



# Horizon Academy West

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### B.1 PRINCIPAL'S & ADMINISTRATION'S AUTHORITY AND RESPONSIBILITY

The Council delegates to the Head Administrator the authority and responsibility for the day-to-day operations of the school and the development of operational procedures to implement each policy and governing procedure of the Council. Without limited the general delegation of authority for day-to-day operations, the Council delegates to the Administrator the following specific responsibilities:

- the authority and responsibility to employ appropriate personnel that is not hired directly by the Council;
- the authority and responsibility to implement the facilities plan; and
- the authority and responsibility to make all expenditures consistent with the annual budget and budget adjustment requests approved by the Council.

### B.2 HEAD ADMINISTRATOR'S EVALUATION

An effective working relationship between the Head Administrator and the Council is essential to the successful operation of HAW. The development and maintenance of such a relationship will be assisted by an annual review of the Head Administrator's diverse responsibilities accompanied by an evaluation of the Head Administrator's performance. Based on a process and criteria that are mutually agreeable to the Council and the Head Administrator, the Council will evaluate the Head Administrator's effectiveness. The evaluation document and procedures to be used will be reviewed and approved by the Council.

### B.3 EVALUATION OF OTHER HAW EMPLOYEES

Based on the New Mexico Public Education requirements, the Principal/Director will evaluate the effectiveness of other HAW employees.

### B.4 MEDIA CONTACTS

All communications with the media shall be handled by or under the express direction of the Principal and Administration.

### B.5 COMMUNICATIONS WITH STUDENTS, STAFF AND/OR PARENTS

No general communications which purport to be or are likely to be construed to be issued on behalf of HAW or endorsed by HAW shall be distributed to HAW students, faculty, staff and/or parents, whether by written notice, email notice, telephone, or otherwise, unless the content of such communications shall have been first approved by the Principal or Administration. This procedure shall not apply to communications (i) by faculty to students and/or parents in the ordinary course of their instructional duties, (ii) by the Principal or the Administrators in the ordinary course of their duties, or (iii) by members of the Governing Council, Council committees, or volunteer committees under the supervision of the Principal and Administration which are directed solely to other members of the Council or the relevant committee in connection with the business of the Council or the relevant committee.

### B.6 CONFIDENTIALITY OF PARENT, STUDENT AND STAFF DATA

No one who has access to information regarding HAW students, parents, staff, Governing Council members, or volunteers as a consequence of their employment by HAW or volunteer work on behalf of HAW shall use such information for personal purposes or for the benefit of any person or entity other than HAW. All such information

shall be considered confidential and shall not be disclosed to anyone who is not otherwise authorized to have access to such information.

## B.7 EMERGENCY OPERATION PLAN

In New Mexico, as in the rest of the nation, we are looking at strategies to keep students, staff and faculty safe in our schools. The Emergency Operation Plan will be used as a guide to have systems in place to respond to emergency situations and aiding in recovery operations that will allow the school to return to operations prior to the emergency. Within the Emergency Operation Plan document, *five preparedness mission areas: Prevention, Protection, Mitigation, Response and Recovery* will be addressed. Horizon Academy West will use best practices and recommendations from the New Mexico Public Education Department Planning for Safe schools, school guide Fall 2017.

Cross Ref: Emergency Operation Plan

### EMERGENCY DRILLS- NMSA 22-13-14

An emergency drill shall be conducted at least once each week during the first four weeks of the school year. During the first four weeks of the school year, one shelter in place drill that includes preparation to respond to an active shooter, one evacuation drill and two fire drills. During the rest of the school year, shall conduct at least four more emergency drills, at least two of which shall be fire drills.

## B.8 DISASTER RECOVERY PLAN

Horizon Academy West acknowledges that all student and financial records are subject to the Public Records Act, 14-3-1 et seq. NMSA 1978 and disaster recovery requirements outlined in 1.13.20 et seq. NMAC. Pursuant to the internal control standards outlined in 6.20.2 et seq. NMAC, student and financial records are safeguarded in fireproof file cabinets to ensure no damage will be incurred in the case of disaster. In the unlikely event of a catastrophic infrastructure and / or server failure, this document shall serve as a guide for the restoration of the infrastructure and / or computer network which resides at the school site.

### DATA AND NETWORK RECOVERY

The school's financial system is APTA Fund and is web based. The system is backed up on the cloud. All student and administrative files/programs are stored on a Network Attached Storage (NAS) which will be backed-up weekly and stored off premises by the Technology Coordinator.

#### Backup Resources

- As stated above, APTA Fund safeguards its daily backups at an offsite storage facility housed in the administrative office in Tucson Arizona.
- All files which are created by administrative staff on individual workstations are copied to the NAS once a week. This NAS will be kept in a fire proof safe on-site to ensure data stored can be retrieved and recovered.

#### Restoration Process

- All restoration efforts shall be coordinated locally by the school technology coordinator and administration.
- The school technology Coordinator shall construct a priority list to develop a strategic plan for network/data recovery.

- The school technology coordinator shall inform the Principal/Director of the findings and the plan for network/data recovery.
  - Suggested restoration steps of network components shall consist of the following:
    1. network core (servers, firewalls, hubs, switches, routers, and cabling) – restoring data base.
    2. web and email servers, network print services critical workstations
    3. classroom and lab instructional workstations
- Administration will view strategic plan from Tech coordinator and work with insurance to recover what is covered and use emergency funding if necessary to cover costs.

## B.9 TECHNOLOGY ACCEPTABLE USE

Horizon Academy West has access to the Internet. The Internet is a vast source of information for teachers and students. Before a student is allowed to access the Internet, parents and students will be required to read, sign and return the Rules and Appropriate Use form once during each school year. This document will be distributed early in the school year. Parents may decline to allow their child access to the Internet. If a student uses the Internet without permission or in an inappropriate manner, it will result in disciplinary action. Parents will be expected to review and sign the Horizon Academy Internet Use Agreement form.

HAW provides technology resources for educational purposes. The goal in providing these resources is to promote educational excellence at HAW. This policy governs the use of Internet, Intranet, and e-mail resources by ALL users. The use of HAW technology resources is a privilege primarily for the enhancement of the education process. Violations of this policy may result in the revocation of technology use and disciplinary action up to and including suspension, and/or criminal prosecution for misuse of this resource.

HAW does not attempt to articulate all possible violations of this policy. In general, users are expected to use HAW computers and computer networks in a responsible, polite, and respectful manner. Users are not allowed to: 1. knowingly send, receive, or display sexually oriented images, messages, or cartoons;

2. knowingly send, receive, or display communications that ridicule, disparage, or criticize a person, a group of people, or an organization based upon race, national origin, gender, sexual orientation, age, disability, religion, or political beliefs; 3. knowingly send, receive, or display communications that demean, threaten, insult, harass, or defame others; 4. knowingly send, receive, or display communications that disparage or berate Governing Council members, or students, or employees, or diminish employee productivity and/or professionalism. Nothing contained in this paragraph shall be construed to interfere with the conduct of official HAW business; 5. violate any local, State, or Federal statute or regulation including, but not limited to, copyright laws; 6. Solicit, endorse, or proselytize others for commercial ventures, outside organizations, or religious, social, or political causes; 7. disrupt, disable, damage, or interfere with services, equipment, or other users; 8. access, assist, or allow others to access equipment, files, passwords, user codes, or information without authorization.

HAW reserves the right to review, audit, intercept, access, and disclose all matters on HAW computers, Internet access, and e-mail systems, as business conditions and/or security considerations warrant, with or without notice, during or after school hours. The use of a HAW-provided password by all users does not restrict HAW's right to access electronic communications. While HAW may or may not regularly monitor electronic communications, users using this resource should have no expectation of privacy in their e-mail or on the Internet. Accordingly, all users must ensure at all times that their electronic communications are appropriate, lawful, and in compliance with the provisions of this policy. As a condition of use of these resources, all users agree to HAW review and disclosure of e-mail and Internet records.

#### B.10 OSHA INJURY REPORTS AND RECORD KEEPING

OSHA standard 29 CFR 1904 requires the Operations Manager to keep and maintain records of accidents. Record keeping may also assist in determining high-risk areas and the effectiveness of the accident prevention program.

#### B.11 STUDENT EMERGENCY MEDICAL CARE

A. Assessment of Need and Notice to Parents. In the event of student injury or illness, priority must be given to the immediate care of the student, and the following actions will be taken (these actions also apply to suspected drug or alcohol overdose): 1. The school nurse (or designated first aid provider) if available, should evaluate the student's condition and provide first aid as necessary. 2. If the school nurse (or designated first aid provider) is not available, the health assistant or person designated by the Principal will provide first aid. First aid guidelines in the New Mexico School Health Manual will be followed by HAW.

3. Every attempt should be made to notify the parents or guardian. HAW shall keep the Student Emergency Information forms on file at HAW.

B. Medical Emergency Care and Procedures. In any situation requiring medical care beyond minor first aid:

1. The health assistant will determine if Emergency Medical Services or paramedics, telephone 911, will be called. Parents will be responsible for ambulance and emergency room fees. Any emergency requiring medical care emergency services, or resulting from an accident, should be reported to the HAW office on the Student Accident Report form. The report should be submitted in the event a medical referral is necessary or there are unusual circumstances surrounding the incident. A student requiring additional medical care should not be sent home until a parent or guardian has been contacted and the student can be personally supervised by a responsible adult. Staff must document all care, calls and parental contacts associated with student medical care. It is the responsibility of the Administration to collect and analyze the data from student accident reports so that safety hazards can be identified and corrected.

#### B.12 PESTICIDE USE

A. General Requirements Regarding Use.

HAW shall comply with applicable State Board of Education regulations (set forth at 6.30.2.10E (4), NMAC). Without limiting the generality of the foregoing, no pesticide or pest control device may be used on school property except those pesticides and devices currently registered for legal use in the state by the New Mexico Department of Agriculture, and all applications administered must be applied by certified and licensed personnel. Pesticides (excluding outdoor herbicides) will only be applied on or on the outside of school buildings when a pest is present and will not be applied on a regular or "calendar" basis unless it is to treat an infestation and is part of a pest management system being implemented to address a particular target pest. Pesticides that are applied in a liquid, aerosolized, or gaseous form will not be applied on public school property when students, staff, or visitors are present or may reasonably be expected to be present within 6 hours of the application, except in emergency cases, in which event school occupants will be removed from the treatment area prior to the application. Immediately following the application of a pesticide in emergency cases, signs will be posted indicating an application was made.

B. Notice to Parents.

All parents/guardians will be notified in writing prior to pesticide application. General notification of anticipated pesticide applications will occur by posting or dissemination of notices or oral communication or other means of communication. No pre-notification is required in emergency cases.

C. Record Keeping.

Written records of pesticide applications will be kept for three (3) years at each HAW site and be available upon request to parents, guardians, students, teachers, and staff.

### B.13 HAW VIOLENCE PREVENTION PLAN

. Building Access by Employees HAW buildings will customarily be opened, closed and secured only by the Principal, assigned custodian or another HAW employee specifically designated to perform those functions. The Principal may allow other employees to apply for access and/or the operation of the building in question. Any employee granted access privileges are required to enforce and abide by all HAW policies and procedures regarding the use of the building and any equipment therein. The Operations Manager shall be responsible for establishing a procedure to keep accurate records of all persons to whom keys are issued and/or alarm codes are distributed, and to address the steps to be taken when a key is lost or stolen. An employee who abuses building access privileges or who repeatedly violates this procedure may be subject to other disciplinary actions as outlined in human resources policy. Unauthorized persons, including employees, found in buildings after access hours may be subject to arrest.

Horizon Academy West shall conduct background checks, based upon fingerprint identification, of all district contractors and contractor employees who may have unsupervised access to students. Background check clearance of district contractors, subcontractors and contractor employees, agents and assignees who may have unsupervised access to students shall be valid for five years at which time a contractor and the contractor's employees shall, at the contractor or contractor's employees' expense, submit to and clear a new background check.

Releasing a Student from School to Someone Other Than a Parent/Guardian Adherence to the following procedures will greatly minimize the chance of kidnapping, molestation, or release of a student to unauthorized persons. It is the responsibility of the Registrar to acquaint the staff with the provisions of this procedure. Before releasing a student to anyone except his/her parent or guardian during a school day, obtain permission from the parent or guardian by telephone. When a parent or guardian telephones a request that a student be released early from school, the person taking the call must confirm the identity of the caller. They can do this by hanging up and calling the person back using the number listed in the student information system. In the event the telephone call is not being made from the student's home, question the caller in order to obtain information such as the student's date of birth, or names of teachers and classmates, all of which should be known by an authorized parent or guardian. In custody disputes, court orders are frequently presented as proof of guardianship. Be cautioned that the document presented may have been superseded by a more current court order or, as in the case of out of state documents, may not be valid within this jurisdiction. The Principal or his/her designee should be satisfied that the release of the student has the approval of at least one parent or guardian. If there is any doubt, do not release the student.

Staff Personal Security and Safety A staff member may use reasonable physical force to restrain or remove a person when it is essential for self-defense or for the protection of the individual, other persons or property, or if the person is unreasonably defiant or dangerous.

