

ALBUQUERQUE PUBLIC SCHOOLS STUDENT BEHAVIOR HANDBOOK

This handbook states guidelines for student rights and responsibilities. It does not create any contractual rights, and the school district has the discretion to modify the provisions of this Handbook at any time.

WHEN IS THE HANDBOOK IN FORCE?

The provisions of the Student Behavior Handbook are in force:

- During regular school hours and/or on school property
- During transportation of students
- At times and places where appropriate school administrators and staff have jurisdiction including, but not limited to school-sponsored events, field trips, athletic functions and other school-related activities.
- On the way to or from school or a school-related event.
- The Extra-Curricular Substance Abuse and Tobacco Policy is in effect twenty-four hours a day, seven days a week, at all times/locations from the first day of fall sports practices to the end of the school year. Additional sanctions may apply above and beyond the minimum mandatory consequences of this policy for violations which occur when this Handbook is in force (i.e.; on school property, during school time, or at school events).

Additionally, the principal, any public school official or designated chaperone is authorized to take administrative action when a student's misconduct away from school during a school activity may have a detrimental effect on the other students, staff or on the orderly educational process.

The principal has the responsibility to take discretionary action any time the educational process is threatened with disruption. Nothing in the following is intended to prevent a staff member, teacher, principal or other administrator from using his/her best judgment with respect to a particular situation.

**Each school's handbook supplements the Student Behavior Handbook and should be referred to for more specific guidelines.*

This handbook will be reviewed by the Board of Education at the end of each school year, at which time suggested amendments or additions submitted by administrators, teachers, students and/or other interested persons will be considered.

Copies of these policy statements and hearing procedures will be made available to each student at the beginning of each school year. Copies of district administrative directives are

available for review by the students and their parents at each school library and on the district's web site at ww2.aps.edu.

ALBUQUERQUE PUBLIC SCHOOL DISTRICT EXPECTATIONS FOR STUDENTS

ATTENDANCE

Students are expected to attend school regularly and on time. District policy and state law require daily school attendance for those between the ages of 5 and 18, or until graduation from high school.

ACHIEVEMENT

Students are expected to achieve academically. They are expected to:

- Strive to fulfill their academic potential.
- Actively participate in the educational process.
- Actively participate in community activities.

CITIZENSHIP

Students are expected to be good citizens. Students are expected to:

- Model and promote the pillars of Character Counts.
- Respect authority, property, and the rights of others.
- Avoid confrontation and any activity that has the potential to cause a verbal or physical conflict.
- Maintain standards of integrity and responsibility.
- Maintain a safe school environment.
- Report any/all information/circumstances related to campus safety, problems (fights, weapons, or drugs on campus).

STUDENT RESPONSIBILITIES

Every student is responsible for helping maintain a safe, orderly and educationally efficient learning environment. Students are expected to:

- Attend school every day and be on time for every class.
- Resolve differences with others in a positive, non-violent way.
- Remain drug, alcohol and tobacco free.
- Follow the school dress code.
- Respect school property and the property of others.
- Respect fellow students and all school staff members.
- Comply with the standards of behavior for your classrooms, your school, and our district.

PARENT RESPONSIBILITIES

School officials are partners with parents in the process of educating our children. Every parent, guardian and family member of the school community shares in the responsibility for educating children in a safe and productive environment. You share in this responsibility when you:

- Get your students to school on time every day. Punctuality and good attendance are family responsibilities.
- Provide a suitable time and place for your child to study at home.
- Make learning a priority.
- Maintain regular communication with your children's teachers, school administrators and other school staff members.
- Stay informed of your child's ongoing scholastic achievement and progress, and advocate for your child's learning needs.
- Understand our district rules and the rules at your child's school.
- Support school administrators in enforcing these rules.
- Support the school and the Board of Education as they maintain high standards of behavior for all students.

STUDENT RIGHTS

The following Statement is intended to be consistent with the Statement of Rights and Responsibilities adopted in November of 2000 by the State Board of Education. In the event that any part of it is not consistent with that Statement, the State School Board's Statement prevails.

STUDENTS HAVE A RIGHT TO:

Educational Opportunity

- A free public school education shall be available to every school-aged person, and each student who enrolls has a corresponding responsibility not to deny this right to any other student.
- Albuquerque Public Schools affords all students equal educational opportunities as well as equal opportunities to participate in extracurricular activities.
- Policy prohibits discrimination and harassment on the basis of ethnic identity, religion, race, color, national origin, sex, sexual orientation, mental or physical disability, marital status and pregnancy in any program or activity of or sponsored by the school district.

Student Government

- In each secondary school there will be established an elected student government with membership open to all students.
- The student government will establish reasonable standards for candidates for office.
- All students shall be allowed to vote in elections designed to promote careful consideration of the candidates and issues.

- Elementary school personnel are encouraged to introduce students to principles of student government through school and class activities.

The responsibilities of the student government shall be subject to the regulations of the School Board and shall include but not be limited to the following:

- Involvement in the process of developing policies for revisions and additions to the curriculum, school rules and regulations.
- Involvement in the formulation of guidelines for co-curricular activities.
- Involvement in allocation of student funds, subject to established audit controls and to the approval of the principal.
- Representatives selected by the student government shall meet regularly with the principal or his/her designee to exchange views and to share in the formulation of school student policies, and to consider revision to the school's curriculum.

Expression and Association

- Students are protected in the exercise of the constitutional rights of free speech, press and assembly.
- The exercise of such rights, however, must be conducted in a manner that does not disrupt the educational process.

Publications

- Students shall be allowed to distribute political leaflets, newspapers and other literature on school premises, at specified times and places.
- Student publications are subject to prior restraint and censorship.

Organizations and Clubs

- Students may form clubs or organizations for any legal purpose.
- These organizations must be open to all students on an equal basis and must operate within procedural guidelines established by the student government, acting in concert with the principal.

Student Dress

- Student dress and grooming is to reflect high standards of personal conduct so that each student's attire promotes a positive, safe and healthy atmosphere within the school.
- Students are expected to adhere to any uniform dress policy which has been adopted at their school.

Privacy

- Questioning a Student - If police authorities or security personnel of the school system desire to question a student on school premises regarding any alleged act of misconduct by the student, the school

authorities shall attempt to contact the parent and shall advise the students of his/her rights.

School Lockers

- Lockers or other student storage facilities may be searched without student consent.
- Facilities assigned to students will not be opened by school authorities except for general housekeeping purposes and in instances when, in the judgment of the school administrator, the health, safety or general welfare of the student or school requires such action.
- Neither school nor the district can assume any responsibility for items stored in these facilities.

