



# **THE MONTESSORI ELEMENTARY SCHOOL**

**A Public Charter School approved by the  
State Department of Education through the  
Albuquerque Public Schools**

## **STUDENT/PARENT HANDBOOK & STUDENT BEHAVIOR POLICIES**

### **NOTICE**

**THIS HANDBOOK STATES GUIDELINES FOR SCHOOL POLICY AS WELL AS STUDENT RIGHTS AND RESPONSIBILITIES. IT DOES NOT CREATE ANY CONTRACTUAL RIGHTS. THE TMES COLLABORATIVE COUNSEL MAY, AT ITS SOLE DISCRETION, MODIFY THE PROVISIONS OF THIS HANDBOOK AT ANY TIME.**

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**Revised August 08**

# The Montessori Elementary School

## Mission & Vision Statement

### **Mission Statement**

We believe that learning is best achieved within a positive social atmosphere that supports each individual's unique development. We offer an excellent program by providing a strong Montessori academic curriculum coupled with the Suzuki Music Method. Our ultimate goal is to encourage children to become responsible citizens who have the ability and desire to fulfill lifelong educational and social goals.

### **Vision Statement**

To see children pass from one stage of independence and learning to yet a higher stage by means of special activities found within the Montessori and Suzuki Methods of education. These time-proven "Methods" were designed to fulfill the needs to children and the needs of the adults they are to become.

### **THE MONTESSORI PHILOSOPHY**

The TMES follows the Montessori method and philosophy of education. This method is child centered, and an individualized way of assisting children to develop their individual abilities and potentials. This method was possibly the first that was founded on the concept of educating the "whole child." The method provides social, emotional, and physical, as well as cognitive development. Montessori children are often described as self-directed, courteous, and joyful with a love for learning.

We employ state certified teachers trained in the Montessori method. Our professional staff is dedicated to providing a warm, loving, academically enriched environment that fosters the development and growth of happy well-adjusted children.

### **Dr. Maria Montessori.**

The Montessori method is a result of the experience and discoveries of Dr. Maria Montessori (1870-1952). Upon graduation as the first woman medical doctor in Italy, Dr. Montessori became interested in the education and training of special needs children.

Dr. Montessori's career began with a group of disadvantaged children in 1907 when she opened her famous Case di Bambini. Through her observations of and work with the children, she discovered their remarkable, almost effortless ability to absorb knowledge from their surroundings. Children teach themselves! This simple and profound truth inspired Dr. Montessori's lifelong pursuit of educational reform, curriculum development, methodology, psychology, teaching and teacher training, all based on her dedication to further the self-creating process of the child.

Dr. Montessori designed materials and techniques that allowed her children to work in areas previously considered beyond their capacity. Dr. Montessori's great triumph came when these children took state examinations along with other children, and her children excelled in the exam results.

Today, after almost 75 years of international application, the Montessori method thrives in the United States with more than 3,000 schools established since 1957.

### **SCHOOL AFFILIATION/ACCREDITATION**

The Montessori Elementary School is affiliated with the American Montessori Society (AMS), a MACTE accredited Association and accredited as a public Charter school by the New Mexico Public Education Department and approved by the Local Education Agency, Albuquerque Public Schools.

### **AMS Code of Ethics.**

As an American Montessori Society initiate, we pledge to conduct ourselves according the AMS professional code of ethics based in the principals of commitment to the student, to the public, and to the profession.

## **SCHOOL PHILOSOPHY**

In our school, we emphasize the child's growth and development as a total person. This implies a constant awareness that each child is developing physically, emotionally and socially, as well as intellectually. This awareness allows children to take the lead in the learning process based on the unique needs of each child's particular stage of development.

Montessori teachers are trained to recognize and respond to these stages of development. This implies the structuring of both curriculum content and classroom environment so as to enhance the child's discovery of the world. The curriculum is sequenced to expose children to all subject areas, firing imagination and providing skills to enable children to pursue all interest areas.

The curriculum is designed to respond to the child's mental appetite, providing freedom to choose and emphasize creativity, imagination and active involvement in learning. For this to occur, children must acquire the necessary basic skills, as these are the tools essential to continued development. Teachers function as a facilitator and consultant who stimulate the child's interests and curiosity within a prepared environment.

The classroom is structured to stimulate the child's enthusiasm for new ideas and new skills, and to provide them with the opportunity to use these new skills and to apply their new ideas. The Montessori material is the key: It is the child who opens the door. The materials do not give all the answers, but awaken interest and give the possibility of finding solutions.

