considerations must be addressed:

- when considering long-term suspension or expulsion, an Individualized Education Program (IEP)

Team must first determine whether the behavior of concern is a manifestation of the student's disability.

- to determine if the conduct in question is or is not a manifestation of the student's disability, the IEP Team, Director and student's parent (together, "Team") must review all relevant information in the student's file and any relevant information provided by the parents, to determine:
  - o. If the conduct in question was the direct result of the school's failure to implement the IEP;  
or
  - o. If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability.
- if the Team determines that either of these conditions is met, then the conduct must be determined to be a manifestation of the child's disability, and no further disciplinary proceeding shall occur. Recommendations: Review IEP, add services and support, develop/update FBA/BIP, and/or change services if appropriate. The IEP Team shall take immediate steps to comply with 34 CFR Section 300.530(f) and remedy any deficiencies.
- if the Team determines that the behavior is not a manifestation of the student's disability, disciplinary actions may be taken in accordance with the procedures for students without disabilities, provided that a student with a

disability who is removed from the student's current placement continues to receive special education and related services as provided in 34 CFR Sec. 300.530(d).

- Should the disciplinary procedures include long-term suspension or expulsion, the school must continue to provide educational services, including access to the general education academic curriculum, as determined by the IEP.
- Any suspension that excludes a student from his/her IEP services must be counted when calculating the total number of suspension days (up to 10 cumulative days or beyond the ten days may constitute a change of placement).
- The decision to change a student from his/her IEP placement must be made on an individual basis..
- Cien Aguas International School will follow the federal guidelines regarding the provision of educational continuation services for suspended special education students.
- Special education students are entitled to a due process hearing if long-term suspension or expulsion is recommended.
- On the date on which the decision is made to make a removal that constitutes a change of placement of a student with a disability because of a violation of a code of student conduct, the school shall notify the parents of that decision, and provide the parents the procedural safeguards notice described in 34 CFR Sec. 300.504.

### **Reporting**

Nothing in these procedures prohibits CAIS from reporting a crime committed by a student with a disability to appropriate authorities. If School reports a crime committed by a student with a disability, school shall ensure that copies of the special education and disciplinary records of the student are transmitted, for consideration by the appropriate authorities. Records may be transmitted only to the extent that transmission is permitted by FERPA.

### **Appeals**

The parent of a student with a disability who disagrees with any decision regarding a disciplinary-related placement or the manifestation determination, or if the Director believes that maintaining the current placement of the student is substantially likely to result in injury to the student or others, the decision ,au be appealed by requesting a hearing pursuant to 6.31.2.13.I NMAC.. When an appeal has been made, the student must remain in the interim alternative educational setting pending the decision of the hearing officer, or until the expiration of the 45-

day time period, whichever occurs first, unless the parent and Director agree otherwise.

### **Disciplinary Considerations for Students under Section 504**

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

**Section 504 Procedural Safeguards** Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. Sec. 706(8)) states: "No qualified individual with a disability shall, solely on the basis of his or her disability, be denied participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

- The parent/guardian shall be notified in writing of all school decisions concerning the identification, evaluation, or educational placement of his/her child.
- The parent/guardian shall be notified that he/she may examine relevant records.
- The parent/guardian shall be notified before any significant change in placement occurs.
- The parent/guardian may obtain copies of educational records at a reasonable cost unless the fee would effectively deny him/her access to the records.
- The parent/guardian may request amendment of his/her child's educational records if there is reasonable cause to believe that they are inaccurate, misleading or otherwise in violation of the privacy rights of his/her child. If the school refuses this request for amendment, it shall notify the parent within a reasonable period of time, and advise him/her of the right to a hearing.
- Parents/guardians, or the student, if 18 or over, who dispute the school's decision with respect to actions regarding the identification, evaluation, or educational placement of a student or regarding harassment related to disability under Section 504 requirements, shall have the following means of dispute resolution, each of which may be used in any order:
  - o File a written complaint, which specifies the problem and the resolution requested, with the Director. If the concern is resolved informally, the

Director/Designee will document that resolution and provide copies to the parent.

- o Request an impartial Section 504 Due Process Hearing, with the opportunity for participation by the parent/guardian and legal counsel (if desired). The request shall be in writing to the Governing Council chairperson, including a description of the specific concern and proposed remedy. The Governance Council shall appoint an unbiased hearing officer to hear the matter. The hearing shall be convened within ten (10) working days after the written complaint is received, unless both parties agree to postponement. The hearing shall follow this format:

- An opening statement by each party;

- Testimony and evidence presented by each party with opportunity for

- cross-examination; and closing statement by each party;

- o. File a written complaint with the Office for Civil Rights, Department of Education, Region VIII, Federal office Building, 1244 Speer Blvd, Suite #310, Denver, Colorado 80204-3582.
- o. File a civil suit.