Search of Person or Vehicle

- Vehicle Searches – Search of a student’s vehicle while parked on school property may be conducted only if a certified school employee, school security officer, campus security aide or school bus driver has *reasonable suspicion* that a crime or breach of the disciplinary code is being committed by the student.
- Physical Searches – Search of a student’s person or property may be conducted only where there is *individualized reasonable suspicion* that the student being searched has committed a crime or a breach of the disciplinary code.
 - Minimally Intrusive Searches – Searches such as emptying of pockets, searches of student backpacks and purses, removal of hats, socks and shoes may be conducted by any certified school employee, school security officer, campus security aide, or school bus driver.
 - More Intrusive Searches – Searches such as pat downs and frisks may only be conducted by an authorized person of the same sex as the student being searched.
 - Most Intrusive Searches - A strip search shall be conducted only upon *individualized reasonable suspicion* of a safety concern and shall be conducted by a school administrator of the same sex and in the presence of another authorized person of the same sex. A strip search shall be conducted in a manner that will cause the least amount of embarrassment to the student. Strip searches should only be conducted in life-threatening situations, or in situations that pose a danger to the school population. A situation that could warrant a strip search is (*upon individualized reasonable suspicion*) of possession of a firearm or a weapon. Administrators who conduct a student strip search will report the incident to their Cluster Leader Principal.

Controversial Issues

- Students shall have the right to encounter diverse points of view.
- Students shall have opportunities to hear speakers and view presentations representing a wide range of views in classes, clubs and assemblies under guidelines established by the school district.

Dress Code

- Schools may customize their individual dress codes to address the needs and standards of their communities and neighborhoods through use of a process which ensures input from students, parents, faculty and staff of the school, and other interested community members.
- Students and their parents/guardians have the responsibility to be aware of the school specific dress codes and to conform to those requirements.
- The responsibility to interpret and enforce the dress code policy rests with each principal for that school.

WHAT TO DO IF YOU BELIEVE THAT YOUR RIGHTS HAVE BEEN VIOLATED

The Albuquerque Public School system does not discriminate on the basis of ethnic identity, religion, race, color, national origin, sex, sexual orientation, mental or physical disability, marital status or pregnancy in any program or activity of, or sponsored by, the school district. The following persons have been designated to handle inquiries regarding the nondiscrimination policies:

FOR ALL DISCRIMINATION CONCERNS
Director of Equal Opportunity Services
3315 Louisiana Blvd. NE
Albuquerque, New Mexico 87110
872-1252

REPORTS

- Any report will be addressed in accordance with the appropriate procedures as specified in IDEA, Section 504, ADA, Title VI of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Age Discrimination Act of 1975, First Amendment, XIV Amendment, New Mexico Human Rights Act, or with the State Board of Education Regulation 6 NMAC 1.4 and any amendments made to these regulations, which are incorporated within this policy statement.

VIOLATION OF STUDENT RIGHTS

- Students who believe that their rights have been violated should report their concerns to their parents, school administrator, or other appropriate school personnel.
- If the concern is not resolved by the appropriate school personnel, a report should be made to the Student School and Community Service Center at 855-9040.

DENIAL OF RIGHTS

- Free public school education is a right guaranteed to a student.
- The courts have defined the basis on which the denial of that right is justified.
- That right may be denied in response to behaviors that threaten the safety and security of the school population, are illegal, or have the potential to disrupt the educational process.
- It is the intent of the Board that every reasonable effort is made on behalf of the student's education, even in the case of suspension or expulsion.
- Special education students must have an alternative program provided during any long-term suspension or expulsion.

GRIEVANCE PROCEDURE

- It is the intent of the Board that students and their parents be informed of the regulations regarding disciplinary and appeal procedures affecting students within the school.
- Faculty, parents and students shall attempt resolution of problems affecting students and the education process by informal means.
- If any student or parent believes that the conditions of the school or decisions made by its staff are not fair or reasonable, a conference shall be afforded with the principal or designee to discuss the matter.
- If the student or parent is not satisfied, the student or parent shall be afforded the opportunity to confer with the Service Center regarding the matter, at 842-3742.

HEARING PROCEDURE

- The Board prescribes a formal hearing procedure for students recommended for long-term suspension or expulsion.
- The student may, at his/her own expense, choose to be represented by an attorney during any due process hearing.
- If a hearing is requested or required, school authorities shall prepare and serve the parents/legal guardians with a written notice of the hearing.
- The hearing shall be scheduled no sooner than five (5) and no later than ten (10) school days from the date of receipt of notice by the parents.
- Schools will provide copies of evidence that will be used at the hearing to families at least two (2) working days in advance of the hearing.
- The parent/guardian may choose to waive the student's right to a hearing and accept the disciplinary consequences recommended by the school.
- Expulsion hearings cannot be waived.

HEARING AUTHORITY AND TRANSCRIPT

- The Hearing Authority is the appointed Hearing Officer or designee of the District.
- A student may waive his or her right to a long term suspension hearing.
- A transcript of the proceeding shall be recorded and kept at the District Hearing Office for a period of one year, after which the recording will be destroyed, except in cases of expulsion where records are kept for longer periods.

BURDEN OF PROOF

- The hearing is not a legal proceeding, and formal rules of evidence shall not govern the conduct of the hearing.
- The burden of proving that the student violated a provision of this Student Behavior Handbook is on the school authorities.
- The student or his/her counsel shall have the right to call witnesses on his/her behalf and to question witnesses against him/her.
- The school authorities shall have the right to call witnesses and to question any witnesses who testify.

DECISION OF HEARING AUTHORITY

- The Hearing Authority shall decide first upon the innocence or guilt of the student with respect to the charges brought and second, upon the disciplinary action, if any, that should be taken.
- The Hearing Authority may request additional evidence from the parties.
- The student shall have the right to comment upon the evidence orally and/or in writing.
- The Hearing Authority shall serve its written decision on the parties, stating its findings, conclusions and implementations, within five (5) school days after hearing the evidence.
- The Hearing Authority's decision shall take effect immediately upon notification of the parent/guardian and shall continue in force during any subsequent review.