Guidelines for Police Involvement 1. Conditions to Report to Local Police the Principal or his or her designee shall report the following conditions to the local police office: • Actual or suspected criminal activity, i.e. burglary, vandalism, assault, drugs, thefts, disorderly conduct, etc. • Actual or suspected employee criminal misconduct. • Threat of bodily harm to any student or employee of HAW. • Other campus disorders or outsiders creating problems. • Parent/teacher problems interfering with the normal operation of the school. • Use or distribution of suspected drugs, alcohol or weapons. • If appropriate, students who are reported missing during school hours. In an emergency, the Principal or other designated employee shall call 911. 2. Criminal Trespass Any student who has been suspended and told to stay off campus, but does not do so, may be in violation of City of Albuquerque ordinances and/or state statutes pertaining to criminal trespass. If a student persists, call the police and ask for assistance with this problem. The Principal or designee should also contact the local police in the event of problems with outsiders. 3. Reporting Lost, Stolen or Missing HAW Property Information on stolen property must be forwarded to law enforcement agencies immediately to enhance the possibility of recovering the stolen property.

#### B.14 EMERGENCY DISMISSAL PLAN

Utility failures, fires, weather conditions and chemical spills are examples of situations which may necessitate early school dismissal. In the event that such an emergency should occur, the Principal (or, in the absence of the Principal, the Director or other senior administrator designated by the Principal) is responsible for taking actions outlined below. The Principal's or designee's response to an emergency should be based on known facts and experience. The Principal and safety designee(s) should be familiar with the Fire and Disaster Emergency Plan handbook which outlines evacuation procedures, protect in place procedures, securing emergency help, and response procedure for specific emergencies. The Principal or designee shall contact appropriate repair personnel to repair the school problem. The Principal or designee, after consulting with authorities, police and fire services, will make the decision whether or not school will be dismissed. The Principal or designee will also notify, as appropriate, other emergency personnel regarding the situation. The Principal or designee will notify the media of an early dismissal due to an emergency. The Principal and staff will make a concerted effort to notify parents by phone of an early dismissal. If the emergency situation cannot be resolved promptly, the Principal will determine if school can be opened the following day. The media and parents should be notified of the decision. In the event of an emergency or disaster, the Principal or designee has the authority to ask staff to help with the situation. The Principal or designee can arrange to have staff care for children, make phone calls, provide first aid, or other procedures necessary to protect students, public, and co-workers.

#### B.15 HAW FOLLOWS APS IN INCLEMENT WEATHER

If APS announces, via the media, that all APS schools (but not just one or more APS schools) will be closed or follow a reduced schedule (e.g. begin 2 hours later than usual) due to inclement weather, HAW will follow the APS plan for closure or reduced schedule and parents and staff may rely on such announcement. APS' failure to close or follow a short schedule for all schools due to inclement weather shall not prevent HAW from taking such action independently, as provided in Procedure E-15.

#### B.16 WEATHER-RELATED CLOSURE IN OUTLYING DISTRICTS

Due to the fact that some of our students travel to HAW from school districts outside of APS, weather-related late arrival, early dismissal, or absence will be excused according to the following policy. When districts outside of APS announce weather-related schedule changes, parents of students living in those outlying districts will be allowed to decide at their own discretion when or if it is safe to transport their children to HAW. In the event that a student living in one of these outlying districts is late, absent, or needs to leave school early due to weather-related schedule changes, HAW will excuse the absence, late arrival, or early dismissal of that student provided that the parent or guardian calls the office to inform the staff of their district's weather-related schedule change.

#### B.17 MAKE-UP OF TIME MISSED DUE TO EMERGENCY

Make-up days are only required if they cause the School's Instructional Hours to fall below the School Year-Length of School Day-Minimum requirements. If HAW is closed, or follows a reduced schedule, due to inclement weather or other emergency situation, the School will review the required hours to determine if make-up days are needed.

#### B.18 SECTION F FACILITY USE POLICY

HAW will allow the use of its school buildings, facilities and equipment by local citizen groups, private individuals and businesses for educational, cultural, civic, and recreational purposes when such use will not conflict or interfere with the school program.

## PROCEDURES:

### Charges for Use

The School Administration can determine a schedule of approximate rental rates to be charged for use of the facilities at HAW.

In addition to rental, reimbursement for utilities, custodial costs and other costs directly related to use can be charged.

Non-political, non-sectarian, and non-commercial activities may be granted use of school facilities free of charge, at the discretion of the School Administration. The School Administration may allow use of school facilities free of charge or at a reduced rate to applicants who commit to providing services or fund-raising opportunities to the school.

### Denial of Use

Permission to use HAW facilities will not be authorized in the case of individuals or groups whose use of the facilities, in the judgment of the School Administration, is inappropriate at the location.

HAW reserves the right to deny the use of school facilities to any individual or group without having to furnish reasons therefore.

### Initiating a Request for Use of a School Facility

The representative of the requesting group should contact the Administration for the Application and Site Use Agreement.

HAW may require a tenant user to purchase insurance as a condition of use. HAW is not required to extend its own liability insurance to the tenant user. If the tenant user elects to remain uninsured, it is at the user's own risk. The personal assets of the event sponsor may be in jeopardy if a loss occurs.

Cross Ref: Application & Site Use Agreement

## B.19 STUDENT CONDUCT

B.19.1 STUDENT DISCIPLINE HAW seeks to develop and maintain a safe and respectful learning community, fostering personal integrity, responsibility, creativity, productivity and academic excellence.

HAW will implement an open, fair and just procedure for dealing with student discipline and recognizes that parental involvement is necessary and desirable. HAW will seek to involve students in learning and developing mechanisms for creative dispute resolution. While effective discipline will primarily educate and provide restitution, punitive consequences are an appropriate element. 1.3. Within this framework, discipline will focus on educating and assisting each student in developing self-control, social responsibility, discriminating judgment and consideration for others. Each student is expected to participate honestly and openly in any disciplinary investigation or procedure and to accept the appropriate consequences for his/her actions. 1.4 The Administration will be responsible for day-to-day administration and coordination of discipline.

Cross Ref: Code of Discipline in Student Handbook.

B.19.2 SEARCH AND SEIZURE Student and school property shall be subject to search by certified school personnel, when there is reasonable cause or suspicion that a breach of rules or a crime is occurring or has occurred or the search is necessary to maintain school discipline. Property on campus may be searched with or without students present. Physical searches must be by persons of the same sex and must not be excessively intrusive in light of the student's age, sex and the nature of the infraction. Illegal items or legal items that may threaten safety or disrupt or interfere with the educational process may be seized.

Seized items may be released to appropriate authorities or a student's parent or returned to the student when and if the Principal deems appropriate.

**B.19.3 REGULATIONS** Violations of these regulations or of any other HAW policy may result in the full range of disciplinary measures. These regulations apply to students both on campus and while on school-sponsored activities. Violations of the local, state or federal law, even if committed off campus, may result in disciplinary action at the school. Likewise, disciplinary action by the school shall begin. The following activities are expressly prohibited: All forms of dishonesty, including but not limited to academic dishonesty such as cheating and plagiarism, knowingly furnishing false information, forgery, or alteration of documentation; Any act of violence towards any person, including but not limited to physical or emotional abuse, intimidation and harassment, or threat thereof, and acting with reckless disregard for the safety of others. Theft or unauthorized possession of school, personal or public property. Any criminal or delinquent act, gang related activity, sexual harassment or disruptive conduct. Damage to or misuse or destruction of any school, personal or public property. Any action disruptive or potentially disruptive to school activities, including teaching, administration, disciplinary actions, school sponsored events and public functions and the rights of other students to participate freely therein (which shall include, but not be limited to, use of foul language and backtalk. Repeated or willful failure to obey the reasonable directions of a teacher or staff member, refusal to identify self or refusal to cooperate with school personnel. Possession, use or distribution of alcohol or any controlled substance, (including any legal drug that is not prescribed for use by that student), or 'look-alike', being under the influence thereof, or advocating the use of drugs or other controlled substances. Possession or use of tobacco. Possession or use of any drug paraphernalia and/or equipment or apparatus designed for use or used for the purpose of measuring, packaging, distributing or facilitating the use of any drug or other prohibited controlled substance. Possession or use of a weapon or explosive device, or 'look-alike' of any kind at HAW facilities or in connection with HAW-sponsored activities, unless used exclusively as required equipment in a martial art, fencing or similar class or extracurricular activity at or sponsored by HAW, or as a prop for a dramatic performance, provided that such possession and use is under the direct supervision of an adult instructor. As required by Section 22-5-4.7 NMSA 1978 and 6.11.2.9(B) NMAC, a student who is determined to have knowingly brought a weapon (defined for purposes of this paragraph only to be (i) any firearm that is designed to, may readily be converted to or will expel a projectile by the action of an explosion, or (ii) any destructive device that is an explosive or incendiary device, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine or similar device) to school shall be suspended for a period of not less than one year Unexcused tardiness or absence Conduct that constitutes or could constitute a breach of HAW's obligations under the lease of the premises occupied by it or any other contract Violation of any other published policy or regulation of the school or engaging in any activity prohibited by federal, state or local law pertaining to schools.

**B19.4 DISCIPLINE PROCESS** 4.1 Minor disciplinary situations involving classroom misbehavior will be handled by the classroom teacher. (iv) "Immediate removal" (as defined in paragraph 4.2.5 below), detention or short-term suspension shall be imposed only after compliance with the following procedures required by 6.11.2.12D, E and F NMAC:

(1) the student shall first be informed of the charges against him or her and, if (s)he denies them, shall be told what evidence supports the charge(s) and be given an opportunity to present his or her version of the facts, in which case the following rules shall apply:

(2) the presentation of evidence may be an informal discussion and may follow immediately after notice of the charges is given;

(3) unless the applicable administrative authority decides a delay is essential to permit a fuller exploration of the facts, this discussion may take place and a temporary suspension may be imposed within minutes after the alleged misconduct has occurred;

(4) a student who denies a charge of misconduct shall be told what act(s) (s)he is accused of committing, shall be given an explanation of the evidence supporting the accusation(s) and shall then be given the opportunity to explain his or her version of the facts;

(5) the administrative authority is not required to divulge the identity of informants, although (s)he should not withhold such information without good cause; (s)he is required to disclose the substance of all evidence on which (s)he proposes to base a decision in the matter;

(6) the administrative authority is not required to allow the student to secure counsel, to confront or cross-examine witnesses supporting the charges, or to call witnesses to verify the student's version of the incident, but this may be permitted by the administrative authority.

(v) long-term suspension or expulsion may not be imposed without compliance with the procedural requirements imposed by 6.11.2.12G NMAC. For purposes of 6.11.2.12G, the "hearing authority" and the "disciplinarian" shall be the Principal, unless (s)he is disqualified pursuant to subparagraph 6.11.2.12G, or (s)he or the student's parent(s)/guardian(s) requests that the Governing Council appoint a separate committee or committees, pursuant to subparagraph 4.4 of this Policy, to act as "hearing authority" and/or "disciplinarian". For purposes of 6.11.2.12G, the Governing Council (or a committee appointed by the Governing Council pursuant to subparagraph 4.4 of this Policy) shall be the "review authority." (A copy of 6.11.2.12 NMAC is available from the Principal)

(vi) All infractions described in Subparagraphs 3.2, 3.7, 3.8, 3.9, 3.10, 3.11, 3.12 and 3.14 shall automatically be considered serious disciplinary matters. Other infractions may be considered serious disciplinary matters depending upon the circumstances. Serious disciplinary matters must be reported immediately to the Principal or, in his/her absence, the senior administrator appointed to act on behalf of the Principal, or, failing such appointment, the Director or Coordinators.

4.2.4. The Principal shall investigate and, subject to the limitations set forth in 4.2.3(iv) and (v) and 4.2.5, resolve all serious disciplinary matters. The Principal may delegate this authority to other senior administrator/s who will coordinate and communicate on all disciplinary matters referred to their attention, unless one of them is unavailable. The judgment of the Principal shall control, in the event of a disagreement between the parties.

4.2.5 The Principal, or a senior administrator or, in their absence, any teacher, may summarily remove a student, including a student with disabilities, from normal school activities ("immediate removal") and (i) refer the student to the administration for detention or other supervision, or (ii) in the absence of appropriate personnel to supervise the child, require that the student be removed from school premises by a parent or guardian, for no more than one school day if the relevant authority determines that the student's continued presence in the school constitutes a continuing danger to persons or property or an ongoing threat of interfering with the educational process. The Principal or a senior administrator must notify the parent or guardian of the student before the immediate removal may be converted into a suspension.

4.3 The school shall exert reasonable efforts to inform the student's parent(s)/guardian(s) whenever disciplinary charges are made against the student (except for the first referral to the administration not involving a serious disciplinary matter, in which event parent contact is required only as set forth in Section 4.2.1), 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 imposition of the disciplinary consequences, the school shall on that day mail a written notice with the required information to the parent's/guardian's address of record. When parents or guardians are contacted in connection with any disciplinary matter, the parents or guardians are expected to arrange for a conference with school authorities at the earliest possible time and to participate in any action plan for the prevention of future incidents. Any student who is suspended for any length of time may return to school only after a parent/guardian conference with school authorities.

4.4 The Governing Council may establish or appoint an ad hoc or a standing committee, (the disciplinary committee) to investigate and/or resolve (a) any disciplinary action involving a recommendation for long-term suspension or expulsion or (b) any appeal. If no such committee is appointed then the Executive Committee shall be the disciplinary committee. A member of the Governing Council will not participate in any disciplinary action involving their own child or family member and may be required to remove himself/herself from participating in disciplinary action involving children with whom he/she is acquainted if the member's objectivity may be compromised.