## **Discipline of Students Experiencing Homelessness**

Removing students experiencing homelessness from school shall be used only as a last resort, pursuant to the requirements of the McKinney-Vento Homelessness Assistance Act, 42 USC Section 11431 et seq. CAIS shall implement discipline alternative to temporary or long-term suspensions or expulsions or classroom removals, where possible, and shall connect students experiencing homelessness with mental health services as needed.

CAIS shall conduct professional development activities to create awareness amongst staff of the types of behaviors that students experiencing homelessness may exhibit due to homelessness, and provide strategies and supports to address the behaviors through the SAT team process in accordance with 6.29.1.9 NMAC. CAIS staff shall take into account the issues related to a student's homelessness by talking with the student and applicable staff and families prior to taking disciplinary action, and shall consult with school behavior response teams or other applicable personnel to assign appropriate discipline related to the behavior(s).

## Dress Standard

This school dress standard is intended to keep students safe and focused on learning. It reflects the purpose, values and the educational mission of the school. Students are required to respect the rules of dress every day while they are at school or on a school trip.

Parents and school staff have a common interest in the educational, physical and ethical development of students. Students are required to adhere to a standard of dress and grooming, to promote a positive, learning-focused, safe and healthy school.

1. The responsibility to interpret and enforce the dress standard rests with the school staff and finally, the school Assistant Director or Director.
2. All visitors are asked to respect the school dress and grooming standards of the school.
3. No discussions around dress standards will be framed to shame any student.

Students are to come to school dressed appropriately for participation in instruction and physical activities. Clothing should be comfortable, clean and not a distraction to others. Before your child walks out the door, please make sure your student is wearing safe and appropriate clothing for Cien Aguas International School. The following guidelines should be considered by families when purchasing clothing for school:

### Standards:

1. Clothing may not present a hazard to health or safety.
2. Clothing may not violate municipal or state law.
3. Clothes and appearance should not pose the potential to disrupt the educational process due to profanity, obscenity, vulgarity, references to drugs, including alcohol and tobacco products, violence, sexual references, or statements or symbols disrespectful to the background, beliefs, or the ability of others.
4. Any clothing that allows undergarments to be seen due to size, length, transparency or damage should not be worn.
5. Droopy pants that reveal underwear or any part of the body below the hip bone should not be worn.
6. Dresses and skirts including openings which allow undergarments to be viewed, for instance, while participating in PE should not be worn.
7. Shorts that restrict movement or do not allow for comfortable sitting, bending, or running are not appropriate for activities at school.
8. Pajamas (top or bottom) should not be worn, unless it is a sanctioned school function, ie, 'pajama day.' In general, clothing for a special event (like a costume) is allowed if approved by the school.

9. Bandanas, and hairnets or any article of clothing that may be affiliated with or promote gang activity, should not be worn due to promoting potential conflicts (but see 'Hairstyles', below).
10. Jewelry that is provocative and/or chain belts, wallet chains and long belts that might endanger students should not be worn.
11. Safe and appropriate shoes for the weather, classroom activities and other conditions must be worn at all times on campus and in buildings. Heelys or skate shoes and flip flops are too dangerous.
12. Coats or jackets should be hung in classrooms (teacher discretion).
13. Student hygiene should be adequate and not cause a distraction to the educational process.
14. Hats are allowed in the classroom, and at the discretion of the teacher. Sunglasses and hoods cannot be used inside buildings, but are allowed when out on the playground.

**Interpretation of the dress standard shall not create shaming, gender inequality or racial or religious discrimination. Dress standard deviations should first be treated as a learning opportunity as the dress code reflects the school's values and desire to keep students safe and focused on learning.**

**Subsequent deviations may result in the following consequences:**

***A verbal warning, written warning, call to the student's home requesting a change of clothes, wearing donated clothes available in the office, etc.***

## **Hairstyles**

CAIS shall not discriminate against a student, discipline a student, or impose disparate treatment of a student, because of a student's race, religion or culture or because of a student's use of protective hairstyles or cultural or religious headdresses.

## **Electronic Device Policy**

**Electronic devices (cell phones, smart watches, air pods) are not to be used during school.** Every student is assigned a personal Yondr Pouch. While the Yondr Pouch is considered school property, it is each student's responsibility to bring their Pouch with them to school every day and keep it in good working condition.

### **DAILY PROCESS**

As students **Arrive to their classroom**, they will:

1. Turn their electronic devices off.
2. Place their electronic devices inside their Pouch and secure it in front of their teacher.
3. Store their Pouch in their backpack for the day.

