



**1401 Old Coors SW
Albuquerque, NM 87121**

**La Academia de Esperanza Charter School
Student & Parent Handbook**

Welcome to La Academia de Esperanza! We invite you to join our school community and hope that you will value your experience at La Academia de Esperanza. As you will see, we appreciate the unique character and circumstances of each student and their family, and want to work closely with you to ensure each student's success. The Student & Parent Handbook was created to communicate important information to students and their families. It describes the school's mission and goals, what makes the school unique, and your rights and responsibilities as students and parents of La Academia de Esperanza.

Our Mission

Our mission is to open the hearts and minds of children to possibilities, while supporting their self-determination with a program of full inclusion. We focus on educating and developing the total individual. La Academia de Esperanza will provide quality academic and vocational learning for students from age 11 to 18 in preparation for their role as socially responsible individuals, within a community-based, ethnically and culturally-sensitive educational environment.

Tiger Pride!

Our Goals

1. We will create and maintain an educational culture that encourages success and makes self-actualization possible.
2. We will build and maintain the infrastructure necessary to bring excitement and life to children's futures.
3. We will involve students, their parents, and the community at large in the realization of the school's vision to preserve, strengthen and empower families.

The provisions of the Student & Parent Handbook apply to all students:

- 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.

Part I. La Academia de Esperanza: School Community

La Academia de Esperanza (Esperanza) wants every student to be an active participant in their education by setting their own goals and deciding how best to achieve those goals for their future. The students will work closely with their teachers and other school personnel to create a plan that will prepare them for their transition from Esperanza. Esperanza is dedicated to setting high expectations and clear standards as well as providing a caring, safe and supportive environment. The school will implement the following programs and policies:

- **Student Advocacy Program:** Each student will be assigned one person (home room teacher or other student advocate) to follow that student through the entire school process. This person will meet regularly with a Multidisciplinary Support Team to review the student's progress and share information. Parents and/or guardians are encouraged to be a member of their child's Support Team.
- **Next Step Plans:** Each student will have a Next Step Plan, or an Individual Education Plan (IEP). It will combine academic performance, transition goals and other general information regarding the student's school history. The plan will be based on student and parent goals. It will be reviewed yearly.
- **Comprehensive Family Involvement:** In addition to having an active Parent-Teacher-Student Organization, Esperanza will foster positive home environments and support systems by providing informational newsletters, parent education, volunteer training, group counseling, and home visits, as needed. We will further encourage participation by providing childcare during on-site meetings, conferences, and special events.
- **Community Service:** Esperanza will incorporate a program of social responsibility and contribution for students and staff that integrates community needs, existing agencies, academic studies and individual talents into an organized program of volunteerism.
- **Grading System:** Student performance will be graded on an *A, B, C, D, F* and *I* (Incomplete) basis using a 4.0 scale.
- **Comprehensive Curriculum:** We offer a fully integrated experiential education to our student body that includes all core subjects. Every student will have a textbook for each class and students will be allowed to take those textbooks home.
- **Credit Requirements for Graduation:**
The number of credits needed for graduation depends on the year you first entered high school and the particular high school you first attended. If at the time of your scheduled graduation date you are lacking .50 credit or less, you will be allowed to participate in the graduation ceremony and walk with your class. However, you will not receive your high school diploma until you have completed the required credit. You may attend summer school or one class in the fall to make up that credit. If you are lacking more than .50 credit, you will be required to attend the following fall semester, and you will not be allowed to participate in the graduation ceremony nor walk with your class.

Part II. Responsibilities and Rights

What are your responsibilities as a student?

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, the school and while in attendance at school sponsored activities.

What are your rights as a student?

School staff, students and their parents must work together to provide an educational setting that is safe, orderly and free from the disruption of teaching and learning processes. 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. At Esperanza, students have a right to:

1. 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. Esperanza affords all students equal educational opportunities. 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.

2. Leadership Opportunities

Students, parents and teachers will develop close relationships through collaborating in an interactive learning process. Esperanza holds communication between individuals and among groups as essential. Students are expected to assume responsibility for their learning and to work cooperatively with each other. Students are empowered to create and improve the quality of the school. Students will be encouraged to:

- Participate in establishing and maintaining school rules and regulations including codes of conduct and creating a safe learning environment.
- Assume stewardship responsibility for the school and its grounds.
- Participate in the school's governance, as individuals and/or through representative governance, such as the Student Government and the Governing Council.