4.5 Any disagreement with action taken by an individual teacher or administrator that cannot be resolved with that teacher or administrator will be referred to the Principal, who may either resolve the dispute or refer the matter to the disciplinary committee or to the full Governing Council for resolution. In all cases, an appeal of any disciplinary decision by the Principal may be made to the Governing Council by written notice of appeal delivered to the Principal within 5 business days of determination of the sanction. The Principal should suspend operation of the sanction pending the appeal unless the Principal decides that it is not in the best interest of the student and/or the school to do so.

4.6 The teachers, the administrators, the Principal, the disciplinary committee and the Governing Council (and any other committees, staff or faculty members to whom disciplinary matters are delegated) will decide any disciplinary matter, or appeal, by

means of fair and impartial procedures, incorporating standards of equity, freedom from bias and the rights of the accused student to be heard. Victim's rights should be respected and considered. The entire process should be completed as quickly as possible in the circumstances.

4.7 In all cases, a reasonably detailed record of the findings of fact and the sanctions imposed shall be made and must be kept on file by the Principal. The record may be expunged from the student's file, after expiration of a pre-determined period or on application by the student, provided no further disciplinary action has been incurred prior to the expiration date or student application. An annual report of disciplinary statistics and trends will be incorporated in the school's assessment measures.

**B19.5 SANCTIONS.** In all cases, the sanction imposed should be proportional to the severity of the offense and may consider the student's disciplinary history. Corporal punishment shall be prohibited. Outlined below are the most serious sanctions but any number of other consequences may ensue, including but not limited to curtailment of student privileges and appropriate counseling. Restitution: A student may be required to pay for financial losses in a case of damaged property or injury or to otherwise perform activities designed to provide restitution for a violation. Detention: A student may be required to remain inside or be otherwise restricted at times when other students are free for recess or to leave or be away from school. Probation: A student may be placed on probation for a specific period of time during which the student is expected to make restitution, demonstrate improved behavior or other requirements. Failure to comply with the terms of probation may result in summary imposition of a pre-determined sanction.

Temporary Suspension: A student is separated from the school for a pre-determined period not to exceed 10 school days. The student may be required to make up the academic work that is missed during the period of suspension. Long-Term Suspension: A student is separated from the school for a pre-determined period in excess of 10 school days. Expulsion: Permanent separation from the school without the possibility of readmission. Suspended or expelled students are not allowed entry to the school campus without the express permission of the Principal. Probation is not a necessary pre-condition for any other sanction.

Since HAW is a school chartered by Albuquerque Public Schools, ('APS'), suspension or expulsion from HAW constitutes suspension or expulsion from APS. 5.5. A student who has been suspended or expelled is not entitled to receive any educational services from HAW or from APS during the period of exclusion from school.

#### **B19.6 SPECIAL EDUCATION**

HAW shall comply with the applicable provisions of the New Mexico Administrative Code ('NMAC'), the Individuals with Disabilities Education Act ('IDEA'), and any other applicable law, in disciplinary actions involving a special education student with a disability. Without limiting the generality thereof, HAW shall comply with Section 6.11.2.11 NMAC.

The following is a brief outline of the requirements:

The exclusion of a student who is disabled pursuant to IDEA, (including a student who has not yet been formally evaluated), from his/her education program for more than a total of 10 days during a school year constitutes a change in educational placement. The following considerations must be addressed:

When considering 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 and whether his/her program is appropriate;

If the IEP Team determines either that the behavior is related to the student's disability or that the student's program is not appropriate, then the student may not be suspended and must receive an appropriate program;

If the IEP Team determines both that the behavior is not a manifestation of the student's disability and that the student's program is appropriate, then disciplinary actions may be taken in accordance with HAW's policies and procedures;

Should the disciplinary action include any suspension that would, in total (including any prior suspension), exclude the student from his/her IEP services for more than 10 days during a school year, HAW shall continue to provide the educational services defined in the IEP;

These considerations apply to a student with a disability who has an education plan in accordance with Section 504 of the Rehabilitation Act of 1973 in effect, save that HAW may cease educational services to such a student during any periods of suspension or expulsion.

#### B19.7 STUDENT DRESS CODE

Students should be properly attired in the approved school uniform dress code: Shirt/Blouse/Tops 1. Must be a SOLID color – Navy Blue; 2. Approved styles are: Collared dress shirt (no shirt unbuttoned except for top 2 buttons), Collared polo shirt, Turtleneck or mock turtleneck, and School Spirit T-Shirts (must have School Principal or designee approval); 3. Must be long or short-sleeved (not sleeveless); 4. Must be cotton or cotton blend (no see through material, no shiny material, no denim material); 5. Insignias can be no bigger than ½ dollar size. Note: No shirts of any other styles except those listed above are allowed. No skin should be shown between the bottom of the shirt/blouse and the top of the pants/skirt when arms are stretched upward. Shirts must be tucked in at all times. No contrasting stripes or piping on shirts. Pants/Skirts/Dresses - 1. Must be a SOLID Color –Khaki; 2. Approved styles are: Classical/traditional, straight leg cut, with or without pleats, with or without cuffs; 3. Pants must fit at the waist, fit in the crotch, and be properly hemmed or cuffed. Tight fitting, stretch type pants are NOT allowed. Also, pants with holes and frayed bottoms are NOT allowed...No contrasting stripes or piping on pants...No Cargo pants (this style has many large pockets that may conceal contraband); 4. Shorts - no shorter than the point where longest extended finger ends when the student is standing up straight (tight fitting, stretch type are NOT allowed)...No Cargo shorts; and 5. Skirts/Skorts - no shorter than 2 inches from knee (tight fitting, stretch type are NOT allowed). NOTE: SLITS in Skirts or Dresses can be NO higher than 2 inches from knee. Accessories - 1. Belts must fit around the waist and be secured in belt loops; 2. Sweaters, sweatshirts, blazers, vests must be a SOLID color – Blue or Khaki and must be worn over the approved style shirts. Shirts worn under accessories must be in compliance; 3. Approved styles are: Sweaters – pull-over, cardigan or button-down – must be appropriately sized, Sweatshirts – must be a pull-over, appropriately sized with no hood, Blazers and Vests– must be appropriately sized; and 4. Items worn INSIDE the school building for warmth MUST MEET THE DRESS CODE. Outerwear - 1. Winter coats, winter jackets, and gloves do not have to meet the color requirements; However, these items are for OUTSIDE wear only; and 2. If a jacket is worn inside a building, it must remain open. Note: Jackets must be appropriately sized and may not be worn in any way that reflects gang affiliation or conceals contraband. No trench-coats or dusters may be worn. Footwear - There are no specific color or style requirements for shoes and socks, however, all students should wear appropriate footwear (no open-toed shoes, sandals, or flops). Exceptions - Spirit day, photo day, or other special event day dress will be allowed at the discretion of the School Principal. Prohibited School Dress - 1. Jewelry or hairstyles that disrupt the educational process or endanger students; 2. Body piercing jewelry (with the exception of earrings worn in the ears); 3. Headgear such as hats(indoors), bandanas, hair nets, and sunglasses (indoors); 4. Belt loop chains or wallet chains, spiked jewelry, and extended belts; and 5. Any items or accessories

including face painting which advertise, display, or promote any drug (including tobacco and alcohol), sexual innuendo, violence, weaponry, profanity, hatred, or bigotry toward any group.

Families in need of financial assistance can contact the school or the PTO for assistance in securing school clothing.

#### B19.8 COOPERATION BETWEEN LAW ENFORCEMENT AGENCIES AND HAW

The following policy shall be observed in connection with all contacts by law enforcement with students. A copy of this policy shall be provided to all licensed school personnel, who shall be responsible for observing it. A copy of this policy shall also be provided to all local law enforcement and social services agencies so that mutual cooperation may be promoted.

The following provisions govern HAW personnel's cooperation with law enforcement and social services agencies in regard to criminal law enforcement and child abuse investigations, and are not in derogation of the customary authority of school administrators to conduct interviews and investigations, or otherwise to take action as part of the enforcement of school discipline and order. Whenever this policy refers to the Principal or his or her designee, the Principal shall be responsible for personally handling the matter unless the Principal is not at school or is otherwise unavailable. The Principal shall designate a staff administrator(s) to handle all such matters in his or her absence or unavailability.

**STUDENT INTERROGATIONS** School authorities have a responsibility to cooperate with law enforcement agencies and/or child abuse investigators who are seeking to interview students at the school site. Individual students should not be interrogated on campus without the knowledge of the principal. There is no requirement to notify the parents of the student prior to the questioning, however, the student should be made aware of his/her legal rights by the law enforcement officials. A commissioned law enforcement officer must place a student under arrest, or protective custody, before the student may be removed from the campus for either further questioning or to be held at a detention facility. School authorities must immediately make a good faith effort to notify the parents, or legal guardians, of a student if the student has been removed from campus by law enforcement authorities.

**OFFICIAL CONTACT WITH STUDENTS IN SCHOOLS** A. Administrative Authorization Required: Law enforcement officers including investigators employed by public agencies authorized to investigate child abuse, may not be permitted contact with any student except by the Principal or his or her designee, and pursuant to the procedures and requirements set forth in this policy.

B. Verification, Documentation, and Parental Notification Procedures. Prior to any student being produced by a school administrator for any contact with officers, the Principal or his or her designee shall:

1. Write down the name, badge number, and agency of the officer(s), together with the date and time of appearance.
2. Confirm by telephone with the agency that employs the officer(s) their identity and authorization in seeking contact with the student, and record the name and position of the person confirming such information and the time of such confirmation and

a. in instances in which the officer(s) have appeared at the school to interview or make an arrest of a student for suspected criminal activity, the Principal or his or her designee shall also determine and write down the agency's justification for

conducting an interview or arrest of a student at school when such criminal activity has not been:

- 1) committed at school,
- 2) committed during school-sponsored activities
- 3) committed on school grounds, or

4) when such criminal activity involves crimes committed at the school for which assistance has not been requested by the Principal or his or her designee;

b. in instances in which the officer(s) is acting pursuant to an arrest warrant, a search warrant, or other court document, the Principal or his or her designee shall obtain a copy of such document.

3. Contact the student's parent(s) or guardian, notify them of the contact, and record the time of notification and the name of the person notified:

a. If upon the initial request for contact by the officer(s) or agency, the Principal is directed by either not to attempt to notify the student's parent(s) or guardian or to obtain the attendance of the student's parent(s) or guardian,

1) that direction should be added to the information recorded by the Principal (or his or her designee) pursuant to this Section, and

2) the officer should be asked to sign the statement, and

3) if the officer refuses to sign the statement, the Principal (or his or her designee) should note on the statement that the officer refused to sign.

#### C. Administrative Monitoring of Contact with Students.

1. After completion of the Verification Documentation, and Parental Notification Procedures for each student with whom the officer(s) wish to speak, and upon Administration Authorization, as described in this policy, a law enforcement officer may conduct an investigation with the HAW school building(s) and/or school grounds and interview students as possible witnesses in the Principal's office or other administrative office.

2. The Principal or his or her designee shall be present during the interview.

3. Reasonable attempts shall be made to keep the identity of those interview confidential.

4. Neither the Principal nor his or her designee shall disclose any written statements made or the content of statements given during the interview, except that he or

she may disclose statements made or the content of statements given during the interview to:

a. the student interviewed and to his or her attorney or parents.

b. to the district attorney, or other law enforcement agencies acting in an official capacity; and

c. if the Principal deems it appropriate to legitimate disciplinary goals, to other school officials.

5. If the investigation focuses on a particular student as a suspect of the crime, the Principal (or his or her designee) and the police officer shall follow this policy with respect to interrogation, search, and arrest. In addition, the Principal (or his or her designee) shall follow the advice of rights provisions of Section II.B below.

6. The Principal shall keep a record of the procedural steps followed by the police in conducting interrogations, and any instance in which the Principal (or his or her designee) acts to preclude or terminate an interrogation.

7. All writings and records created pursuant to these procedures shall be retained as part of the school's records.

#### POLICE CONTACTS

##### A. Investigation and Assistance

1. Police Investigations at the Request of School Authorities. The Principal may exercise his or her discretion in determining whether to request assistance of police in investigating any crime contrary to the laws of the State of New Mexico or the United States, or any allegation of such crimes, including crimes committed at school or on

school grounds during school hours, or during school-sponsored activities. [NOTE: CHECK SAFETY POLICIES FOR CONSISTENCY.]

2. Police Investigation Without Request of School Authorities. It should not ordinarily be necessary for police officers to interview students at school during school hours for criminal activity not committed at the school during school-sponsored activities, or on school grounds, or for crimes committed at the school for which assistance has not been requested by the Principal or his or her designee.

a. If the police have determined that exigent circumstances exist to interview students at school regarding such crimes, the law enforcement agency shall first contact the Principal regarding the planned visit and shall give the Principal the reason for conducting the investigation during school hours, school-sponsored activities, or on school property and shall obtain his or her approval.

b. The Principal shall approve and cooperate with the police during the investigation unless the Principal determines that the investigation is being conducted for the purpose of harassment or for reasons not related to an official criminal investigation. In the event that the Principal declines to approve the interview, he or she shall immediately report the opposition to the President of the Governing Council, who shall notify and discuss the opposition with the appropriate police supervisor.

c. The Principal (or his or her designee) shall not, in any event, prevent the appropriate law enforcement agency from serving or executing court process (i.e. summonses, warrants, subpoenas) or court orders upon school grounds during school time, provided that the procedures set forth in Section I are first observed.

d. The Principal (or his or her designee) may also designate a reasonable time and place for law enforcement contact with students, including for service of process upon students under his or her control, in order to ensure that the educational process is not disrupted.