APPEAL TO THE SUPERINTENDENT

- The student/parent may appeal the decision of the Hearing Authority to the District Superintendent or the Superintendent's Designee by serving a written Notice of Appeal to the Superintendent or Superintendent's Designee within ten (10) school days after the decision has been served.
- The Superintendent or Designee shall, within fifteen (15) working days after receipt of Notice of Appeal, review the record of the hearing and the decision in this case.
- The Superintendent or Designee shall have discretion over whether to permit the aggrieved student and school authorities to submit additional written materials and/or to present their respective views in person at a conference or hearing

- The Superintendent or Designee shall then serve on the parties, within ten (10) working days after the review is concluded, his/her decision affirming, overruling, or modifying the decision of the Hearing Authority.
- The severity of any sanction may not be increased.

TIME LIMITS

- Subject to applicable rules and upon agreement of the parent and hearing authority, the hearing authority shall have the option to extend the time limits after a showing of good cause.

SCHOOL ATTENDANCE

The Federal No Child Left Behind Act requires that states, school districts and schools be held accountable for ensuring that all students meet high academic standards. On time, daily attendance is a critical component of this educational process. New Mexico law dictates that:

- Students between the ages of five (5) and eighteen (18) years of age are mandated to attend public school, private school, home school or a state institution.
- The Albuquerque Public School District reports habitual truants to the Children's Court Liaison office and to the State of New Mexico.

ATTENDANCE POLICY

- APS students are allowed **no more than 5 unexcused absences per semester, and no more than 10 unexcused absences per school year.**
- The parent/guardian must notify the school each day that the student will be absent, in accordance with the notification procedure established by the school.
- Absences may be excused for the following reasons, with appropriate documentation:
 - Doctor's appointment
 - Death in the family
 - Religious commitment
 - Illness
 - Family emergency
 - Diagnostic testing
 - School or College visit
- In the event that the school has not received notification of absence by a parent for three (3) consecutive days, the school must make an attempt to contact the parent/guardian.
- **Excessive excused absences** may result in further inquiry from the principal and request for additional documentation.
- Family vacations are considered unexcused absences, and it is expected that parents will schedule vacations during periods of time when school is not in session.

- Students who are signed out before the end of the instructional day must have written documentation of the reason (as defined under excused absences) or be subject to the same consequences as tardy.

MAKE UP WORK

- Students are entitled to make up work for ALL absences – excused and unexcused, with the following exception. Principals have the discretion to decide whether or not truant students will be entitled to make up their work.
- It is the student's responsibility to request make-up assignments.
- Teachers may need 24 hours from the time of the request to compile assignments.
- The student will have the opportunity to complete the work in a period of time equal to the number of days absent, unless other arrangements have been mutually agreed upon by the student and the teacher.

EXCESSIVE ABSENCES

- If a student's attendance rate drops to 90-94% in a grading period (i.e. 4.5-9 days for schools on the semester system), the school is responsible for the intervention needed to improve student attendance.
- A student who falls below a 95% attendance rate may be excluded from extra-curricular activities at the school.
- If a student's attendance rate drops below 90% in any grading period, the student and his/her guardian are referred to the Children's Court Liaison, and the student is excluded from extra-curricular activities for the remainder of the grading period.
- High school students who exceed the prescribed number of allowable absences (4.5 per semester) may lose credit for the class in which the absences occurred.
- School-related absences are not included when evaluating excessive absences.
- State law requires a school to withdraw a student after ten (10) consecutive days of absence, or in the case of excessive truancy, for students who fail to return to school after the school district has exhausted its efforts to keep the student in an educational setting.

TARDY

- Students who are tardy for class receive consequences as designated by the school.
- Consequences for being tardy will involve students spending time in an alternative academic or community service setting (i.e. lunch, recess, after school, Saturday school).
- Secondary students who miss more than ten (10) minutes of the class period are considered absent.
- Elementary students whose tardies are considered excessive may be referred to the Children's Court Liaison.

ELEMENTARY SCHOOL STUDENT DROP OFF/PICK UP

- Parents must not leave their children on a school campus longer than fifteen (15) minutes prior to or fifteen (15) minutes after the school day.

- School grounds are not supervised except during the school day.
- If extenuating circumstances prevent a family from picking up a student on time, the school must be notified within this same fifteen (15) minute period.
- If students are repeatedly left on campus outside of the school day hours, an administrator will attempt to contact the family to discuss the problem.
- If the problem continues, the student may be considered abandoned and the police will be notified. Such children may be subject to transportation to a state shelter for abandoned children.

DISRUPTION OF THE EDUCATIONAL PROCESS

This list is not all-inclusive: acts of misconduct not specified herein shall also be subject to discretionary action by appropriate school personnel. This document does not attempt to set societal standards. The criterion used for defining unacceptable behavior is whether or not it has the potential to disrupt the educational process. These guidelines follow municipal and state guidelines. Definitions of these terms are indexed in the back of this handbook.

Absences, Excessive (1)	Extortion (16)
Arson, I and II (2)	Firearm, Possession/Use (17)
Assault/Bullying (3)	Gang-Related Activity (18)
Assault, Aggravated (4)	General Disruptive Conduct (19)
Battery, Aggravated (5)	Harassment, Disability (20)
Battery/Fighting (6)	Harassment, Sexual (21)
Bomb Threat/False Alarm (7)	Language, Profane/Abusive (22)
Bus Disruption (8)	Materials, Obscene (23)
Controlled Substance, Paraphernalia Possession (9)	Robbery (25)
Controlled Substance, Possession (10)	Tardy, Excessive (31)
Controlled Substance Sale or Distribution (11)	Theft (32)
Controlled Substance, Use (12)	Tobacco Possession (33)
Defiance of School Personnel/ Authorities (13)	Tobacco Use (34)
Dress Code Violation (14)	Trespassing/Unauthorized Presence (35)
	Vandalism (37)
	Weapon Possession (38)
	Weapon Use (39)

CONSEQUENCES FOR UNACCEPTABLE BEHAVIOR

The school is a community, and the rules and regulations of a school are the laws of that community. The right to a public education is not absolute; it may be taken away, temporarily or permanently, for violation of school rules.

- Minimum mandatory consequences have been established and must be expected for any violation.
- Schools must make a good faith effort to notify the parents or legal guardian of the student in any circumstances where the school's disciplinary response will exceed administrator/student contact.
- Administrative response to unacceptable behavior may vary as each principal selects from a spectrum of actions such as those listed here and in each school's discipline handbook.
- **Administrators may impose consequences beyond those identified as minimum mandatory.**

SUSPENSION

A suspension is the removal of a student from a class or classes and all school-related activities for any period of time. Suspension will include a range of responses from in-school suspension alternatives to long-term removals of one year or longer.