3. Freedom of Expression and Association

Students are protected in the exercise of their 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, and may not include materials that are obscene, libelous and/or discriminating.

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 acting in concert with the Principal. Each organization will have a faculty advisor who shall be appointed by the Principal after consultation with the student group.

Student Dress

Students are encouraged to dress in a manner that demonstrates respect for themselves and for others. Although the school encourages students to express themselves positively through dress, there are some restrictions. Attire or accessories that advertise display or promote any drug, including alcohol or tobacco, sexual activity, violence, satanic topics, disrespect and/or bigotry toward any group are not acceptable. Other forms of dress that are **NOT** acceptable include, but are not limited to:

- Gang related attire, including colors & bandanas
- R.I.P. shirts, etc.
- Short shorts and short skirts (must be fingertip length)
- Bare midriffs
- Low-cut and/or off-the-shoulder blouses
- Sleeveless shirts with low-cut arm holes without undershirts
- Spiked jewelry and chains
- Underwear that can be seen
- Bare feet
- Hats, caps, beanies, hoodies, etc.

4. Right to Privacy

Custody

Except in the most extreme circumstances, custody of a student shall not be relinquished by school personnel to any person without the approval of the parent/guardian, or other appropriate authority, unless the student is placed under arrest. In every case of arrest, the school authorities must attempt to notify the student's parent/guardian. In a situation where there is a custody dispute, Esperanza will require copies of the document detailing the custody agreement.

Questioning

Interviews by School Administrators

When a violation of school rules occurs, the school's Principal or designee may question potential student victims and witnesses without prior consent of the parent, guardian, or legal custodian. If a school official is investigating a report of child abuse regarding the student and the suspected perpetrator is a member of the student's family, no contact with the student's family will be made.

Interrogations by School Administrators

In situations where a student is suspected of violating school rules, the principal or designee may interrogate the suspected student if the school official has reasonable grounds to suspect that such a violation has occurred. The nature and extent of the questioning must be reasonably related to the objectives of the questioning. If the student denies any involvement or culpability, the student will have the opportunity to present his or her side of the story, orally or in writing.

Interviews and Interrogations by Law Enforcement Officers

Law enforcement officers may wish to interview students regarding their knowledge of suspected criminal activity and may wish to interrogate students who are themselves suspected of engaging in criminal activity. Except when law enforcement officers have a warrant or other court order, or when an emergency or other exigent circumstances exist, such interviews and interrogations are discouraged during the students' class time. The Principals and the Principal's designees have the right and the obligation to take reasonable steps to prevent disruption of school operations and the educational process while at the same time cooperating with law enforcement efforts. Accordingly, the Principal or designee shall work together with law enforcement officers to coordinate efforts and minimize disruptions. Before any student interview or interrogation begins, the Principal or designee shall ascertain that the law enforcement officer has proper identification.

Upon request by law enforcement to interview a student witness or interrogate a student suspect, school officials shall make an effort to notify the student's parent, guardian, or legal custodian except in cases involving investigation of reported child abuse of a student where the suspected perpetrator is a member of the student's family. However, whether or not to postpone the interview or interrogation until the parent arrives is ultimately the law enforcement officer's decision.

Student records

Student records kept by the school will be open to review by parents or guardians and/or students, and will be treated as prescribed by the Family Educational Rights and Privacy Act of 1974 (FERPA) as amended, New Mexico State Board of Education regulations, and other existing law. If there are apparent conflicts among the various statutes, the provisions of FERPA will prevail.

Student Lists and Directory

Firms or agencies must submit requests for student lists or rosters in writing to the school principal. 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 without prior consent. The Principal will be responsible for approving and releasing student lists.

Search of Person or Vehicle

Vehicle Search

Search of a student's vehicle while parked on school property may be conducted only if a certified school employee or school security officer has reasonable suspicion that the student is committing a crime or breach of the disciplinary code. Two school staff must be present.

School Property

May be searched, with or without students present, when in the judgment of the Principal or designee, the health, safety and general welfare of the student or school requires such action.

Physical Searches

In order to create a safe and effective school environment, Esperanza strongly believes it necessary to routinely conduct a minimally intrusive search on every student before he or she goes to classes each morning.