### 3. Requests for Police Assistance.

a. The Principal (or his or her designee) is authorized to summon and seek assistance from law enforcement authorities in any case in which the activities of students or others is creating a threat to the health or safety of students or of others, or is disrupting or threatening to disrupt the educational program, normal operation, or lawful functions of the school.

b. Such requests shall be directed to the Albuquerque Police Department.

### B. Interrogation of Student Suspects in School.

Though there is no law that requires law enforcement to notify a parent/legal guardian if a student is interrogated, it shall be the practice of Horizon Academy West to make a good faith effort to notify the parent/legal guardian of any interrogation by law enforcement of their student as long as that contact does not violate a confidentiality agreement or jeopardize the safety or protection of the student. Upon request of a parent/legal guardian law enforcement officers may postpone an interrogation until such a time as agreed to by the parent/legal guardian.

Prior to commencing the interview, the law enforcement officer shall determine whether the student wishes a third party to be present for the interview and, if so, shall make reasonable efforts to accommodate the student's wishes.

The law enforcement officer shall advise and afford a student the same legal rights as an adult and the right to have a parent/legal guardian present during questioning if the student is twelve years of age or younger.

### C. Arrests of Students at School.

1. General Policy: It should not ordinarily be necessary for police officers to arrest students at school during school hours for criminal activity not committed at the school, during school sponsored activities, or on school grounds, or for crimes committed at the school for which assistance has not been requested by the Principal or designee.

2. Arrests with Advance Notice: In cases where a law enforcement agency deems it necessary to arrest a student during school hours or activities at school, the agency should notify the Principal of the intended arrest prior to dispatching officers to HAW, and the Principal or designee should request that a non-uniformed officer make the arrest if possible.

3. Arrest in Emergency Circumstances: In emergency situations, where the immediate arrest of a student is deemed necessary by the police, including instances where the commission of a felony or serious breach of the peace has been witnessed by a

police shall be entitled to take action to arrest the student on school property without a warrant.

a. In cases in which an arrest of a student has been made in an emergency situation in which the police have taken custody of a student without providing school authorities the opportunity to conduct the Verification, Documentation, and Parental Notification Procedures outlined in Section I.B., school authorities shall make every reasonable effort to have the arresting officer(s) comply with the Verification, Documentation, and Parental Notification Procedures before removing the student from school grounds. b. If the student has been removed from school grounds by law enforcement officers prior to compliance with the Verification, Documentation, and parental Notification Procedures, the Principal or designee shall contact the arresting agency and complete the Verification, Documentation, and Parental Notification Procedures as soon as possible after learning of the removal.

#### D. Search and Seizure by Police.

##### 1. On Request of School Authorities

a. Emergency Circumstances: Upon the request of the Principal or designee, police officers may make a general search of students' lockers and desks [and backpacks?], or students' automobiles on school property, for drugs, weapons, or items of an illegal or prohibited nature if, in the Principal's judgment, public health or safety is threatened. b. Non-emergency Circumstances: If the Principal or designee has received reliable information which he or she believes to be true, that evidence of a non-school-related crime or stolen goods is located in a student's locker, desk, [backpack], or in a student's or a non-student's automobile parked on school property, and there is no immediate threat to the health or safety of students or employees, he or she shall request police assistance for a search by the police pursuant to a search warrant.

##### 2. Without Request of School Authorities

a. Police officers may not search a student's locker, desk, [backpack] or automobile unless they have a search warrant, or a knowing, intelligent, and voluntary consent is given by the student. b. A student's person may not be searched in school unless:

1) police have a search warrant, or

2) the student is under arrest, or

3) the police are acting upon probable cause to believe that the student is concealing contraband, or

4) a knowing, intelligent, and voluntary consent is given by the student.

c. Notwithstanding the foregoing, a search of student's person, locker, desk, [backpack], or automobile on school grounds may be conducted by any police officer on school grounds during school hours if emergency circumstances exist and the police are acting upon probable cause to believe that the health and safety of the student or of others requires a search. d. No school employee may consent to a warrantless search of a student's locker, desk, [backpack], or automobile, by police unless the police are acting at the direction and under the supervision of the Principal or designee. e. The student, if then available, shall be present during any search of his locker, desk, [backpack], or automobile. f. In all searches authorized by this Section, the Principal or designee shall accompany the officer(s) in conducting such searches.

## CHILD PROTECTIVE AGENCY CONTACTS

A. Duty to Report Suspected Child Abuse and Neglect: Pursuant to Section 32-1-15 NMSA 1978, it is the duty of any school nurse and school teacher or administrator who knows or suspects that a child is or has been abused or neglected upon penalty of fine to report this information immediately to either (1) the criminal prosecution division of the district attorney's office, (2) the county social services division of the Human Services Department [CHECK STATUTE], or (3) the juvenile probation services of the district court. School employees and officials shall cooperate with investigators of the above-named agencies investigating suspected instances of child abuse and neglect, subject to the safeguards and procedures provided by this policy.

### B. Investigations of Child Abuse and Neglect

1. Verification, Documentation, and Parental Notification Requirements: Investigators employed by public agencies authorized to investigate child abuse, including those seeking to remove students from school for purposes of maintaining protective custody as part of a child-abuse investigation, are subject to the Verification, Documentation, and Parental Notification Procedures set forth in Section I., except: a. In observing the Verification, Documentation, and Parental Notification Procedures, the Principal or designee shall determine from the investigator whether it is appropriate to notify the parent or guardian of the requested interview or the removal of the student from the school. b. In the event the investigator directs that such notice not be given, as in cases where a parent or close family member is the suspected abuser, the Principal or designee shall record such direction as part of the Verification, Documentation, and Parental Notification Procedures.

## B.20 CAMPUS POLICIES AND PROCEDURES

### B.20.1 CLOSED CAMPUS POLICY

The HAW Governing Council has adopted a closed campus policy for the safety of all students. Students will not be permitted to leave the HAW property during school hours unless accompanied by a responsible adult or in connection with school-sponsored and supervised activities.

### B.20.2 CHANGE OF ADDRESS

Parents must notify the administration and the health office whenever there is a change of address, telephone, e-mail or other contact information.

### B.20.3 STUDENT RELEASE DURING SCHOOL HOURS

Students will be excused from part of the school day on the same basis as the grant of an excused absence in HAW's attendance policy (see below). If a student must leave campus during the day the following procedure will be followed:

1. The parent/guardian must pick up the student at the front desk or send a note requesting the release of the student (or call the office in the event of an emergency).
2. The staff member or volunteer at the desk will get the student from class and verify whether release to the person picking up the student was authorized in Student Information System. The person picking up the student may be required to show photographic identification.
3. The parent must sign-out the student at the front desk and sign in when returning.

### B.20.4 FEES AND SUPPLIES

A general organizational fee may be assessed to each student and students may in addition be required to pay fees and to purchase supplies and materials for courses and for special class projects. There may also be class or club

dues. All money is to be turned in to the Operations Manager where it will be receipted. If your student has any special needs or any questions or concerns, please contact an administrator.

#### B.20.5 DEBTS

Any debt incurred by a student will be recorded as the debt is incurred. Parents will be notified by mail or phone. The following may give rise to student debt: lost or damaged textbooks, instructional materials, supplies or equipment; lost or damaged performing or visual arts or PE supplies or equipment, fund-raising merchandise or money not turned in; damage to school property, building or any other debt deemed legitimate by the Principal. All money is to be turned in to the Operations Manager where it will be receipted. Failure to settle debt may result in disciplinary consequences and/or in withholding of report card.

#### B.20.6 VISITORS TO HAW

Horizon Academy West encourages parents/guardians and interested members of the community to visit our school. Upon arrival at HAW, any individual, including a student from another school, must report to the front desk, the school office and/or the Principal, if available, and state the reason for the visit. All visitors must sign in at the front desk and obtain a "visitor" badge. The Principal may in his/her discretion require any visitor to be escorted by school personnel for the duration of their visit to HAW. Visitors must comply with the rules of the school. An individual failing to comply with any of these procedures and/or causing a disruption of the educational process may be barred or removed from the campus at the Principal's discretion. The individual also may be charged with criminal trespass.

Student visitors may be permitted to remain on the school campus at the discretion of the Principal. No student who is currently suspended from another school and/or who has been the cause of a disruption in any school shall be allowed on campus.

Visitors who are promoting activities, products or ideas not officially sponsored by HAW must contact the Principal in writing for permission to contact staff, students or parents at the school or on school grounds. The Principal may refuse permission if he/she deems it in the best interests of the school. Conferences with school staff should generally be arranged before or after school. Conferences arranged with faculty members during the faculty member's regularly scheduled instructional time should have prior approval from the Principal. It is important not to interrupt instructional time unless there is no reasonable alternative. State laws also apply to visitors on campus: "Persons involved in the distribution or possession with the intent to distribute drugs or counterfeit drugs on this school campus or within 1000 feet of the boundaries of this school are subject to arrest pursuant to the provisions of Section 30-31-22C NMSA 1978 and upon conviction as an adult are subject to imprisonment for up to 18 years in the N.M. State Penitentiary pursuant to the provisions of Section 31-15-18 NMSA 1978."

#### B.20.7 LOST AND FOUND

Possessions should be marked with the name of the student. All found items will be placed in the Lost and Found Bin or kept in the cafeteria. Unclaimed items may be given to charity at the end of each grading period. Families are encouraged to come in to look through the Lost and Found Bin and retrieve missing items.

#### B.20.8 ELECTRONIC EQUIPMENT: CELL PHONE and ANTI-DISTRACTION POLICY SB 11, REV. July, 2025

The Horizon Academy West policy on wireless communication devices is designed to ensure that the use of these devices does not interfere with teaching and learning during the school day. This policy applies to all Horizon students at all levels, including before and after school hours and outside or inside the school building. Wireless communication devices and other portable electronic devices include: cellular phones, smartphones, smartwatches, laptops, IPADS, IPODS, tablets, and gaming devices.

The use of cell phones, smartphones, smartwatches, or other electronic portable devices (as identified above) for any purpose – including phone calls, text messages, and other functions - is not permitted at any time on school grounds.

Wireless communication devices must not be visible during the school day. Please remind students to put them away in backpacks prior to leaving the vehicle in the morning.

Wireless communication devices must be completely turned off (not simply on silent or vibrate mode) during the

school day. It is strongly recommended that students leave all valuable electronics at home. The school is not responsible for loss or theft of items brought to campus.

Wireless communication devices are not permitted during the periods before school or after school supervision of students (CREW program) while on campus.

Consequences for students who violate the policy will be as follows:

- First Offense: Wireless communication devices will be confiscated. The student may pick up the wireless communication device after school from the Front Office.
- Second offense: A parent or guardian must come to pick up the wireless communication device from an administrator. The student may not bring the wireless communication device to school for the remainder of the school year.
- Repeated violations of this policy: Students will be subject to additional disciplinary action, consistent with the Discipline Matrix.

Exemptions for students to use wireless communication devices during instructional hours:

- Medical necessities
- Emergencies
- Accommodations as prescribed by an Individualized Education Plan (IEP), or a Section 504 Plan

Cross Ref: Student Handbook

## B.20.9 TRANSPORTATION

HAW does not provide transportation for students and each family is responsible for transporting their students to and from school.

HAW students travel to school from all over Albuquerque and from surrounding cities and towns. Many students carpool or ride the city bus (a school bus service is not available).

## B.20.10 PARKING

Visitors are requested to park only in designated areas.

Neither HAW nor the landlord of the school premises will under any circumstances be responsible for loss of or damage to any vehicle brought on to the premises (whether by a student, visitor or anyone else).

## B.21 INSTRUCTIONAL POLICIES

### B.21.1. ATTENDANCE

Prompt and regular attendance is essential for a student to attain academic success. Missed days, coming to school late and leaving early can leave gaps in the educational process.

State law also requires daily school attendance. As a school, we are committed to having a 95%+ student attendance rate. Therefore, Horizon Academy West will take attendance, and report attendance everyday - on a regular basis - during the school calendar year. We ask that you support our school and your child's academic success by bringing your child to school on timely daily.

Horizon Academy West will monitor and track absenteeism every day to increase consistency and uniformity of enforcement of attendance policies and to streamline communication between parents, agencies and the community – all in an effort to keep kids in school.

Attendance records are legal documents which may be required in a court of law, for example as evidence in

prosecutions for non-attendance. They provide the daily record of attendance as an early warning system for various areas, which may affect a child's welfare including child protection; illegal child employment; truancy; disaffection with school; special education needs; illness and; problems in school. The information they contain can act as useful monitoring systems for plans, which are developed to support children.

The overarching goal of our school attendance program is to make sure students attend school every day and arrive on time, and when a student is not in school or arrives late it is our responsibility to find out why that day. In addition, student attendance is factored in to our school grade by the State. **Your child's absences affect the whole school.**

Attendance policies and practices differ from district to district and, in some instances, from school to school within the same district. As an independent school district, please acquaint yourself with the following **HORIZON ACADEMY WEST CHARTER SCHOOL** attendance practices that have been recognized as having a positive effect on our annual rate of attendance.