- The school administration must provide written notification to each of a student's teachers and to the student's parents/legal guardians within one (1) school day of imposing *any* form of suspension.
- The school administration must keep on file a copy of the notification for any suspension occurring during a school year.
- The principal of the school is responsible for notification, compliance and documentation at his/her school.
- Copies of suspension notification may be discarded at the beginning of each academic year for prior year actions, except for any long-term suspensions or expulsions still in effect.

SHORT-TERM SUSPENSION

Short-term suspension will be at the discretion of the school administrator and will address behaviors that disrupt the educational process. Administrators may impose consequences beyond minimum mandatory in order to maintain the safety and security of the school population.

- Short-term suspension will be limited to no more than five (5) days, only one (1) of which can be out of school.
- Each school will have its own method for developing alternative educational settings for students who have been short-term suspended.

LONG-TERM SUSPENSION

Long-term suspension is defined as the removal of a student from instruction and all school-related activities for more than ten (10) days and up to the balance of the semester.

- A student receiving a long-term suspension may lose credit for the semester unless placed in an alternative school setting.
- A student must be given the opportunity for a due process hearing prior to the suspension.
- The student may, at his/her own expense, choose to be represented by an attorney at the hearing.
- At the principal's discretion, students may be suspended pending a due process hearing.

Students can be suspended for the following:

WEAPONS

- Possession, use of or threatening with a knife or other instrument with intent to cause bodily harm.
- Sale or furnishing of weapons (gun, sharp object, club, or an object that could inflict serious bodily injury).

ARSON – Category II

- Starting a fire resulting in serious damage to property over \$100.00.
- Starting a fire resulting in injury to a person.

DRUG DEALING OR DISTRIBUTION

- Possession with intent to distribute alcohol or drugs, other illegal substances or look-alikes.
- Repeated use and/or possession of drugs, alcohol, or any intoxicant.

ACTS OF VIOLENCE

- Cause or attempt to cause physical injury to a staff member
- Bomb threats
- Repeated fighting
- Causing physical harm to another person
- Rioting or gang fighting

EXPULSION

Expulsion is the removal of a student from all regular schools in Albuquerque Public Schools for a period exceeding one (1) semester. In some cases, expulsion may be a permanent removal from this school system. When appropriate, a student who is expelled may be placed in an alternative program.

- A student receiving an expulsion will lose credit for the semester in which the expulsion occurs, unless the student is engaged in an alternative program.

- A student must be given a due process hearing prior to expulsion.
- The student may, at his/her own expense, choose to be represented by an attorney at the hearing.

FIREARMS

- Possession, selling or otherwise furnishing a firearm.
- Possession of any explosive device as defined in the Gun Free Schools Act.

The Gun Free Schools Act provides for a mandatory expulsion of one calendar year for students who are determined to have brought a firearm to school, subject to modification on a case by case basis.

REFERRAL FOR LEGAL ACTION

- Communication of any illegal act or action by a student will be forwarded to the appropriate authority or law enforcement agency.
- New Mexico law requires that, if any school employee has reasonable cause to believe that a child is or has been in possession of a firearm on school premises, the employee shall immediately report the child's actions to a law enforcement agency and the Children, Youth and Families Department.

SUSPENSION OF EXTRA-CURRICULAR PRIVILEGES

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

- Participation in extra-curricular activities is a privilege offered to and earned by students.
- Because participants are serving as representatives of their school and community, their conduct is expected to exemplify high standards at all times.
- Participants are expected to adhere to higher standards of academics and conduct than established for the general school population in order to maintain their extra-curricular privileges.
- **Participation in extra-curricular activities is not a student right, and suspension of such privileges does not require a due process hearing procedure.**

EXTRA-CURRICULAR SUBSTANCE ABUSE AND TOBACCO POLICY

Extra-curricular activities are an integral part of the educational process, providing students with opportunities to further develop their unique capabilities, interests and needs beyond the classroom. Participation in extra-curricular activities is a PRIVILEGE offered to and earned by students. Because participants are representatives of their school and community, their conduct is expected to exemplify high standards at all times. The Extra-Curricular Substance Abuse and Tobacco Policy is in effect twenty-four hours a day, seven days a week, at all times/locations from the first day of fall sports practices to the end of the school year.

The definition of alcohol and controlled/illegal substance possession is extended to include circumstances where substances covered under the

policy are proximal and available (i.e. parties, gatherings, etc.). Criteria for application of sanctions would include, but not be limited to:

- Any Minor in Possession (MIP) or Offense by a Minor Citation
- Written documentation from legitimate law enforcement/school/security reports
- Personal acknowledgment by the student in question and/or their guardian

The following bullets apply to a Suspension of Extra-Curricular Privileges:

- The suspension applies to all NMAA sanctioned athletic and non-athletic activities.
- Students will not be withdrawn from classes co-curricular with activities.
- A student serving a suspension cannot participate in a “try-out” during that suspension.
- Suspensions can carry over from one school year to the next for underclassmen.
- Participation in summer programs for students on suspension will be interpreted in the same way as scholastic eligibility for athletics in the summer (i.e., students may participate in on-campus/intramural activities only).

USE AND/OR POSSESSION OF CONTROLLED/ILLEGAL SUBSTANCES AND TOBACCO PRODUCTS

- **First Offense** – Student’s loss of all extra-curricular privileges and eligibility (including practice and competition) for 45 school days (not including summer school) from the date determined by a site administrator. Students will be required to complete the Parent Involvement Program or other appropriate intervention program approved by the site administrator.
- **Second Offense** – Student is ineligible to participate in extra-curricular activities for the remainder of the academic year or longer under special circumstances.

SALE OR DISTRIBUTION OF CONTROLLED/ILLEGAL SUBSTANCE

- Student is ineligible to participate in extra-curricular activities for the remainder of the academic year or longer under special circumstances.

Senior students who receive consequences under this policy during the last quarter of the school year may receive community service, to be served prior to participation in privileged events such as commencement exercises. Community service will be assigned by the site administrator.

If a student is in violation of this policy at a time in which the handbook is in force (see Section i), other disciplinary consequences may apply. This may include suspension of extra-curricular activities, including but not limited to attendance/participation in school activities such as athletic events, open

campus, dances, clubs, and other privileged events (including commencement exercises), as determined by a site administrator.

Participation in extra-curricular activities is not a student right, and suspension of such privilege does not require a due process hearing. A grievance procedure is available under the provisions of this handbook on page 5.

SCHOOL ALTERNATIVES FOR HANDLING UNACCEPTABLE BEHAVIOR

Each school develops its own set of methods appropriate to the student's age and level of development in dealing with problem behavior. Some of the actions which may be used are listed below by categories. These and others may be specified in each school's own discipline handbook.