Minimally Intrusive Searches

Searches using a hand held metal wand detector will be conducted daily. Students will also be required to empty pockets, backpacks and purses. A certified school employee or security officer may also search hats, socks and shoes of students, upon arrival to campus. Two school staff will be present for all searches.

More Intrusive Searches

Pat down, or frisks, will be conducted only when reasonable suspension of a safety concern is evident. Only authorized persons of the same sex as the student being searched may conduct pat down, or frisk, searches. Two school staff that are of the same sex as the student must be present.

Seizure of Items

Illegal items or legal items which threaten the safety or security of others and items which are used to disrupt or interfere with the educational process may be seized by authorized persons. Seized items shall be released to appropriate authorities or a student's parents or returned to the student when and if the administrative authority deems appropriate.

5. Exposure to Controversial Issues

Students shall have the right to encounter diverse points of view. They shall have opportunities to hear speakers and view presentations representing a wide range of views

in classes, clubs and assemblies under guidelines established by Esperanza. If it is established that a student and/or parent objects as a matter of principle to participation in an activity assigned by school personnel, an alternative activity will be assigned without penalty or embarrassment of the student. Esperanza has a commitment to objectivity and the presentation of all sides of an issue.

Part III. Parent Responsibilities and Opportunities for Involvement

What are your responsibilities as a parent/guardian?

Esperanza, parents are viewed as partners in the process of educating their children. You share in this responsibility when you:

- Ensure that your child arrives 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.
- Participate in school conferences.
- Stay informed of your child's ongoing scholastic achievement and progress, and advocate for your child's learning needs.
- Participate in the development of the Next Step Plan and/or the student's Individualized Educational Plan.
- Understand the rules of La Academia de Esperanza.
- Support school administrators in enforcing these rules.
- Support the school as they maintain high standards of achievement and behavior for all students.

How can parents/guardians & community members further participate in our school community?

Esperanza invites parents/guardians & community members to be involved in a wide variety of activities that are designed to improve communication, parenting skills, student learning, volunteering opportunities, school decision making and advocacy, and collaboration with the community. Opportunities for involvement include, but are not limited to:

- Attending family nights and counseling sessions
- Visiting the Parent and Community Resource Center
- Participating in a home visit
- Volunteering your time and/or expertise
- Being a member of the Parent-Teacher-Student Organization
- Attending student performances
- Mentoring a student in your workplace
- Helping out with community service projects
- Presenting information about your job to students

Part IV: Attendance Policy

Academic success depends on regular school attendance. Students should miss as few days of school as possible because much of the classroom activity cannot be repeated. Attendance and punctuality are essential habits for life long success, especially in the workplace. Students who meet attendance expectations and master academic standards will be rewarded. Tardiness will be addressed through the Behavior Management Plan.

The school will do the following:

- 4th Absence: Parent Teacher Conference, Attendance Contract & 1 Detention
- 8th Absence: Parent Teacher Conference & 2 Detentions or 1 Saturday School & PIP
- 12th Absence: Home Visit & 4 Detentions or 2 Saturday Schools
- 14th Absence: Student will not earn credit and will be disenrolled from the class

The parent/guardian must notify the school each day the student will be absent. Esperanza will make a good faith effort to contact the parent/guardian when a student is absent. Excused absences will require appropriate documentation. For example, a note from a doctor will be required after 3 days of absence. If a student needs to stay home for an extended period of time due to illness or injury, home study will be allowed, and a teacher will do regular home visits.

Reasons why an absence might be excused include, but are not limited to:

- Illness
- Doctor's appointment
- School-sponsored activities
- Family emergency
- Religious commitment
- Death in the family

Students are entitled to make up work for all excused absences; however, it is the student's responsibility to request make-up assignments upon returning to school. 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. If a pattern of poor attendance continues, the student may be required to withdraw from Esperanza especially if all other interventions have been exhausted.

Part V. Code of Conduct

The primary goal of discipline at Esperanza is to provide and maintain a safe, nurturing, affirmative, and appropriately challenging environment that promotes learning and positive personal growth. The LADE discipline policy is in compliance with the Public School Administration – Student Rights and Responsibilities, 6.11.2 NMAC and is outlined in the LADE Student /Parent Handbook.