- If your child will be absent, please call the school (998-0459 ext. 104) before 9:00 am on the day of the absence, and leave the following information: A. Name of Child; B. Teacher's Name; C. Reason for Absence and; D. Your Name and Relationship to Child. Note: Calling in does not excuse the absence.
- Verification of excessive absences for illness is the responsibility of the parents and students. Absences that are not verified by a licensed entity, or the Attendance Office, will be counted as unexcused. It is expected that each student will be present on every day that school is in session during the school year.

Horizon Academy West does not use any form of suspension - be it External or Internal – as a means of deterring excessive absenteeism or preventing habitual truancy.

- Certain absences are excusable with written proof furnished by either:  
 Licensed medical or mental health provider  
 Licensed diagnostician or licensed social services entity  
 Funeral Notice
- When a student is absent, parents will receive an automated phone call notifying you that your child is absent. If you have already called in and reported your child absent, you may disregard the automated call. You will receive this phone call between 9:00-10:00am.

#### UNEXCUSED ABSENCES:

The following are examples of unexcused absences at Horizon Academy West:

- Any missed day of school without proper verification from a licensed provider, clergy or tribal official, etc.
- Participation in nonacademic programs and / or athletic activities not affiliated with HAW enrichment offerings
- Family vacations while school is in session
- Hunting trips

#### MEDICAL RELEASE FOR THREE-DAYS OF CONSECUTIVE ABSENCE:

Any student who misses three (3) consecutive days, for any unsubstantiated reason, must be medically released. Please provide written proof from a licensed health provider.

**EXTENDED ABSENCES MUST BE REPORTED TO THE SCHOOL NURSE – ACCOMPANIED ONLY WITH WRITTEN PROOF.**

#### **Progressive and Appropriate Interventions Resulting in Appropriate Referrals**

At 5 and 9 unexcused absences, school personnel will notify and inform the parent, guardian or caregiver of their responsibilities and, exactly, what the next step will be along the attendance enforcement continuum. "Habitual Truants," defined as students with 10 or more unexcused absences, may be referred to the district attorney, the juvenile probation office-mediation program, or CYFD.

In accordance with Section 22-12-9et seq. NMSA 1978 and 6.10.8.8.E NMAC – Compulsory School Attendance (*amended 2009*), **a student who misses five days of school within a school year will be classified as a student in need of early intervention.** "Habitual Truant" means a student who has accumulated the equivalent of ten (10) days or more of unexcused absences within a school year.

### EARLY RELEASE / DISMISSAL:

After the **fifth (5th)** dismissal, early release will only be granted for illness, family emergency, or verifiable proof of services from a licensed provider. In the case of medical or psychological tests, **you must show evidence** (such as a note from the health center) that the test could not be scheduled after school. **No exceptions.**

Students will not be released thirty (30) minutes before the end of the school day without a valid doctor's note or appointment slip.

### LATE ARRIVALS / TARDIES:

Any child that arrives to school after 7:45 is considered tardy. If your child arrives between 7:45 – 8:00 they will be marked tardy by their classroom teachers. They do not need to be signed in and they go directly to their classrooms. If your child arrives after 8:00 am, an adult over the age of 18 must bring them to the front office and sign the child in. **No exceptions.**

**Please remember, for the safety and welfare of all of our students, all parents must sign in before escorting students to class. Under no circumstances** are you permitted to escort your child to class without first stopping by the front office to sign in.

### CONSEQUENCES FOR LATE ARRIVALS

- At **5 late arrivals** and upon each successive late arrival, students will be assigned to study hall during their recess time.
- At **10 late arrivals**, the student may be subject to losing their nonacademic privileges such as recess, fun-field trips and assemblies. Parents/guardians must meet face to face with the MDT (multidisciplinary team) about the situation.
- At **15 late arrivals**, a referral may be made to district attorney's office or Juvenile Probation office for educational neglect.
- 

A multidisciplinary team (MDT) will be available to assist families with a comprehensive array of support services. We strongly recommend that you take full advantage of these resources to avoid legal entanglement.

### 5. LATE ENROLLMENT

In the event a student enrolls at HAW after the commencement of a semester,

grades and credits for the semester will be determined by the teachers in consultation with the Principal and are dependent upon the effort and achievement demonstrated by the student during the time the student is enrolled. The student and his/her parents are to be made aware of the above upon enrollment.

### 7. SPECIAL EDUCATION ATTENDANCE

Regular attendance is expected of special education students. Exceptions to this directive may be made, however, with respect to individual needs of such students.

### EXEMPTIONS FROM HEALTH OR PHYSICAL EDUCATION CURRICULUM

#### Health Curriculum Requirements HAW Waiver Request

Students should not be exempted from the entire class but rather specific topics or lessons. This procedure should be looked upon as a partnership between the parent/guardian and the school, designed to best meet the needs of each student and family. The following steps should be taken.

A. The parent/guardian should contact the teacher and request a meeting.

B. The parent/guardian and teachers should review lessons missed and come to an agreement as to specifically what areas or topics the student is to be exempted from.

C. The teacher should supply the parent/guardian with the state competencies that are met by this topic and agree on an alternative assignment(s) that will meet these competencies.

The teacher should make available any resources (lesson plans, books, videos) that are ordinarily used in the class or are available as alternative materials, but should not insist that they be used. The parent/guardian may use alternative materials that meet the state competencies.

#### B.21.2 Physical Education Curriculum Requirements

##### Medical Waivers

A student may be excused on a year to year basis from physical education classes by the Principal. He/she must have on file a written statement from a licensed medical doctor or osteopath, which indicates the physical education activities that would be detrimental to the health of said student. The doctor's statement must be renewed annually if the condition persists.

This school-based waiver does not exempt the student from his/her obligation to meet graduation requirements as outlined by the State Department of Education Standards. Before granting a waiver, HAW must consider whether or not the student's needs can be met if the school modifies the student's physical education program. If reasonable modification can be made, HAW has an obligation to provide the modified program for the student. Examples of reasonable modifications include:

Student may participate with the class on all activities which would not be detrimental to his/her health and be assigned an alternative activity when participation would be detrimental to the student's health. The alternative activity should be non-punitive and should contribute to the student's fitness plan or achievement of physical education competencies.

HAW may designate an alternative course to fulfill the physical education requirement.

The school may develop an adapted physical education course to meet the needs of physically impaired regular education students.

##### Religious Waivers

A student may be excused from physical education classes on a year-to-year basis for religious reasons on the approval of the Principal. This school-based waiver does not exempt the student from his/her obligation to meet HAW's graduation requirements. Before granting a waiver, schools must consider whether or not the student's needs can be met if HAW modifies the student's physical education program. If reasonable modifications can be made, the school has an obligation to provide the modified program for the student.

##### Waiver Under Section 504

Students for whom a waiver of the physical education requirement is requested on medical or physical disability grounds must receive an evaluation which meets the requirement of Section 504. Following the evaluation, HAW will prepare a modified program which accommodates the student's needs. If the parent/guardian objects to the plan and wishes to request a waiver of physical education requirements, or if the recommendation of the SAT (acting in accordance with Section 504 regulations) is that the student be waived from physical education requirements, application will be made to the New Mexico Superintendent for Public Instruction.

##### Extracurricular Activities

A student who has received a physical education waiver is prohibited from participation in any HAW sponsored extracurricular activity requiring physical exertion similar to that described in the waiver.

### B.21.3 FLAG DISPLAY AND PLEDGE OF ALLEGIANCE

#### Flag Display

In accordance with New Mexico law the flag of the United States and the flag of the State of New Mexico will be displayed in each classroom. Pledge of Allegiance - New Mexico law also requires that the pledge of allegiance be recited daily in each public school in the state. While no individual may be coerced into participation, all students will be afforded this opportunity. No student will be subjected to prejudicial treatment for exercising his or her right to abstain from participating in the Pledge of Allegiance to the Flag. Students abstaining from participation may not be required to stand or to leave the room during the recitation of the pledge. Students who disrupt the ceremony are subject to the usual rules of the school governing disruptive behavior. HAW encourages the provision of patriotic observances at appropriate times.

### B.21.4 SCHOOL LUNCH

1. Students may bring sack lunches from home. Students do not have access to microwave ovens or refrigerators for heating or storage of lunches.

2. HAW may contract with a lunch vendor(s) to provide lunch for sale at school. The cost of lunch to students will be determined and advertised by the Principal. The cost to students must be determined with reference to the cost payable to the vendor and the number of students likely to purchase lunch and must be such that the total amount received from students in respect of lunch any school year is greater than the cost payable to the vendor/s for the same period. The Governing Council may terminate the provision of lunch, increase the price to students or any other action that the governing council deems appropriate if at any time during the school year it is apparent that the amount recovered from students in respect of lunches already purchased is less than the amount paid or payable at that time to vendor(s) in respect of lunches already purchased.

3. If students wish to purchase lunch from the HAW lunch vendor(s), prepaid lunch may be purchased from the MySchool Bucks online system.

4. HAW will provide a free or reduced school lunch to students from families whose income is at or below that listed in the Family Size/Income scale published by the U.S. Department of Agriculture.

c There will be no physical segregation or discrimination against any child because of his/her ability or inability to pay the full price of a meal.

#### d Application Procedure

Applications for free or reduced lunch must be completed by the parents or guardians.

iii) An up-to-date, confidential list of students approved for free lunch will be maintained. Individual eligibility status of students must remain confidential.

iv) All applications must be kept on hand for seven years. Individual eligibility status of students must remain confidential.

v) Access to these student records is available only to selected personnel, Medicaid personnel and the teachers. Requests for this information will be forwarded to the Principal.

## B.21.5 GRADES and REPORTING

### 1. Grade Reporting and Conferencing Guidelines

1.1 It is the responsibility of the Principal to keep parents informed of student progress through Standard Based grade cards. School developed progress reports may be used with the approval of the principal or designee.

1.2 The school year will be divided into Three Trimesters. There will be three regular reporting periods in each school year timed 1/3 way through and at the end of each trimester.

1.3 Report cards will be compiled and sent home 3 times per year, at the end of each regular reporting period.

1.4 Progress reports for all students will be sent home 3 times a year. Teachers may contact parents at any time for conference if student performance declines.

1.5 Students must be enrolled a minimum of 20 days within a regular reporting period to receive a report card. Students enrolled for fewer than 20 days may receive a summary statement of progress.

1.6 Parents are encouraged to participate in the education process and to communicate with teachers by contacting the school to set up an appointment.

1.7 At the end of the school year parents should receive notification of failing marks in sufficient time to allow them to enroll failing students in summer school (if this is offered).

1.8 Parent-teacher conferences may be used to notify parents of student progress but may not be used in lieu of a scheduled report in writing.

### 6.1 Notification of Student Failures and Retention

6.1 HAW may require a student to repeat a grade if the student fails in all or most academic subject areas.

6.2 HAW will notify parents no later than the end of the first trimester of the possibility of retention. School personnel will make appropriate remediation attempts involving students and parents before initiating procedures for retention in accordance with the directive on retention.

6.3 HAW will send a failure notice to the parent/guardian using the most current address on file. Failure on the part of the parent/guardian to receive notification does not constitute grounds for automatic passage of the student.

## B.21.6 GRADE CHANGE POLICY

**PURPOSE:** The purpose of the policy is to establish minimal requirements for Horizon Academy West to permit changes to a student's final course grade. This written policy should result in the changing of a grade only when warranted.

### I. Principal's Responsibilities – General

The principal is responsible for communicating grading requirements and standards to teachers annually. The principal is responsible for ensuring the integrity of the grades recorded and issued by Horizon Academy West.

### II. Teacher's Responsibilities

The teacher is responsible for evaluating students in order to determine accurate student grades. Teachers shall use an approved grading scale and system to evaluate student progress and performance and shall base assigned grades on these measures. A teacher may still change a grade that is due only to clear a mistake or clerical error. These corrections will be authorized, documented and conducted under the adopted grade change policy.

### III. Guidelines

The procedures for approving and administering grade changes are as follows:

- A signed written request from the parent(s) or legal guardian that states the reasons for the requested grade change
- A final written response to the grade change request by a set deadline
- Grade change is based on articulated reasons
- The grade change is equally available to all students who are similarly situated
- There is a strict adherence to FERPA, the federal student privacy law
- Good faith attempts to obtain written input from the student's classroom teacher

Any educator who does not follow the policy, permits the changing of a grade, or withholds or provides incorrect information about a grade change, can be considered unprofessional and referred to the Ethics bureau of the Public Education Bureau for investigation.

#### B.21.7 HOMEWORK

1. HAW recognizes the value of requiring students to take responsibility for homework and learn to balance academic, extra-curricular and recreational activities.

2. Teachers are encouraged to allow students to plan and use their time effectively and to learn to meet deadlines by giving some homework days or weeks in advance of the due date. Teachers commit to collaboration with one another in the educational process, including the assignment of homework.

3. Students should, prior to the event, discuss any extraordinary extra-curricular commitments that may affect their ability to complete homework with their teachers. Students must work with their teachers to find a reasonable solution to any problem with extraordinary homework burdens. It remains the student's responsibility to complete all assigned homework. A student may receive no or partial credit for incomplete homework, as determined by the individual teacher.

#### B.21.8 RECORDS RETENTION AND DISPOSITION SCHEDULE

This schedule describes the most commonly used retention periods. This directive applies only to school records. Retention periods for school security, legal records, business and financial, personnel, library, and transportation records are not covered. Access to confidential documents and/or confidential files will be only by court order, unless provided by statute. Release of confidential documents to law enforcement and other governmental agencies will only be upon specific statutory authorization or court order.