CONTRACTS

- Student commits to more positive behavior in the form of a written contract.
- Student may be assigned school or community service.
- Terms of the contract will be determined by the principal or designee.
- Students may be taken to a long-term suspension hearing for contract violation.

REFERRALS

- Students may be referred to the school counselor, Student Assistance Team, School Health/Mental Health Team, or the School Safety Team.
- Student and school authority may call parent/guardian to discuss problem and solution.
- Student may be referred to peer jury as designed by the school.
- Student and parents may be referred to and *required* to attend the Parent Involvement Program (PIP), Crossroads Program or the Smoking Cessation Program as an alternative to suspension.
- Student may be formally referred for legal action.
- Student may be referred to the Student Safety Team (SST) to address concerns regarding threats and to make informed decisions on how to manage threats and ensure safety of all students and staff. Each school's SST may include members of the Health/Mental Health Team, an administrator, and staff member who has information about the student. Situations that may warrant conducting a SST meeting include verbal and/or physical threats to do harm, threats of use or involvement with weapons or explosives, and any other concerns to be determined at the discretion of the administrator.

REMOVAL FROM CLASS

- Student may be removed from class or activity but remains at school pending conference with appropriate school personnel.
- Student may be placed in an alternative educational setting until satisfactory resolution is reached.
- Student may be suspended from school for no more than one (1) day, pending parent conference.

- Student may be transferred from the school of residence to another APS school at the request of the student and parents or through mutual agreement of both schools, parent and student. All transfers from the home school will be made by the appropriate office.
- In the absence of an agreement of all parties, the appropriate designee will review the case and make the final decision.
- The authority of the schools is to supervise and control the conduct of students and includes the authority to impose reasonable periods of detention during the day or outside normal school hours, as disciplinary measures.
- Reasonable periods of detention may be imposed with the procedures for temporary suspension.

BUS MISCONDUCT

Suspension from the bus does not mean that a student is suspended from school. Instead, the parent/guardian will be responsible for transporting the student to and from school. Driver, bus assistant or administrator may select a different consequence in handling an incident. This depends on the seriousness of the infraction.

- First Offense – A warning to the student with a report to the parent/guardian will be issued. It is expected that the parent/guardian will help to prevent a recurrence.
- Second Offense – Disciplinary action will be taken at the discretion of the school administrator, depending on the seriousness of the infraction. It is recommended that the student be placed on probation with a report to parent/guardian.
- Third Offense – Suspension of riding privileges may result. The length of suspension will depend on the seriousness of the infraction. There will be parent/guardian conference.
- Severe Disruption – The following inappropriate and dangerous behavior will result in automatic suspension of transportation privileges:
 - Physical harm to other students
 - Physical harm to the driver and/or bus assistant
 - Physical damage to the bus

DISCIPLINARY CONSIDERATIONS FOR STUDENTS WITH DISABILITIES UNDER *INDIVIDUALS WITH DISABILITIES EDUCATIONAL ACT (IDEA)*

Special education students are not immune from the district's disciplinary process once placement procedures are properly followed. Since the exclusion of a student with a disability from his/her education program for more than a total of ten (10) days during a school year may constitute a significant change in placement, the following considerations must be addressed:

- When considering long-term suspension or expulsion, an Individualized Education Program (IEP) Team must first determine whether the behavior of concern is a manifestation of the student's disability

- To determine if the conduct in question is or is not a manifestation of the student's disability, the IEP Team must determine:
 1. If the conduct in question was a direct result of the local educational agency's failure to implement the IEP and,
 2. If the conduct in question was caused by, or had a direct and substantial relationship to the child's disability.
- If the IEP Team determines that the behavior is related to the student's disability then no further disciplinary proceeding shall occur. Recommendations: Review IEP, add services and support, develop/update FBA/BIP, and/or change services if appropriate.
- IF the IEP Team determines that the behavior is not a manifestation of the student's disability, disciplinary actions may be taken in accordance with the procedures in this handbook.
- Should the disciplinary procedures include long-term suspension or expulsion, the district must continue to provide educational services as determined in the IEP
- Any suspension that excludes a student from his/her IEP services must be counted when calculating the total number of suspension days (up to 10 cumulative days or beyond the 10 days may constitute a change of placement).
- The decision to change a student from his/her IEP placement must be made on an individual basis (AES, IAES).
- Procedural safeguards outlined in the New Mexico Department of Education Standards for Excellence in the Compliance Manual, insure that parental due process rights are afforded.
- APS will follow the federal guidelines regarding the provision of educational continuation services for suspended special education students.
- Special education students are entitled to a due process hearing.

DISRUPTION

- Driver, bus assistant or administrator may select a different consequence in handling an incident depending on the seriousness of the infraction and student's exceptionality.
- If bus suspension results in the student's being unable to have the IEP implemented, special considerations will apply.

DISCIPLINARY CONSIDERATIONS FOR STUDENTS UNDER SECTION 504

Students with 504 accommodations are not immune from the district's disciplinary process once identification and placement procedures are properly followed. Students with 504 accommodations being considered for disciplinary action must receive a manifestation determination review prior to action. The committee must determine if the conduct in question was caused by or had a direct and substantial relationship to the student's disability. If yes, was the conduct in question the direct result of the school's failure to implement the student's 504 plan? If the behavior is a manifestation of the

disability, any disciplinary recommendation for a change of placement should be withdrawn. If the behavior is not a manifestation of the disability, the student may be disciplined in the same manner as non-disabled students.

ALBUQUERQUE PUBLIC SCHOOLS
SECTION 504 PROCEDURAL SAFEGUARDS

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

1. The parent/guardian shall be notified in writing of all district/school decisions concerning the identification, evaluation, or educational placement of his/her child.
2. The parent/guardian shall be notified that he/she may examine relevant records.
3. The parent/guardian shall be notified before any significant change in placement occurs.
4. The parent/guardian may obtain copies of educational records at a reasonable cost unless the fee would effectively deny him/her access to the records.
5. The parent/guardian may request amendment of his/her child’s educational records if there is reasonable cause to believe that they are inaccurate, misleading or otherwise in violation of the privacy rights of his/her child. If the school district refuses this request for amendment, it shall notify the parent within a reasonable time, and advise him/her of the right to a hearing.
6. Parents/Guardians, or the student, if 18 or over, who dispute the District’s decision with respect to actions regarding the identification, evaluation, or educational placement of a student or regarding harassment related to disability under Section 504 requirements shall have the following means of dispute resolution, each of which may be used at any time and in any order:
 - A. File a written complaint, which specifies the problem and the resolution requested, with the District Section 504 Facilitator at 6400 Uptown Blvd. NE, Suite 600 East, 87110. If the concern is resolved informally, the District 504 Facilitator will document that resolution and provide copies to the school and parent.
 - B. Request an impartial Section 504 Due Process Hearing, with the opportunity for participation by the parent/guardian and legal counsel (if desired). The request shall be in writing to the Section 504 Facilitator, including a description of the specific concern and proposed remedy. The District shall appoint an unbiased, qualified panel of individuals to hear the case. The hearing shall be convened within ten (10) working days after the written complaint is received, unless both parties agree to a postponement. The hearing shall follow this format:
 1. An opening statement by each party;