1. Infractions

Certain infractions will require automatic consequences. Consequences for misbehavior may include time spent in Bridges, community service, parent involvement, contracts, referrals, removal from class, conferences, mediation, referral for legal action, restitution and suspension. The purpose of time spent in Bridges is to assist the student to successfully bridge themselves back into the classroom and school community

A record of all disciplinary actions taken will be documented in the student information system. An annual report of disciplinary trends will be incorporated in the school's assessment measures.

Major Infractions

Following is a list of actions that are considered major infractions. They are unacceptable and prohibited by La Academia de Esperanza.

- Alcohol/Drugs

Student in possession of, using, selling/distributing alcohol or illegal drugs/substances or imitations.

- 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.

- 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 is likely to be injured or destroyed.

- Extortion

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

- Fighting/Physical Aggression

Actions involving serious physical contact where injury may occur (e.g. hitting, punching, hitting with an object, kicking, hair pulling, scratching, etc.)

- *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.

- *Battery, Aggravated*

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

- Firearm, Possession

Possession of a firearm or any other weapon that will propel a projectile by the action of an explosion. Possession includes not only on ones physical person but also custody and control.

- Gang-related Activity

Student initiates or participates in activities that are gang related, such as, but not limited to, tagging, throwing signs, talking about gangs in threatening way, recruiting gang members.

- Paraphernalia possession

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

- Smoking

Student is in possession of/or using tobacco products or related paraphernalia.

- Sexual Harassment

Sexual harassment is a violation of federal law and Esperanza School Policy. Sexual harassment is also illegal under State Human Rights statutes and may be considered a criminal offense under state and local assault and child abuse laws. Sexual harassment is a form of gender discrimination as defined in Title IX of the Education Amendments of 1972. Sexual harassment includes unwelcome 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 threatened, it may be considered sexual harassment even if the harasser did not intend for his or her actions to be offensive.

- Sexual Misconduct

Sexual misconduct may include, but is not limited to, physical acts of aggression, force or threat against another student of the same or opposite sex, threatening to force or coerce sexual acts, including the touching of private/intimate parts, and coercing, forcing or attempting to coerce or force sexual intercourse. Although, sexual misconduct may be considered sexual harassment, these acts should also be reported to the Albuquerque Police Department.

- Language – Abusive/Aggressive

Inappropriate verbal messages that are directed at another individual in a threatening manner.

- Theft

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

- Threats/Harassment/Bullying of Student or Teacher

Student delivers disrespectful message (verbal, gestural or written) to another person that includes threats and intimidation, obscene gestures, pictures, or written notes.

- Trespassing/unauthorized presence

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

- Van/Vehicle Disruption

Deliberately or inadvertently interfering with the safe operation of a van which is stopped or moving, behaving in a manner adversely affecting an individual or any property on or near the vehicle itself, or at pickup areas.

- Vandalism/Property Damage

Student participates in an activity that results in substantial destruction or disfigurement of property.

- 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, if the “look-alike” object is used or intended to be used to intimidate, threaten, or cause fear.

- Weapon use

Use of any weapon or “look-alike” weapon to threaten, intimidate, injure, or kill any person. 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, car or elsewhere, if subject to the student’s custody and control.

2. Possible Consequences for **major** infractions include :

- Contact administrator
- Once a disciplinary matter has been elevated to the Principal or designee, parental involvement will be required, which may involve participation in the parent involvement program (*see below*).
- Time in Bridges
- Community service
- Process with threatened individual and/or victim (as appropriate)
- Other appropriate support people will be contacted and consulted (i.e. school social worker, private therapist, case worker, probation officer)
- Short-term out-of-school suspension, possible long-term suspension or expulsion*
- Referral to outside agency or community resource
- Contact legal authorities
- Restitution

The *Parent Involvement Program (PIP)* involves the student who committed a major infraction, and his or her parent/guardian, meeting with a social worker 3 consecutive weeks for 45 minutes. If a student and parent commit to the PIP in lieu of an out-of-

school suspension and then do not complete the program, the student will have to serve the out-of-school suspension.

Minor Infractions

Following is a list of actions that are considered minor infractions. They are unacceptable and prohibited by Esperanza.

- Cell Phone/Pagers

Student's cell phones are not to be used in the classroom and the ring turned off. If a student's cell phone becomes a disruption to class, it will be confiscated by staff and a parent must pick the phone up after school.

- Cheating

Student is in possession of, having passed on, or being responsible for removing someone's else's work or has signed a persons name without that person's permission, or the student copies the work of another individual.