HAW is required to include accident reports, cumulative health records, daily attendance, disciplinary records, free lunch authorization, parent permission to participate in extramural activities, cumulative record folder, student data transmittal form, student permanent record card, and the teacher class record book.

##### Record Schedule

Description	Retention Period
-------------	------------------

Textbook Adoption List, Copies	
--------------------------------	--

Listing of all textbooks adopted by State Board of Education	Until superseded by new listing
--------------------------------------------------------------	---------------------------------

Student Cumulative Education Record File	
------------------------------------------	--

A. Transcripts, shows date of birth, date of entrance, courses taken, grades received, and degrees granted 90 years after graduation

B. Student health records, immunization

C. Federal program records 10 years from date of student's last attendance

5 years after final expenditure report

D. Other student records, including registration record, screening evaluation, counselor notes, correspondence, program 2 years after last attendance

#### Special Education Records

Special Ed. confidential records must contain all IEP's as long as student is in school, plus 5 years After completion of special services but not sooner than 5 years after completion of activities funded

#### Other Records

Student disciplinary records 5 years after last entry, or 2 years after last attendance

Guidance folder 5 years after last entry, or 2 years after last attendance

Scholarship program records 1 year after award

Employment certificate record Until student attains age 21

Honor Society student records 1 year after end of school year

School census records 1 year after end of school year

Student's attendance records 1 year after end of school year

Students attendance exemption record Until student attains age 21

Student's absence records 1 year after end of school year

Student accident and illness 1 year after end of school year

Student organization records 6 years after date created

Student fine receipts 3 years after close of fiscal year

Parent -public survey P. l. 874 4 years

#### Athletic Program Records

Activities and membership 6 years after date created

Injury records, medical reports 10 years after date of last entry

Records of coaches for various school sports Until reference value ends

#### Curriculum Records

A. Curriculum catalogue or bulletin Permanent

B. Approved curriculum variance application 10 years after approved

C. Approved application of 1 year after curriculum

occupational ed curr.        discontinued

D. Denied application for curriculum approval        1 year after end school year

#### Other Instruction Records

Teacher's lesson plan        2 years after close of school year

Teacher's class rolls, grade sheets    1 year after end of term

Examination and test answer papers        2 years after close of school year

State required district testing records Original to NM Dept. of Ed        2 years after close of school year

Food Management and Child Nutrition        5 years after submission of final report, 7 years for Title I purposes

School Administrative File        5 years after close of school year

Calendar of Events File    Until obsolete

Committees, Councils Files        5 years after end of school year

Maintenance Service File    3 years after date of last entry

Work Orders File        1 year after work completed, paper; 2 years, electronic

Cross Ref.: Board Policy J.21

NSBA/NEPN Classification: EHB

### B.21.9 STUDENT RECOGNITION

HAW affirms the importance of recognizing and rewarding outstanding student achievement in academics and the arts and of promoting student acceptance of a challenging and rigorous program HAW also seeks to recognize student success in other areas, both within and outside the school, including student behavior and service to the community.

#### 1. Academic Achievement

1.1. A system of recognition for students may include: presentation of a certificate and/or recognition at an awards assembly and any other appropriate recognition.

1.2 In addition, the Principal will, in consultation with the academic faculty, establish and publish a system for recognizing and rewarding those students who have demonstrated significant progress towards meeting their individual academic goals.

#### 2. Arts

HAW will recognize outstanding achievement in the arts both within and outside the school. The Principal will, in consultation with the adjunct faculty, establish and publish a system for recognizing and rewarding such achievement.

#### 3. Student Behavior and Community Service

The Principal will, in consultation with the academic and adjunct faculty, non-academic staff, parents and students, establish and publish a system for recognizing and rewarding those students who have demonstrated excellence or significant improvement in behavior and/or service to the community.

#### B.21.10 SELECTION OF LIBRARY-MEDIA PRINT/NON-PRINT MATERIAL

##### Selection Criteria

Interrelated criteria for the selection of library-media material are the following:

- E. capacity to reach the personal interest level and ability of students.
  - F. appropriate reading comprehension level for students.
  - G. capacity of the material to support the curriculum needs of the school.
  - H. importance of the subject matter for current or lasting interest.
  - I. consideration of literary content:
    - a. quality of the writing
    - b. logical development of plot
    - c. continuing presentation of concepts or theme throughout the work
    - d. careful, consistent development of main theme
    - e. strong, realistic characterization
    - f. the historical or literary significance of the author
  - J. balance of library collection.
  - K. physical characteristics of the item(s):
    - a. appropriate binding and/or packaging of each item
    - b. sound is clear and color reproduction is true
    - c. appropriate size of print type and quality of paper
    - d. equipment is available for use with material when required
- Library-media material shall not be excluded solely because of the race, sex, nationality, political, or religious view of the author or producer.
- Print/non-print material that meets the selection criteria shall not be proscribed or removed from the classroom or library-media center except by order of an Administration or in compliance with a Governing Council policy containing procedures for meeting concerns about library-print and non-print material. Outdated materials or materials in poor condition may be removed.
- Selection criteria will apply to all gifts and donations of library-media materials.

## B.21.11 USE OF VIDEOS AND FILMS

### 12.1 Criteria for Use of Videos, Films and Other Instructional Media

For the use of videos, films, and other instructional media consider the following:

12.1.1 Capacity of the video, film, or instructional media to support the curriculum.

12.1.2 Capacity to reach the personal interest level and ability of students.

12.1.3 Importance of the subject matter.

12.1.4 Compliance with all copyright laws and regulations.

12.1.5 Age appropriateness using Motion Picture Association of America guidelines where applicable and reviews from other recognized sources.

12.1.6 The "track record" of the video/film based on previous instructional use.

### 12.2 Procedures for Using All Videos/Films and Other Instructional Media

12.2.1 Teachers or other staff members using videos, films, and instructional media will be responsible for following all HAW procedures and state and federal laws regarding their use. Lesson plans should support valid instructional objectives.

12.2.2 Teachers or other staff members wishing to use a video/film will request permission from the Principal prior to the planned showing. The Principal may consult with the teacher requesting use of the film, other teachers and one or more students or parents in the decision making, and will review the use of the film using criteria outlined in the preceding section, in that context, considering the film's effect on local community standards, the instructional goals and learning outcomes hoped to be achieved through use of the film, and the availability of other instructional materials that could meet these goals. The Principal will maintain a written record of the criteria and decision.

12.2.3 The ratings used by the Motion Picture Association of America (MPAA) will be but one consideration in connection with the other selection criteria. If using an MPAA rated film, the following additional guidelines must also be followed:

12.2.3.1 Parents/guardians will receive one-week advanced written notice when teachers plan to use commercial video recordings that are rated PG. Such notice will include an accurate description of the contents of the video recording and where it may be obtained/rented for parent/guardian review.

12.2.3.2 PG - A signed parental permission form is required for students under age 13.

12.2.3.3 PG 13 - A signed parental permission form is required for students under age 14.

12.2.3.4 R - A signed parental permission form is required for all students.

12.2.3.5 NC 17 - Use of films rated NC 17 by the MPAA is prohibited.

### 12.3 Alternative Assignments

If it is established that a student or parent/guardian objects as a matter of principle to the viewing of a particular video/film, or for any reason whatsoever to the viewing of a particular video/film rated for an age older than their student, an alternative meaningful, related activity will be assigned without penalty or embarrassment to the student. Alternative assignments must consist of useful work related to valid instructional goals. They may not be punitive or burdensome in length of time or type of work required. Parents may be asked to assist in designing an alternative assignment.

(Adopted 02-21-02)

#### B.21.12 ADMISSIONS POLICY

HAW will comply with all applicable laws in admitting students. As a Public Charter School, HAW's admissions policy is governed by Federal and State laws which require that admission of students be on a lottery basis.

In respect of any school year, the following preferences apply:

1. First preference is given to returning students. A returning student will lose this preference if his/her parent/guardian fails to deliver written acceptance of an offer of a place for the forthcoming school year by a date stipulated by the Registrar.
2. Second preference is given to siblings of returning HAW students. A sibling of a returning student will lose this preference if their parent/guardian fails to deliver written acceptance of an offer of a place for the forthcoming school year by a date stipulated by the Registrar.
3. Third preference will be given to students who enter into a HAW admission lottery. This preference shall be given in respect of each grade level in the order that student names are drawn. Prior to any lottery the Principal will determine how many places are available at each grade level (based on the preferences referred to in paragraphs 1 – 3) and the students drawn will be accepted at each grade level until the particular grade level is filled. Once a grade level is filled, students drawn for that grade level will be placed on a waiting list in the order that they are drawn.

The first lottery for the school year commencing in August of any year shall be held in the preceding March (that is, approximately 5 months prior to the commencement of the school year). Thereafter, lotteries may be held at any time determined by the Registrar and may be held prior to or during the school year in respect of that school year.

#### B.21.13 ACCESS TO STUDENT RECORDS

HAW maintains student education records in accordance with federal, state and local requirements. Education records include academic, personal information, disciplinary, health, attendance and standardized testing records. Student records are confidential and, except for directory information (see below), will be released only to persons entitled to access. Copies will be made available to persons entitled to access at a charge of 50 cents per page.

Persons entitled to access include:

- Students;
- Parents of students under the age of 18 (or of students over the age of 18 if the student is a dependent as defined in the Internal Revenue Code) or any person with written consent of the parent;
- Employees of HAW;
- Governing Council members when involved in legitimate HAW business, when directly authorized for a particular purpose by the Governing Council or the Executive Director;
- Federal, state and local officials to whom information is required to be reported or who have a legitimate educational interest;
- Certain testing and/or accrediting organizations;
- Appropriate persons in connection with an emergency;
- Pursuant to subpoena or court order;
- To a school or schools in which a student seeks or intends to enroll.

Access is limited to only that portion of records concerning the particular student in question and related to the particular purpose for which access is authorized.

Directory information includes the student's name, address, telephone numbers and email address, date and place of birth, major field of study, participation in HAW recognized activities, sports and arts, dates of attendance at HAW, degrees and awards received and the most recent educational agency or institution attended by the student. This information may be released without prior consent unless the parent or the student informs the Executive Director within a reasonable period of time that any or all information should not be released without prior consent.

#### B.21.14 STUDENT SUPPORT/ASSISTANCE TEAM:

##### SCREENING AND STUDENT INTERVENTION GUIDELINES

HAW has a School Support/Assistance Team (SAT) whose role is to ensure that students are provided the opportunity to succeed in the general education environment. Students may be referred for retention and/or summer school (if offered). Students are to be referred for special education evaluation when interventions and modifications have been unsuccessful and data justifies possible separation from the general education program.

##### General Screening Procedures

##### Applicable to all Students

**Purpose:** General screening utilizes the systems already established for providing general information about the status and progress of each student and for locating students who have unique needs.

**Definition** General screening refers to all types of general information collected about students. This information relates to standardized test information, health records, and/or other available reports.

**Parental Notification** This notification is provided as part of the general parental notification during the school year, as well as through conference reporting systems.

**Procedure** The following are examples of general screening procedures applicable to all students:

- A. Ongoing child identification (public awareness and screening)
- B. Vision and hearing screening (in accordance with Nurse Procedure Manual)
- C. Review of health records.
- D. State mandated tests
- E. Placement tests
- F. Progress reports
- G. Documented teacher observations and interventions (including study skills, social behaviors, learning styles, test scores, academic skills, etc.)
- H. Attendance records
- I. Cumulative file data
- J. Dominant language
- K. Demographic information

L. Other available data

Strategies for Individual Students in Need of Intervention

Purpose: Teacher(s) identifies areas of individual student need and address (es) those needs in the classroom and/or with the parent(s)

Definition Strategies are interventions designed to meet the individual student's needs in an educational setting. Strategies may include but are not limited to:

- A. Changing instructional strategies for the student;
- B. Seeking parental involvement (when appropriate) including notification and/or conference;
- C. Initiating a behavior management system for the student;
- D. Conducting a documented observation of the learning environment and the individual student's behavior by someone other than the student's teacher;
- E. Initiating a weekly and/or daily progress report;
- F. Providing school counseling services;
- G. Requiring substance abuse intervention and support;
- H. Referring to community agencies and/or private practitioners;
- I. Reassigning student to another class(es)/level; and
- J. Recommending enrollment in an alternative school setting.

Procedure for students in need of individual intervention:

- A. Consideration of General Screening Procedures;
- B. Classroom teacher(s) and/or individual(s) identifies area(s) of need for student;
- C. Interventions are selected by the identifying person and implemented for individual students with parent participation/notification;
- D. Determination of language proficiency when dominant language is not English.

Review of Individual Students by the SAT

Purpose: Teacher(s) gather all relevant data on students referred for SAT review. The Team recommends interventions for individual students whose specific needs have been identified.

Definition: The SAT is an interdisciplinary team that reviews referrals of individual students whose educational needs have not been resolved through Strategies for Students in Need of Intervention. The population being considered will include:

- A. Students being considered for Intervention Plan
- B. Students with disabilities not eligible for Special Education services who may be considered under Section 504 of the Rehabilitation Act
- C. Former special education students who are returning to general education, but need modifications that may be considered under Section 504 of the Rehabilitation Act.

Parent Involvement Prior to initiating a SAT review, parent notification of individual student screening and review is required.

The date(s) and result(s) of parent and school contact(s) (either in person or by telephone) must be documented.