2. Testimony and evidence presented by each party with opportunity for cross-examination;
3. Closing statement by each party.
Both parties shall be provided a written response within twenty (20) working days of the last day of the hearing.
- C. File a written complaint with the Office for Civil Rights, Department of Education, Region VIII, Federal Office Building, 1244 Speer Blvd., Suite #310, Denver, Colorado 80204-3582.
- D. File a civil suit.
7. The parent/guardian shall be notified of his/her rights of appeal at each step of the process.

Any questions concerning Section 504 should first be addressed to school level administrators, then, if unresolved, to the appropriate Instructional Cluster Assistant.

DISABILITY HARASSMENT/DISCRIMINATION

Numerous situations may constitute disability harassment or discrimination. Mocking, taunting, ridiculing, criticizing or punishing a disabled student because of his/her disability are a few examples of what may constitute disability harassment or discrimination. Examples of circumstances that may constitute disability harassment include:

- Making remarks out loud during class that a student with dyslexia is “retarded” or “deaf and dumb” and does not belong in the class.
- Repeatedly placing classroom furniture or other objects in the path of classmates who use wheelchairs, impeding the student’s mobility.
- Habitually subjecting a student to inappropriate physical restraint because of conduct related to his disability.
- Repeatedly denying a student with a disability access to lunch, field trips, assemblies, and extra-curricular activities as punishment for taking time off from school for required services related to the student’s disability.
- Repeatedly belittling and criticizing a student for using accommodations in class.
- Taunting and belittling a student with mental retardation by mocking and intimidation.

School personnel who become aware of disability harassment shall promptly and effectively act to end the harassment and prevent it from recurring and, where appropriate, remedy the effects on the student who was harassed. Remedial measures will generally include counseling both persons who have been harmed by harassment and person(s) who have been responsible for the harassment of others and implementing monitoring programs to follow up on resolved issues of disability harassment.

TITLE IX OF THE EDUCATION AMENDMENTS OF 1972 GENDER DISCRIMINATION

Albuquerque Public Schools and federal law prohibit discrimination on the basis of gender.

- If students are treated differently based upon their gender, in academia or extracurricular activities, this treatment may be considered gender discrimination.
- Gender discrimination may include: academic programs, discipline, classroom assignment, physical education, grading and/or athletics.

SEXUAL HARASSMENT

Sexual harassment is a form of gender discrimination as defined in Title IX of the Education Amendments of 1972. Sexual harassment:

- Is a violation of federal law, APS Board policy, district procedural directives and school policy.
- Is illegal under state human rights statutes and may be considered a criminal offense under state and local assault and child abuse laws.
- Includes sexual advances, requests for sexual favors, and written or verbal conduct of a sexual nature.

If behavior toward another student makes him or her feel intimidated, uncomfortable or if the student feels threatened, it may be considered sexual harassment even if the harasser did not intend for his or her actions to be offensive.

SEXUAL HARASSMENT IS CONSIDERED TO HAVE OCCURRED WHEN:

- Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of the academic status of a student or obtaining an education.
- Submission to or rejection of that conduct or communication by an individual is used as a factor, which affects the academic standing or education of a student.
- That conduct or communication has the purpose or effect of substantially or unreasonably interfering with the education of a student, or creates an intimidating, hostile or offensive educational environment.

SEXUAL MISCONDUCT

Sexual misconduct includes, but is not limited to:

- Physical acts of aggression.
- Force or threat against another student.
- Threatening to force or coerce sexual acts.
- Touching of private/intimate parts of the body
- Coercing, forcing or attempting to coerce or force sexual intercourse.

These acts should be reported to the APS Police Department or the Albuquerque Police Department.

PREGNANCY

Title IX of the Education Amendments of 1972 (Title IX) prohibits discrimination against pregnant or parenting teens. Title IX views teen pregnancy as a “medical condition”, therefore pregnant teens:

- May voluntarily elect to stay at their home school during their pregnancy.
- May enroll at New Futures School.
- Are to receive a comparable curriculum and academic opportunities as they would at their home school.
- Are allowed to retain their enrollment status at New Futures and participate in extra-curricular activities at their home school.
- Retain their academic standing, which cannot be altered due to their “medical condition”.

INTERNAL COMPLAINT PROCEDURES

Students and parents/legal guardians are encouraged to resolve concerns with the school site administrator. If the site administrator is unable to resolve your concern, you are encouraged to seek assistance at the next highest level.

- Report gender harassment and/or discrimination to the principal, either verbally or in writing.
- Students who have knowledge of inappropriate behavior and fail to contact appropriate personnel, you will be subject to disciplinary action.
- Any knowledge of inappropriate behavior must be reported to the principal, assistant principal, teacher, or counselor.
- School personnel who receive reports of harassment and/or discrimination shall immediately inform the principal.
- If the complaint is in regard to the principal, contact the appropriate Assistant Superintendent.
- Upon receipt of notification of harassment and/or discrimination, the principal or Assistant Superintendent must contact the Office of Equal Opportunity Services within 72 hours, to report the incident.
- Any school personnel who fail to report incidents of harassment and/or discrimination will be subject to appropriate disciplinary action.

WHO MAY FILE A COMPLAINT

- Any APS student, parent or legal guardian, on behalf of his or her student, who believes he or she has been discriminated against on the basis of sex, gender, race, national origin or disability.
- These procedures do not deny any student or parent/legal guardian the right to pursue other avenues of recourse.

HOW TO FILE

You may contact the Office of Equal Opportunity Services, in any manner, to report inappropriate conduct.

- An internal complaint must be filed within thirty (30) calendar days from the last day of the alleged discrimination, unless the time for filing is extended by the Office of EOS for good cause (to be determined by the Office of EOS).
- All inquiries and internal complaints filed with the Office of EOS are confidential.
- Confidentiality also applies to the inquiry and investigative process of all investigations conducted by the Office of EOS.