At the end of the day, students will open their Pouch, remove their electronic devices and put their Pouch in their backpack. Students must bring their Pouch to school with them each day.

\* Students arriving late or leaving early will pouch/unpouch their electronic devices in the Main Office.

## VIOLATIONS

### Pouch Damage / Lost Pouch / Using Electronic Devices During School

- If a student damages their Pouch or is caught on their electronic device, Administration will collect the student's electronic devices/Pouch.
- Parents will have to purchase a new/replacement pouch for \$15.00.
- **The student's parent may pick their electronic devices up *after* the school day.**
- **The student will not be allowed to bring their phone or technology to school.**

Examples of damage:



- Deep scratches on the globe and on the green ring around it
- Intentional pen marks on the inside of the Pouch
- Bent pins
- Pin and button not fully recessing, due to pin damage

### Forgotten Pouch

If a student forgets their Pouch, **their electronic devices will be collected and Admin will call home to remind the Parent of the policy.** The devices will be returned to the parent at dismissal and after a conversation with Administration. If a student consistently forgets their Pouch, it is considered Lost. **Refer to the Lost Pouch policy above.**

## FERPA (Family Educational Rights and Privacy Act) Policy

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. These rights are:

1. The right to inspect and review the student's education records within 45 days of the day the School receives a request for access.

Parents or eligible students should submit to the School director or director's designee a written request that identifies the record(s) they wish to inspect. The director or designee will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. Parents or eligible students who wish to ask the School to amend a record should write the School director or designee, clearly identify the part of the record they want changed, and specify why it should be changed. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
3. The right to privacy of personally identifiable information 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 interest in the information/record. CAIS considers a "school official" to be 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 Governing Council; a person or company with whom the School has outsourced services or functions it would otherwise use its own employees to perform (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.

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.

Upon request, the School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer. The School considers the following to be "Directory Information" which may be released by the School without the permission of the eligible student/parent: Student name, student address, email, and telephone number. If you wish that this information NOT be provided upon request without your permission, you must request, complete and turn in a Directory Information Opt-Out Form, available from the Administration Office.

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



## **Section V: Nutrition**

Food brought to school should be nutritious and appropriate in quantity. To prevent the spread of germs, and to avoid unfairness, food should not be shared with other children. Food that is brought to share must be with the teacher's permission, and must be sufficient in quantity for the whole class. Food from home should be eaten at mealtimes only. It does not belong in class or at recess, unless it is brought to share during a birthday celebration.

### **Food and Beverage Information**

**The U.S. Department of Agriculture** along with **New Mexico Nutrition Standards for Competitive Foods** have updated the nutrition standards for all food and beverage items that can be sold or given to students during the school day, this includes fundraising and snack bars.

- [Smart Snacks – NMPED External link](#)
- [Summary Snack Fact Sheet \(PDF\)](#)
- [Frequently Asked Questions \(FAQs\)](#)

### **Resources and Materials**

A number of tools and resources are available to help schools identify food and beverage items that meet federal, state and district regulations. See the resources below for information about the Smart Snacks requirements, helpful tools, and ways to encourage children to make healthier snack choices that give them the nutrition they need to grow and learn.

- [A Guide to Smart Snacks in School External link](#)
- Know Your Products! Use the [Smart Snacks Calculator and/or Navigator External link](#) to help identify if your current food/beverage meets the nutrition standards.

### **Birthday / Celebration Policy**

Celebrations honoring a specific student may not interrupt instruction or make anyone feel left out of the celebration.

- A parent who wants to bring in snacks or other celebratory food must **contact the teacher in advance**. The teacher may schedule the celebration during the last ten minutes at end of the school day.
- Considerations have to be made regarding food allergies and the promotion of healthy eating habits among our students.
- Bouquet, candy, or outside food deliveries will not be delivered to a student or their classroom for any reason.
- Actual birthday parties are to be held outside of school and invitations have to be given to everyone in the class in order to be handed out at school.



## ACKNOWLEDGEMENT FORM

### **CIEN AGUAS MANUAL: A PARENT AND STUDENT HANDBOOK**

I have read and have received a copy of the Parent/Student Handbook and agree to abide by the rules and regulations that have been stated.

He leído el libro de pólizas de Padres/Estudiante y estoy de acuerdo en seguir las reglas y los procedimientos mencionados. Parent/Guardian's

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Adult Family Member Signature / Firma de un adulto en la familia

---

Date/Fecha

---

Firma del estudiante/ Student's Signature

---

Grade/Grado

*ESTA PAGINA DEBE SER REGRESADA EN LA OFICINA DE LA ESCUELA.*

*THIS PAGE MUST BE ON FILE IN THE SCHOOL OFFICE.*