Required parent notification includes sending and maintaining a copy of the Individual Student Review letter (INS-115a).

#### Procedure

A. Classroom teacher(s), parent(s), or other person(s) will initiate a review by the SAT. A Team referral form is to be completed by the referring party and submitted to the Team Chairperson.

B. The membership of the SAT should include:

1. Principal or designee
2. Counselor or designee
3. General education teacher
4. Special education teacher
5. Teacher(s) of student being reviewed
6. Licensed nurse or health aide (if available)
7. Other members as appropriate – including parent/guardian(s) who are encouraged to attend and participate in support team meetings

C. The Team will determine meeting dates, times, procedures, and timelines for student review.

D. The Team activates in-school procedures and established timelines for intervention strategies based on supporting data. The following data, where appropriate, are to be collected by the designated Team representative(s):

1. Team referral form
2. Information from "General Screening Procedures" and "Strategies for Individual Students in Need of Intervention"; and
3. Health assessment

E. The Team will identify an Intervention Plan which recommends strategies to address individual student needs and requires documentation of the following:

1. Current levels of functioning
2. Goals and instructional strategies
3. Persons responsible for implementation
4. Timelines - implementation and effects of interventions are documented. A minimum of three to four (3-4) weeks is recommended for new interventions
5. Outcomes of the intervention strategies
6. Date of review

F. The person(s) who initiated the Team review must receive a copy of the Support Team Recommendations letter (INS-116a).

G. Parent(s) must receive Support Team recommendations with Parent Notification of Support Team Recommendations Form.

1. Meetings for students being discussed for Section 504 eligibility are recorded on Section 504 Accommodation Plan (form #504). Both the parent and all involved service providers must receive a copy of this plan.

H. At the review/follow-up meeting the Team

1. Reviews and evaluates implemented strategies;
2. Determines successful/unsuccessful interventions; and
3. Considers other available options as needed which may include but are not limited to:
  - a. Additional intervention strategies recommended by SAT
  - b. Referral for further evaluation under Section 504 of Rehabilitation Act
  - c. Referral for special education evaluation (see APS Special Education Operational Standards Chapter 3.3)
  - d. Referral for Families in Need of Services (FINS)

I. Records

1. A confidential record of each student reviewed by the Team must be maintained by the SAT.
2. If a student transfers to an Albuquerque Public School, the SAT Chairperson must send the records to the new school's Support Team Chairperson. for placement in the student's cumulative folder.
3. If a student is referred for special education testing, a copy of the records is placed in the referral packet.
4. If a student is transferred to a non-APS school, or disenrolled, HAW must place appropriate records in the student's cumulative file and destroy any remaining records.

J. Support Team Training Manual

HAW must maintain a current manual available to all staff. Evidence of a yearly review of the Support Team procedures is required.

## B.21.15 BILINGUAL INSTRUCTION POLICY

### Bilingual Instruction

#### I. PURPOSE

Horizon Academy West recognizes that students who are limited English proficient, including immigrant children and youth, face different challenges in their education. Horizon Academy West is committed to provide an educational program which will help ensure that they become bilingual and biliterate in English and a second language, and meet academic content standards and benchmarks in all subject areas.

#### II. POSITION

Students who are limited English proficient, including immigrant children and youth, will be provided an educational program which will help ensure that they attain English proficiency, develop a high level of academic attainment in English, and meet the same challenging state academic content and student academic achievement

standards as all children are expected to meet and which supports the state of New Mexico's long-standing policy in furthering bilingual multicultural education.

### III INSTRUCTION

A. Horizon Academy West will provide an approved bilingual multicultural education program which will include:

1. Instruction to attain language proficiency and literacy skills in two languages, one of which is English.
2. Sheltered content instruction
3. Standardized curriculum that is aligned with the state academic content standards, benchmarks and performance standards; and
4. Instruction in the history and cultures of New Mexico [6.32.2.12 NMAC-N, 11-30-05]

B. Horizon Academy West shall implement the following bilingual education model:

1. Maintenance; designed to develop and maintain proficiency and literacy in the primary or home language while developing a student's literacy and oral skills in English
2. Transitional: designed to transfer students from home language instruction with gradual transition to an all-English curriculum [6.32.2.12 NMAC – Rp, 6.32.2.10 NMAC, 11-30-05]

Legal Reference: NMSA Section 22-23-4, NMSA, 1978 and Standards for Excellence, Subsection B of 6.30.2.11 NMAC, 11-30-05

## B.22-SCHOOL-HOME-COMMUNITY RELATIONS

### B.22.1 PARENT/FAMILY INVOLVEMENT

The Governing Council recognizes that a child's education is a responsibility shared by the school and family during the entire period the child spends in school. To support the goal of HAW to educate all its students effectively, HAW and parents must work as knowledgeable partners.

Although parents are diverse in culture, language and needs, they share HAW's commitment to the educational success of their children. HAW, in collaboration with parents, shall establish programs and practices that enhance parent involvement and reflect the specific needs of students and their families. Engaging parents is essential to improved student achievement. HAW shall foster and support active parent involvement.

To this end, the Governing Council supports the development, implementation and regular evaluation of a parent involvement program at HAW, which will involve parents at all grade levels in a variety of roles. The parent involvement programs will be comprehensive and coordinated in nature. They will include, but not be limited to, the following components of successful parent involvement programs:

- Communications between home and school is regular, two-way, and meaningful.
- Responsible parenting is promoted and supported.
- Parents play an integral role in assisting student learning.
- Parents are welcome in the school, and their support and assistance are sought.
- Parents are full partners in the decisions that affect children and families.
- Community resources are made available to strengthen school programs, family practices, and student learning.

The Governing Council supports professional development opportunities for staff members to enhance understanding of effective parent involvement strategies. The Governing Council also recognizes the importance of administrative leadership in setting expectations and creating a climate conducive to parental participation. The Governing Council also supports the development, implementation, and regular evaluation of a program to involve parents in the decisions and practices at HAW.

#### B.22.2 CHILD CUSTODY ISSUES

Under the compulsory attendance laws, parents must send their children to school, and schools stand in loco parentis as regards discipline, supervision, and custody issues. School personnel have an obligation to exercise due care in guarding the health, safety, and welfare of students enrolled in our schools. Children must not be released to persons who are not their parents or legal guardians.

##### Custody Issues and Parental Rights

Divorced parents and the courts will establish the terms and conditions of custody of the children. There is an almost unlimited number of variations but custody terms will generally fall into one of the three following general categories.

##### Joint Custody

Parents share in the physical custody of the children as defined by some agreed upon schedule. This is the most common category and the majority of custody agreements are of this type.

##### Primary Physical Custody with Visitation Rights

Only one parent has physical custody of the child; however, the other parent is guaranteed visits with the child at certain times.

##### Sole Custody

Only one parent has physical custody and the other parent cannot visit, or sometimes even see, the child.

These last two types of custody arrangements are the ones that cause the most problems for schools due to parental disputes over visitation. Sometimes kidnapping from school grounds can result. In any of these custody arrangements, both parents retain full parental rights regarding access to school records, grades, progress reports, etc. If parental rights have been legally waived, then parents do not have the right to records.

##### School Responsibilities

School responsibilities usually become an issue only when there is a dispute between divorced parents over the terms of custody or over their obligations under the divorce decree. Guidelines are as follows:

- A. Avoid taking sides in domestic disputes.
- B. Request a copy of the divorce decree which specifies child custody terms.
- C. If a parent shows up at the school with a temporary custody order or a temporary restraining order, call the local police department closest to the school.

##### Legal Names on School Records and Name Changes

Student records should be maintained under the correct legal name. In a remarriage situation, the student's records should carry the family name of the natural father unless the child has been legally adopted by the new father or the child has legally changed his/her name after reaching the age of 14.

##### CYFD Custody of Children

Occasionally it becomes necessary for Children, Youth and Families Department to assume legal and/or physical custody of a child. This is usually a temporary situation but

may range from days to years in duration. The agency should provide the school with written documentation of their legal authority to access records.

### B.22.3 RIGHTS OF NON-CUSTODIAL PARENTS

Non-custodial parents are entitled to access to student records on the same basis as custodial parents unless there is a court order or provision in the divorce decree prohibiting such access.

Non-custodial parents may be sent information pertaining to school activities - such as newsletters, bulletins, etc. -- if they provide the school with sufficient self-addressed, stamped envelopes.

Non-custodial parents may request, and will be granted, on a reasonable basis, conferences with teachers to discuss their children's progress. The Principal will determine the reasonableness of requests for parent conferences, on the part of both custodial and non-custodial parents.

The Principal may request a copy of the divorce decree and/or custody agreement to assure that there are no restrictive provisions pertaining to the rights of the non-custodial parent.

### B.22.4 HOMELESS CHILDREN POLICY

#### I. Definitions

- A. Parent includes natural parent, adoptive parent, legal guardian, or person having physical custody and is responsible for the student's welfare.
- B. Homeless Students Children and Youth who lack a fixed, regular, and adequate nighttime residence, whether or not the temporary housing is located in the surrounding area of Horizon Academy West. Homeless students include:
  - 1. Children or youth who are sharing housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations; are living in emergency shelters or transitional housing or abandoned in hospitals;
  - 2. Children or youth who have a nighttime residence that is a private or public place not designed for or ordinarily used as a regular sleeping accommodation for human beings.
  - 3. Children and youth who are living in a car, park public space, abandoned building, substandard housing, bus or train station, or similar setting.
  - 4. Migratory children and youth who are living in a situation described above.
- C. School of Origin the school the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.
- D. Unaccompanied youth a youth not in the physical custody of a parent or guardian, who is in transition as defined above. The more general term youth also includes unaccompanied youth.
- E. Immediate without delay
- F. Local Liaison Staff person designated by Horizon Academy West responsible for carrying out the duties assigned to the liaison by the McKinney-Vento Homeless Assistance Act.

#### 2. Procedures

##### A. Identification

1. Enrollment of homeless children will be determined at the time of registration. The school will make a determination based on the criteria listed above. Upon requesting information from prior schools and district the registrar will inquire about the possible homelessness.
- B. Enrollment may not be denied or delayed due to the lack of any document normally required for enrollment, Horizon Academy West is remove enrollment barriers, to include missed application or enrollment deadlines including;
  - Proof of guardianship
  - Birth certificate
  - Any other document requirements
  - Unpaid school fees
  - Immunization or other required health records, proof of residency, or other documentation; academic record, including documentation for credit transfer;
  - Lack of uniforms or clothing that conforms to dress codes
  - Any factor related to the student's living situation

Unaccompanied children may either enroll themselves or be enrolled by a parent, non-parent caretaker, older sibling, or local liaison.

Preschool-aged homeless children – will have access to and receive services, if eligible, under LEA – administered preschool programs, including Head Start, Part C of the IDEA (Early Intervention Program for Infants and Toddlers with Disabilities) and other preschool programs administered by Horizon Academy West.

- C. Services Horizon Academy West will ensure that:
  1. Homeless students including Pre-K enroll in and have a full and equal opportunity to succeed in school.
  2. Homeless students will receive educational services for which they are eligible such as special education and language services.
- D. School or Origin Horizon Academy West will maintain students in their School of origin to promote school stability and greater educational outcomes overall, unless it is not in the student's best interest.
- E. Disputes If a dispute arises over any issue covered in this policy, the parent or unaccompanied student will speak with the Homeless Liaison seek resolution, if a resolution cannot be made then the Liaison and parent or unaccompanied child will take the dispute to the Governing Board, and if a resolution still cannot be made then the parent or the unaccompanied child will take it to the State level. During the dispute process, the child will be admitted immediately to Horizon Academy West and pending final resolution of the dispute. The students will also have access to all services offered at Horizon Academy West while the dispute is pending.
  1. Horizon Academy West will provide the parent or unaccompanied student with a written explanation of its decision and the right to appeal. The parent or unaccompanied student will be given every opportunity to participate meaningfully in the resolution of the dispute.
  2. An explanation of how the school reached its decision regarding eligibility, school selection, or enrollment, which should include:
    - A description of the action proposed or refused by the school;
    - An explanation of why the action is proposed or refused;
    - A description of any other options the school considered;

- The reasons why any other options were rejected;
- A description of any other factors relevant to the school's decision and information related to the eligibility or best interest determination including the facts, witnesses, and evidence relied upon and their sources;
- Appropriate timelines to ensure any relevant deadlines are not missed; and contact information for the local liaison and State Coordinator, and a brief description of their roles.

#### B.22.5 COMMUNITY CONCERNS AND INQUIRIES

Inquiries or concerns regarding a specific HAW staff member or program should first be directed to the staff member involved or responsible for such program. If a person is not sure who is the responsible staff member or a person has an inquiry or concern of a broad nature, he or she should contact the Principal for clarification on the steps to follow. The Principal will develop a chart summarizing the general chain of command for various types of issues, which shall be annexed to this procedure.

If the person making the inquiry or expressing the concern feels the issue has not been satisfactorily handled at the individual staff member level, it should be referred to a senior administrator designated by the Principal.

If the matter is one to be taken to the senior administrator/s mentioned above and resolution is not reached at that level, the person making the inquiry or expressing the concern may take the issue to the Principal for disposition. If the matter cannot be resolved satisfactorily at the Principal level, the matter may be taken to the Governing Council. When other procedures have been exhausted, complaints against an identifiable employee will be handled by the Governing Council in a closed personnel session.