RETALIATION

No student will suffer retaliation or intimidation for participating in an inquiry or the internal complaint process.

- Retaliation against any student seeking assistance at their school, filing a complaint, or participating in the investigative process is grounds for a subsequent retaliation complaint.
- APS will respect the privacy of the complainant, the respondent, and the witnesses as much as possible, consistent with our legal obligations to investigate, take appropriate action, and conform with any discovery or disclosure obligations.

WHERE TO FILE

Complaints may be addressed with the following offices:

- APS Office of Equal Opportunity Services
3315 Louisiana Blvd. NE
Albuquerque, New Mexico 87110
872-1252 ext. 351
- US Department of Education, Office for Civil Rights
Federal Office Building
1244 Speer Blvd., Suite #310
Denver, Colorado 80204-3582
(303)844-5695

APPEAL PROCESS

When the Office of Equal Opportunity Services (EOS) has completed an internal investigation, the decision may be appealed by either the complainant or respondent. This process is as follows:

- The EOS office informs the Superintendent of the determination.
- The determination will state whether the evidence gathered substantiates probable cause or no cause that the respondent violated APS policy and district procedural directives.
- If the complainant or respondent is not in agreement with the determination of the EOS office, he or she will have ten (10) business days from the date of the determination, to submit a written appeal to the Superintendent.

- The Superintendent will inform the complainant or respondent of the decision of the appeal, in writing, within fifteen (15) business days of the receipt of the appeal.
- Any student who violates APS Board policy, district procedural directives, or school policy by engaging in conduct that is in conflict with said policies or directives, involving any individual, will be subject to disciplinary action.

STUDENT RECORDS

Student records kept by the Albuquerque Public Schools will be open to review by parent/guardians and/or students and will be treated in a confidential manner, as prescribed by local Board policy, New Mexico State Board of Education Regulations and the Family Educational Records and Privacy Act of 1974. This policy is implemented by an Instructional Procedural Directive that is on file in all offices.

APS maintains the following education records directly related to students:

- Academic records.
- Personal information records.
- Disciplinary records.
- Attendance records.
- Health records.
- Progress records.
- Standardized testing records.

Access to education records is limited to:

- Parents of students under 18.
- Parents of students over 18 if such student is a dependent as defined in the Internal Revenue Code.
- Students.
- Officials of this school district who have a legitimate educational interest.
- State and local officials to whom information is required to be reported.
- Certain testing organizations.
- Accrediting organizations.
- Appropriate persons in connection with an emergency.
- Pursuant to subpoena or court order.
- Any person with the written consent of the parent of students under 18 or the student over 18.
- A school or schools in which a student seeks or intends to enroll.

THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

The Family Educational Rights and Privacy Act (FERPA) specifies rights related to educational records. This act gives the parent or guardian the right to:

- Inspect and review his/her child's educational records

- Make copies of these records
- Receive a list of all individuals having access to those records
- Ask for an explanation of any item in the records
- Ask for an amendment to any report on the grounds that it is inaccurate, misleading or violates the child's rights
- A hearing on the issue if the school refuses to make the amendment

THE PROTECTION OF PUPIL RIGHTS AMENDMENT

The Albuquerque Public School will be developing and adopting policies implementing the Protection of Pupil Rights Amendment (PPRA) to the Family Educational Rights and Privacy Act (FERPA). The PPRA:

- requires APS to obtain parental consent to requiring students to participate in certain types of surveys, analyses, or evaluations that require the disclosure of private information;
- allow parents the right to inspect certain survey and curriculum information, and
- provide parents the opportunity to opt their child out of certain activities involving the collection, disclosure, or use of personal information, the administration of certain surveys, and non-emergency, invasive physical examinations or screenings.

These policies, and a more comprehensive version of this notice, will be made available for review on the APS website, or upon request from the APS Service Center.

APS POLICY REGARDING RECORDS

- Educational records are to be kept to an essential and relevant minimum.
- Records are reviewed at the end of each school year and non-essential or irrelevant material is deleted.
- Access to records is limited to the persons and under the circumstances listed in the Records section.
- Copies are to be made available to persons entitled to copies at the cost of twenty-five (25) cents per page.
- Individuals have the right to challenge the contents of the records.
- If records contain information on more than one student, the right to inspect relates only to that portion of the records concerning the particular student in question.

STUDENT DIRECTORY INFORMATION

Student directory information may be released without prior consent unless the parent or student informs the principal within a reasonable period of time that any or all of the information should not be released. Parents may choose to have their high school student's name and directory information removed from any of the following: military recruiter lists, college/university lists, or

other requested lists. Disclosure Exemption forms can be picked up at the school site and should be returned to the school upon completion.

- Name.
- Address.
- Telephone listing.
- Date and place of birth.
- Major field of study.
- Participation in officially recognized activities and sports.
- Weight and height, if a member of an athletic team.
- Dates of attendance.
- Degrees and awards received.
- Information from the most recent previous education agency or institution attended by the student.

GLOSSARY OF TERMS

1. **Absences, Excessive**

Attendance which falls below 95% in a grading period.

2. **Arson**

Maliciously, willfully and/or neglectfully starting, by any means, a fire or causing an explosion on school property or at any school-related activity.

Category I – Deliberately, or with reckless disregard, starting a fire with resulting expense under \$100.00.

Category II – Deliberately, or with reckless disregard, starting a fire resulting in damage over \$100.00 to property or resulting in injury to a person.

3. **Assault/Bullying**

Threatening physical harm to another, causing a present fear of imminent danger to the person; included are threats, gestures and verbal assaults.

4. **Assault, Aggravated**

Intending or performing assault and battery with a weapon, instrument or any means of force likely to produce bodily injury. This category includes sexual assault and/or offenses.

5. **Battery, Aggravated**

Employing hostile contact with any kind of weapon or causing great bodily harm.

6. **Battery/Fighting**

Employing hostile contact in which at least one party has contributed to a situation by verbal action and/or bodily harm.

7. **Bomb Threat and/or False Alarm**

Bomb Threat – Falsely and maliciously stating to another that a bomb or other explosive has been placed in such a position that person/s or property are likely to be injured or destroyed.

False Alarm – Interfering with the proper functioning of a fire alarm system or giving a false alarm, whether by means of a fire alarm or otherwise.

8. **Bus Disruption**

Deliberately or inadvertently interfering with the safe operation of a school bus which is stopped or moving; behaving in a manner adversely affecting an individual or any property on or near the bus itself, at bus stops or at pick-up areas.