- 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.

- Disruptive Behavior

Inappropriate behavior that interferes with the teaching/learning process.

- Dress Code Violation

Student wears clothing that does not fit within the dress code guidelines practiced by the school.

- Electronic Devices

Electronic device (ie. music player, pager, gameboy) cannot be used in the classroom, except by permission of the teacher.

- 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.

- Failing to provide/surrender school identification

Student refuses to provide school ID to any public school personnel or activity sponsor upon demand. Refusal to identify self.

- Inappropriate Physical Contact

Sexualized physical touch that includes (but is not limited to) kissing, frontal hugs, touching of private body areas, etc.

- Language-Inappropriate

Inappropriate language that is not directed at another person.

- Materials, obscene

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

- Refusing to Comply

Student refuses to comply with staff directives.

- Sleeping

Student disengages from class by sleeping.

- Tardy

Lateness after the bell rings.

- Truancy

Student out of class without permission.

- Walking Out of Class

Student leaves class without permission of teacher/staff.

3. Possible consequences for **minor** infractions include:

- Classroom intervention
- Preferential seating
- Time away from classroom
- Parent Contact
- AM/PM, or lunch detention
- Community Service
- Mediation
- Contracts
- Prohibition from special events
- Referral to SAT team

In the case of a behavior infraction, the purpose of a consequence is for the student to evaluate his or her behavior and develop alternative actions. When this is not successful and the behavior is demonstrated repeatedly, then the behavior will be viewed more seriously.

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 Director of Education will provide written or verbal notification to each of a student's teachers and to the student's parents/legal guardian's within one (1) school day of imposing any form of suspension. A student with an identified disability may not be

suspended in excess of ten school days, cumulative, without an IEP review to determine whether the student's IEP is appropriate and whether the behavior(s) in question is a manifestation of the student's disability.

In-school suspension is defined as suspension from classes and all school related activities while remaining on campus. The student will be given the opportunity to make up any work that was missed.

Short-term suspension includes the removal of a student from classes and all school-related activities for a period of time ranging from a minimum of a few minutes not to exceed ten days. A student who has been suspended for a short term will be given a reasonable period of time to complete missed assignments and exams, and will generally be free from additional penalties.

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

Suspension from extra-curricular activities may occur at the discretion of the Principal 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 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.

Expulsion is a suspension from school for two semesters or more. It may be longer or even permanent. Generally, Esperanza wishes to limit suspension from school to no longer than the end of the current semester. In some cases, there is a need to implement an expulsion as an extreme last resort for disciplining students who exhibit unacceptable behaviors such as gang recruitment, drug possession, drug sales, acts of extreme violence, vandalism, weapons possession, weapons use, and other felonies. Esperanza may also recommend for expulsion any student who has been suspended long-term two or more times. A student receiving an expulsion will lose credit for the semester in which the expulsion occurs. 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. Any student who has been expelled may petition for re-entry to Esperanza after one calendar year from the date of expulsion. Students desiring re-entry should submit a request in writing to the Director of Education requesting a reconsideration hearing.

Suspension Hearings

Any student for whom the school is requesting long-term suspension has the right to a suspension hearing held before a hearing officer. It is the responsibility of the school to serve the parents/guardian with a written notice of the hearing and provide access to copies of evidence that will be used at the hearing at least 2 working days in advance of

the hearing. The hearing shall be scheduled no sooner than five and no later than ten school days from the date of receipt of notice of the hearing. The student may, at his/her expense, choose to be represented by an attorney during any formal hearing, and call witnesses on his/her behalf. Students or their parents may waive the right to a hearing by signing a waiver. Expulsion hearings may not be waived.

School officials may not encourage the signing of waivers by saying or implying that hearing officers are likely to impose more severe discipline than school-based administrators. The burden of proving that the student violated a provision of the Student & Parent Handbook or the Behavior Management Plan to the degree that a student must be suspended is the responsibility of school authorities.

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.

Corporal punishment

Corporal punishment is defined as any disciplinary action taken by school personnel with the intention of producing physical pain, will not be used as a disciplinary measure in the la Academia de Esperanza

4. Disciplinary considerations for special education students

Esperanza will follow federal guidelines covering the discipline procedures to be followed for children with disabilities. These guidelines are outlined in the Behavior Management Plan.