At each level, responses to the person expressing a concern or making an inquiry will be communicated to the Principal and, if applicable, to the staff member directly responsible for the program or policy at issue.

Cross Ref: complaint, concern form

#### B.22.6 COMMUNITY INVOLVEMENT

Parents are encouraged to visit the school throughout the school year. Conferences between such visitors and employees should not interfere with the employee's assigned duties. All visitors must sign in at the office of the school. Visitors should verify their identity and the purpose for their visit. A visitor must obtain permission of the Principal before entering a classroom during normal instructional time.

#### B.22.7 VOLUNTEER PROGRAMS

A school volunteer is a person who donates time, energy, or talent to various phases of HAW programs under the direction of HAW staff personnel.

At the staff's request, volunteers may assist in the following ways:

A. Advocacy/Advisory - serving on committees or task forces; advising on special projects; consulting on certain issues.

B. Instructional Support - curriculum and classroom-related activities; motivational programs; materials and program development; enrichment programs; extra-curricular and after-school programs.

C. Support Services – lunch service, health, clerical, instructional materials, computer and informational services, and audiovisual services.

D. Any other ways that the Principal deems appropriate.

Volunteers may be recruited from many different populations including parents, community members, senior citizens, community agencies, high school and post-secondary students.

Horizon Academy West shall conduct background checks, based upon fingerprint identification, of all volunteers, and at the volunteers' expense, who may have unsupervised access to students. Background check clearance of volunteers who may have unsupervised access to students shall be valid for two years at which time the volunteer shall, at the volunteer's expense, submit to and clear a new background check. HAW will reimburse parents/guardians whom are Active Emergency First Responders Personnel, Police, Fire, & EMS, for their background check for volunteering at the School.

Additionally, the superintendent, or his/her designee, shall develop procedural directives which outline requirements for employees to self-report, to a designated administrator of a school or the district, any known arrest, charge and/or conviction of criminal offense.

#### B.22.8 PARENT TEACHER ORGANIZATION

Parent organizations should not commit the students or the school community to activities which impinge on instructional time or require inordinate amounts of time, effort, or money. It is essential that activities, which use the name of the school or implied support of the school or the Charter, adhere to the policies, procedures and financial safeguards normally expected of public bodies. For the protection of the parent groups and the schools, adherence of all parent groups is necessary. School personnel must ensure that the guidelines are adequately distributed and implemented.

Although parent organizations are affiliated with the school in the sense that they carry the name of the school and all their activities must be approved by the Director, such organizations are sole and separate entities from the school and are responsible for their own compliance with applicable Federal and State regulations, including Incorporation and 501c3 status and compliance. The PTO shall not represent or imply that its activities, contracts, purchases, or financial commitments are made on behalf of or binding of Horizon Academy West. Such a statement shall appear on all purchase orders, contracts or other forms of financial commitment issued by the PTO.

#### Annual Compliance

An organization of parents or community leaders affiliated with a school must develop a constitution and/or bylaw. Those documents must be reviewed each year by the Director, in writing, and be filed in the Director's office. The school Director must authorize the use of the school's name each year prior to approving any of the group's activities. The Director will use the Authorization/Denial of Parent Organization form to document authorization/denial. A copy of the signed form will be provided to the Organization as well as maintained on file in the Director's office and the Finance Department. The organization's bylaws must contain the following.

1. The name of the organization.
2. The objective of the organization including the statement, "This organization will abide by all School board and administrative policies and procedures."
3. Eligibility for membership and membership enrollment procedures.
4. Officer selection, election procedures, and duties of each officer.
5. Bonding documents for signatures from licensed insurance company within 30 days of receiving \$2,500.
6. Specific fiscal auditing and accounting procedures established by each organization. The disbursements must require the signature of two persons designated by the membership in accordance with accepted practice.
7. The Statement: "This organization will abide by all School Board and administrative policies and procedures."  
As relates to Parent Organizations.

8. In the event that the organization dissolves, language indicating how the group will handle remaining funds must be included.

Business will be conducted in open meetings, with adequate notification of all meetings to all members, and summary of proceedings kept. A copy of the summary of proceedings must be on file in the Director's office.

Annually the PTO must submit an affidavit of compliance with all State & Federal regulations including State & Federal tax reporting.

#### Finances

PTO may not use the school's EIN or tax-exempt status for any of their activities. They must obtain their own EIN and tax-exempt status.

Any activities or fund-raising projects initiated by the organization and which involve the use of the name of the school must be proposed, in writing, and be authorized by the school Director or designee before the activity commences or any final arrangements are made.

A parent organization may conduct a fund-raiser on campus after receiving approval from the school Director. The fund-raiser may not involve any type of gambling (i.e. raffle sales, Las Vegas night, etc.). Each parent teacher organization shall be limited to two fund-raisers each school year which involve students in fundraising activities outside of the school setting. PTO's shall notify and obtain the approval of the Director or his or her designee to assure that scheduling of fundraisers does not conflict with School District programs or activities, and that the fund-raising process is consistent with the goals and mission of the School. All fundraising activities shall comply with state and federal law, and in particular, shall assure compliance with any applicable provisions of the New Mexico Bingo and Raffle Act, N.M. Stat. Ann. §§ 60-2F-1 to 60-2F-26 (2009), as amended or recodified in the future. School employees shall not act as the primary organizers or spokespersons for any PTO fundraising event. Participation in fundraising activities by a PTO shall not be considered as a factor in a student's level of participation in any school activity or program.

If the fund-raiser is held during the school (duty) day, including Book Fairs, funds must not be handled by students and/or HORIZON ACADEMY WEST employees if they are to remain outside of the school's activity funds. All funds handled by students and/or HORIZON ACADEMY WEST employees are considered to be school activity funds and must follow all procedures applicable in the HORIZON ACADEMY WEST Policies.

If the fund-raiser is held after the school (duty) day, funds may be handled by students authorized by their parents. These funds are not activity funds, because the students are under their parents' jurisdiction when the school day is over. Parent organizations must make arrangements for revenue collection by a non-HORIZON ACADEMY WEST employee. One option may be to provide a drop safe/lock box at the school in which students/parents may deposit revenue.

HORIZON ACADEMY WEST employees may not be involved in financial activities of the organization in any way. This includes ordering items, making sales, collecting money or signing checks. If a HORIZON ACADEMY WEST employee handles funds, they become public funds. The employee's work relationship with the District takes precedence over their relationship with the parent organization. This only states that students and employees handling funds may cause treatment as activity funds. This does not preclude these people from helping the fundraising in other capacities.

Organizations must maintain their own accounts outside of the school. However, organizations are required to submit a detailed financial report of expenditures and revenue to the Director and HORIZON ACADEMY WEST Finance Department. Parent organizations (i.e., PTA, PTO, etc.) must submit their report by the 31st of July, for the preceding school year.

Organizations whose gross annual income exceeds \$250,000 are required by State Law Section 6-5A-1 NMSA 1978, to have an annual audit of their financial affairs. The organization is financially responsible for the audit. HORIZON ACADEMY WEST does not monitor or perform audits of these organizations. If its gross annual income is two hundred fifty thousand dollars (\$250,000) or less, file a statement with the agency in the form of a balance sheet showing the assets of the organization, its liabilities, its income, classified by general source, and its expenditures, classified by object.

#### B.22.9 GIFTS AND DONATIONS

HAW, as a publicly supported institution, may by action of the Governing Council, accept gifts, grants, donations, devises, and title to property.

Presentation of memorials or other awards will be fittingly recognized by the Governing Council. Such recognition will in no case be considered as a testimonial or endorsement by the Council of a product or business enterprise.

#### B.22.10 ADVERTISING AT HAW

The Governing Council supports advertising initiatives that enhance HAW's goals and objectives. The Principal will approve agreements on behalf of HAW. Advertising requests that promote alcohol, tobacco, gaming, firearms, political endorsements, controversial products or services, will not be permitted. The Principal will ensure that HAW complies with all applicable federal and state statutes, rules and regulations in relation to advertising.

#### B.22.11 POLITICAL SOLICITATIONS AT HAW

HAW has as its primary mission the education of its students. All else must be secondary. For this reason, appearances of candidates or their representatives will be limited to time outside the standard school hours except in those instances where teachers of social studies and language arts invite candidates to visit their classes as part of the educational program.

Candidates or their representatives may distribute campaign materials and greet employees and students at entrances or exits to HAW facilities.

No person may solicit contributions or distribute campaign materials for any political campaign or receive, collect, handle, or disburse contributions or other funds for any political campaign within or on any school property.

For purposes of these guidelines, "candidates for elective office" means candidate for any public office and "representatives" means any persons other than a student of the school, whether or not authorized by a candidate, who is actively supporting such candidate.

#### B.22.12 FINANCIAL SOLICITATIONS AT HAW

Student participation in fund-raising campaigns by outside agencies must be entirely voluntary. No quotas may be set and no pressure placed on students to donate.

Campaigns by school or school-related organizations will follow the same guidelines.

#### B.22.13 RELATIONS WITH COMMUNITY ORGANIZATIONS

HAW may cooperate in furthering the work of non-profit, community-wide service, civic, or governmental agencies or organizations that support the missions, goals, and policies of HAW. Such cooperation may not disrupt the school program or diminish the amount of time devoted to the school program. Cooperation may include the distribution of literature, announcements of meetings, and provision of space for organizational activities in accordance with HAW's facilities use policy.

#### B.22.14 : DISTRIBUTING OR POSTING PROMOTIONAL LITERATURE

##### Informational and Promotional Literature

HAW will cooperate in furthering the work of community-based, non-profit service or civic agencies, organizations, or corporations that support the mission and goals and objectives of HAW. Distribution of material for these entities will be allowed at HAW subject to the requirements that follow unless the material is determined "unacceptable" as defined. Groups wishing to distribute material must submit the material to the Principal at least one week prior to the proposed distribution date. The Principal will approve or disapprove the distribution on the basis of the material's acceptability and the group's mission as it relates to the goals of HAW, and work with staff concerning these distributions.

The group must agree to the following:

A. When material is approved to be distributed to students, the Principal will have final authority in deciding when and how literature will be given to students to take home, provided that timeliness of information in the material is not compromised.

B. No student or employee shall in any way be compelled or coerced to accept any materials; no school employee or student will interfere with the distribution of approved materials.

C. Where groups wish to personally distribute approved material they may do so at places within the school or on the school grounds as designated by the Principal except that in no event will group members personally distribute materials in any classroom being occupied by a scheduled class.

D. Groups wishing to personally distribute materials must do so 15 minutes before school and/or 15 minutes after the close of school.

##### Unacceptable Materials

The following materials are unacceptable:

A. Literature that attacks or impugns any ethnic, religious, or racial group.

B. Material promoting hostility, disorder, or violence.

C. Material that proselytizes or promotes a particular religious or political belief.

D. Material that is libelous.

E. Material that inhibits the functioning of the school or interferes with the normal operation of the school.

F. Material that favors or opposes a political candidate, any bond issue, or any other question to be decided at an election.

G. Any material that is obscene or pornographic as defined by prevailing community standards.

In the event the Principal rejects a request for distribution of materials, the decision may be appealed to the Governing Council.

##### For Profit Organizations and Companies

Representatives of companies or individuals seeking access to staff members, students or parents for the purpose of selling or marketing any goods or services must submit a written request for authorization from the Principal. The Principal's authorization does not imply an endorsement of any product/service. The company/organization representatives must submit copies of all materials to be submitted to HAW staff, students or parents with their request for a letter of authorization.

The Principal may give permission to the company or individual to make literature available to staff only, not to students. Materials shall be prepared and delivered by authorized representatives according to the direction of the Principal.

No direct access to school employees will be granted during school hours. The Principal may, but is not obligated to, allow representatives the opportunity to contact staff members after school hours on school property. In such cases.

#### B.22.15 CUSTODIAN OF PUBLIC RECORDS

The official Custodian of Public Records for HAW will be the Principal. As required by the Inspection of Public Records Act, the Principal will be responsible for (1) receiving and responding to requests to inspect public records; (2) providing proper and reasonable opportunities to inspect public records; and (3) providing reasonable facilities to make or furnish copies of the public records during usual business hours.

#### - NEW MEXICO INSPECTION OF PUBLIC RECORDS ACT

Horizon Academy West follows procedures contained in the New Mexico Inspection of Public Records Act and the New Mexico Attorney General's published compliance guidelines.

#### RECORD REQUEST GUIDELINES

- Requestors should be specific when describing the records requested.
- Requests for justifications of actions are not proper requests under the law.
- Requests must include the requestor's full name, phone number, and the mailing address where the requested documents will be sent.

#### HOW TO SUBMIT A REQUEST FOR PUBLIC RECORDS

1. Write your request in a letter, an email, or a memo. Please include the following information:
  - Your full name
  - Your phone number
  - The mailing address where the Horizon Academy West registrar will send the requested documents.
  - A specific description of the records requested.
2. Send your request by mail to:  
Horizon Academy West  
Attn: School Registrar  
3021 Todos Santos NW  
Albuquerque, NM 87120
3. Send your request by email to:
4. Send your request by fax to:  
(505)998-0463

#### WHAT TO EXPECT

- Upon receipt of written or electronic inspection of public records request, the school registrar will, in writing, within three school days, acknowledge receipt of that request
- After determining if the requested records exist, and are subject to inspection, copies of the records will be available for review at the Horizon Academy West campus.
- Arrangements can be made to have the requests mailed, if necessary.
- Horizon Academy West charges .50 per page for copies of records.