9. ***Controlled Substance, Paraphernalia Possession*****

Possessing any paraphernalia, such as but not limited to rolling paper, pipes or bongs.

10. ***Controlled Substance, Possession*****

Possessing any substance capable of producing a change in behavior or altering a state of mind or feeling; having a “look-alike,”***a substance that looks like a controlled substance.

11. ***Controlled Substance, Sale or Distribution**

Selling or distributing a substance capable of producing a change in behavior or altering a state of mind or feeling; including a “look-alike,”*** or an item sold as a controlled substance.

12.*Controlled Substance, Use

Absorbing a substance capable of producing a change in behavior or altering a state of mind or feeling, including a “look-alike,”** or an item sold as a controlled substance.

13. Defiance of School Personnel/Authorities

Refusing to comply with any reasonable demand or request by any school official or sponsor at places and times where school personnel have jurisdiction.

14. Dress Code Violation

Non-compliance with specific school dress codes.

15. Expulsion

The removal of a student from all regular schools in APS for a period exceeding one (1) semester. In some cases expulsion may be a permanent removal from this school system.

16. Extortion

Using intimidation or the threat of violence to obtain money, information or anything else of value from another person.

17. Firearm, Possession/Use***

Possession or use of any weapon which will propel a projectile by the action of an explosive.

18. Gang-Related Activity

Gang-related activity can be intimidating to students, faculty and staff and is disruptive to the educational process. Although this list is not all-inclusive, examples of inappropriate and unacceptable behaviors are such things as gang graffiti on school property, intimidation of others, gang fights and/or initiation rituals, wearing gang attire or “colors.” A “gang” can be any group of students and/or non-students whose group behavior is threatening, delinquent or criminal. Since gang behavior, markers and colors are variable and subject to rapid change, school administrators and staff must exercise judgment and their individual discretion based upon current circumstances in their neighborhood schools when evaluating gang-related activity. Gang-related indicators which will be considered should include:

- The student associating with admitted or known gang members.
- The student wearing attire consistent with gang dress.
- The student displaying gang logos, graffiti and/or symbols on personal possessions.
- The student displaying gang hand signs or signals to others.
- The student talking about gang activities to others.

19. General Disruptive Conduct

Willful conduct which materially and in fact disrupts or interferes with the operation of the public schools and the orderly conduct of any public school activity, including individual classes; or leads an administrative authority reasonably to forecast that such an interruption or interference is likely to occur unless preventive action is taken. For example:

- Failing to provide/surrender school identification to any public school personnel or activity sponsor upon demand.

- Knowingly and deliberately failing to comply with any legal and/or official rule or regulation designed by or provided by a teacher, principal, faculty member or other public school official at any time, whether the rule is designed for the classroom, the campus in general or any other location or facility involving a school-related activity.
- Being dressed in a manner which is disruptive to the educational process.
- Inappropriate display of affection, i.e. a display of affection which has the potential to disrupt the educational process.
- Cheating.
- Gambling.
- Use of pagers and/or cell phones during instructional time or at a time that would be disruptive to the educational process.
- Misuse of cell phones and other forms of technology that could include, but not be limited to the unauthorized taking of pictures, cheating, invading privacy, etc.

20. Harassment, Disability

Conduct including but not limited to the following: mocking, taunting, intimidating, criticizing, or punishing a student with a disability because of his or her disability. (see Section 504 and the Americans with Disabilities Act)

21. Harassment, Sexual

Sexual harassment is a form of gender discrimination as defined in Title IX of the Education Amendments of 1972. Sexual harassment is a violation of federal law. Examples of sexual harassment include but are not limited to the following: sexual assault, unwanted touching, inappropriate comments or conversation, certain non-verbal behaviors and gestures which threaten or belittle others on the basis of gender. Further information regarding sexual harassment is provided in the included section: *Title IX, Students' Rights*.

22. Language, Profane and/or Abusive

Using language which is crude, offensive, insulting or irreverent; use of coarse words to show contempt or disrespect; swearing.

23. Materials, Obscene

Displaying material which is indecent and has the potential of being disruptive.

24. Restitution

Compensation for loss or damage.

25. Robbery

Taking of property of another through means of force or fear.

26. Search, Minimally Intrusive

Emptying of pockets, searches of student backpacks and purses, removal of hats, socks and shoes, conducted by any certified school employee, school security officer, campus security aide, or school bus driver.

27. Search, More Intrusive

Pat downs and/or frisks, conducted by an authorized person of the same sex as the student being searched.

28. Search, Most Intrusive

A strip search shall be conducted only *upon individualized reasonable suspicion* of a serious crime or a safety concern and shall be conducted by a school administrator of the same sex and in the presence of another authorized person of the same sex.

29. Suspension, Long Term

The removal of a student from instruction and all school-related activities for more than ten (10) days and up to the balance of the semester.

30. Suspension, Short Term

A suspension which is at the discretion of the administrator and will address behaviors that disrupt the educational process.

31. Tardy, Excessive

Student is not in the class or assigned activity when it is scheduled to begin.

32. Theft

Unauthorized possession and/or sale of property of another without consent of owner.

33. Tobacco Possession***

Possession of tobacco anywhere on a school campus or at a school related event is prohibited. In addition, students found in possession of tobacco products are subject to the provisions of the Substance Abuse and Tobacco Policy.

34. Tobacco Use

Using any form of tobacco is prohibited. In addition, students using any form of tobacco are subject to the provisions of the Substance Abuse and Tobacco Policy.

35. Trespassing/Unauthorized Presence

Entering or being on school grounds or in a school building without authorization.

36. Truant

A student who has accumulated five unexcused absences within any twenty-day period.

37. Vandalism

Deliberately or maliciously destroying, damaging and/or defacing school property or the property of another individual.

38. Weapon Possession***

Possessing a weapon such as but not limited to: a firearm, any type of gun, knife, club, explosive, spiked wrist band, chains or other item that may cause or is intended to cause injury or death. This specifically includes "look-alike" guns and knives, such as toys.

39. Weapon Use

Use of any weapon to threaten, intimidate, attack, injure or kill any person.

**Any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage or intoxicant or any kind.*

***"Look-alikes" are specifically included whether or not they are capable of producing a change in behavior or altering a state of mind.*

****"Possession," as used herein, includes not only possession on one's physical person, but also custody and control. Thus, a student may be found in possession of any item if the item is in the student's backpack, locker, car or elsewhere, if subject to the student's custody and control.*