Part VI. Grievance Process

Discrimination

Esperanza 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. The grievance and hearing procedures set forth in this section shall be available to anyone who believes he or she has been discriminated against on the basis of the following criteria:

Gender Discrimination

Esperanza 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.

Sexual Harassment

Sexual harassment is a violation of federal law and Esperanza Policy. Sexual harassment is also illegal under State Human Rights statutes and may be considered a criminal

offense under state and local assault and child abuse laws. Sexual harassment is a form of gender discrimination as defined in Title IX of the Education Amendments of 1972. Sexual harassment includes unwelcome 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 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.
- That conduct or communication has the purpose or effect of substantially or unreasonably interfering with the education of a student by creating an intimidating, hostile, or offensive educational environment.

Disabilities

Esperanza affirms its commitment to the rights of students, parents, and employees with disabilities as set forth in Section 504 of the Rehabilitation Act of 1973, the New Mexico Human Rights Act (NMHRA) and the Americans with Disabilities Act (ADA) and its implementing regulation. The school will not discriminate on the basis of handicap in admission, access, treatment, or employment.

Pregnancy

Title IX of the Education Amendments of 1972 prohibits discrimination against pregnant or parenting teens. Title IX views teen pregnancy as a “medical condition”, therefore, pregnant teens may continue in the program.

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 appropriate school personnel do not resolve the concern, a report should be made to the Governing Council.

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 Governing Council 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.

Reports of Discrimination

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.

Internal Complaint Procedures

All students and parents/legal guardians of Esperanza are encouraged to resolve concerns with the school's Principal. This will enable the Principal to take appropriate action to resolve any concerns promptly. If the Principal is unable to address the concern, the student or parent/legal guardian is encouraged to seek assistance at the next highest level, the Esperanza Governing Council.

The Principal is the person responsible for receiving oral and written reports of harassment and discrimination. If a student has knowledge of inappropriate behaviors and fails to contact the appropriate personnel, the student will be subject to disciplinary action. Students are responsible for reporting incidents of inappropriate behavior to the principal, teacher, or other school personnel. A student may also talk with his/her parents or legal guardians so that they can inform the school of the inappropriate behavior. Any school personnel who receive a report of harassment or discrimination shall immediately inform the Principal. If the complaint is in regard to a school employee, a student is encouraged to immediately contact the Principal. If the complaint is in regard to the Principal, the Governing Council must be contacted. Any school personnel who fail to report incidents of harassment and discrimination will be subject to appropriate disciplinary action.

Who may file a complaint?

Any student or parent/legal guardian on behalf of his or her student who believes he or she has been discriminated against. These procedures do not deny any student or parent/legal guardian the right to pursue other avenues of recourse.

How do you file a complaint?

Contact the Principal at Esperanza to report prohibited conduct. An Internal Complaint must be filed within 30 calendar days from the last day of the alleged discrimination, unless the time for filing is extended by the Principal or Governing Council for good cause. All inquiries and internal complaints filed are confidential. Confidentiality also applies to the inquiry and investigative process of all investigations conducted by the administration of Esperanza.

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. Esperanza 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 to any discovery or disclosure obligations.

Where do you file a complaint?

La Academia de Esperanza
1401 Old Coors SW
Albuquerque, New Mexico 87121

Appeal process

When Esperanza has completed an internal investigation, the complainant and respondent will have the right to appeal the determination. If the complainant or respondent is not in agreement with the determination, he or she will have ten business days, from the date of the determination, to submit an appeal in writing to the Governing Council. The council will inform the complainant or respondent of the decision of the appeal in writing within 15 business days. After the review, the internal complaint process has concluded. The timelines set forth in this policy may be waived or extended by the Principal or Governing Council.

La Academia de Esperanza
Student & Parent Handbook Policy Check List

- School Community (Dress Code, Grading, Graduation & etc.)
- Attendance Policy
- Code of Conduct

It is our wish that your child is successful in school. Please help support us in your child's educational process by reinforcing their adherence to this list and the Student & Parent Handbook. As a commitment to the student's success the Parent/Guardian and the school agree to support the terms of this check list.

I, _____, have read and agree to abide by the policies found herein the Student & Parent Handbook for the current fiscal school year.

Student's Signature

Date

I, _____, have read and agree to support the policies found herein the Student & Parent Handbook for the current fiscal school year.

Parent's Signature

Date