## **SCHOOL OBJECTIVES**

The learning materials in a Montessori school have been designed to provide a wide variety of learning experiences geared to the developmental needs of children. The activities involve handling and manipulating materials. This work has proven intensely fascinating and absorbing for children. When engaged in well-structured tasks, the students experience a deep inner satisfaction, which leaves them with an overall positive attitude toward learning and school. Our objectives include:

- Assisting parents in the physical, emotional, social, and cognitive development of their child.
- Helping the child develop a positive attitude toward school.
- Fostering in the child curiosity, imagination, and creative intelligence.
- Helping each child develop self-confidence as an independent learner.
- Helping the child develop socially.
- Fostering inner security and a sense of order in the child.
- Assisting each child in building a habit of concentration.
- Sharpening the child's ability to discriminate and judge.
- Developing habits of initiative and persistence.

### **The Elementary Program**

The elementary school child occupies what Maria Montessori called the "second plane of development." Children at this stage are in a period of rapid intellectual growth as they develop the ability for rational thinking. Children want to know the how and why of things. Through exploration and experimentation, they discover the quantities and facts of the world. Self education is the mode through which the elementary children learn most effectively. The teacher's role is to provide and support children in this all important endeavor.

Dr. Montessori developed what she called the "cosmic curriculum" for this educational level. In the cosmic curriculum, children discover the history of the world and of the human race, and in this process, begin to define their own place in the life of human kind and of nature. Sequentially, all things are naturally related to the creation of the universe and our earth. We encourage children to begin asking questions. Children pursue and research historical, scientific, artistic, and cultural interests. Information is gleaned from a rich variety of literature, experiments, art projects, tapes, films and community field trips.

During the elementary years, children explore the academic world in increasing depth through the related disciplines of mathematics, reading, penmanship, creative writing, research methods, art, music, science, botany, zoology, anatomy, history, geography, social/cultural studies, drama, and physical education; all is taught as parts and contributions to the whole. Multi-age classrooms and a spirit of cooperation rather than competition, allow children to grow emotionally and intellectually at their own pace.

The Montessori elementary programs offer individualized instruction and evaluation. Students are grouped in a multi-age setting, ages 5-6, 6-9 or 9-12, to allow for cognitive development without competition. Teachers evaluate the students' work in an on-going basis and meet twice annually, fall and spring, for a progress report with the parents. Parent-teacher conferences detail the progress of the student in each subject area, as well as noting social and emotional growth. Each spring, students take a yearly, standardized achievement test.

### **Early Indicators for Success**

Maria Montessori devoted her life to developing an educational method comprised of sound child development practices and developmentally appropriate activities. The Montessori School is modeled upon this dual system and we build our school policies from this base. We emphasize the importance of balance among the intellectual, social-emotional and physical needs of the child.

The mixed age grouping, which is a cornerstone of the Montessori method, allows ample time for the teachers to address the development of the complete child within each developmental stage. These stages are referred to as the 5-6, 6-9 and the 9-12 levels. It is important to realize that there is an overlap within these levels, and that each level may be beneficial for a child for three or even four years.

### **Specific Indicators for Success**

#### 5-6 Kindergarten Level

1. The child must be no younger than five years old on or before September 1 of the school year. (This is a state statute for Public Schools and no exceptions are granted.)
2. The child must be capable of attending to a given task for a specific time period. (Time varies with task).
3. The child must demonstrate self-motivation and self control.
4. The child's maturity and emotional development are appropriate for kindergarten or above.

#### 6-9 Level:

1. The child must be no younger than six years old on or before September 1 of the school year. (This is a state statute for Public Schools and no exceptions are granted.)
2. The child must be capable of attending to a given task for a specific time period. (Time varies with task).
3. The child must demonstrate self-motivation and self control.
4. The child's maturity and emotional development are appropriate for first grade or above.

#### 9-12 Level:

1. The child must be no younger than nine years old.
2. The child must be capable of attending to a given task for a specific time period. (Time varies with task).
3. The child must demonstrate self-motivation and self-control.
4. The child's maturity and emotional development are appropriate for fourth grade or above.

## **CURRICULUM OVERVIEW**

**Kindergarten Curriculum** - Designed around the interests of the young elementary child, the Kindergarten program offers a consistent, dependable routine with large blocks of uninterrupted work time. The Kindergarten classroom schedule encourages the child's spontaneous activity and fosters development of the creative process, integrated personality and a strong sense of self. The curriculum includes materials and encourages activities that promote practical life activities, sensory-motor experiences, literacy, language arts, numeracy, creative arts, science and geography. Each activity or exercise in the Kindergarten curriculum is structured to provide purpose, procedure, closure and opportunity for success.

**Six to Nine Year Old Curriculum** - Designed around the broad interests of the elementary child, the six to nine year old program offers an enriched and exciting integrated curriculum that is sequential and cumulative. Language and math are core subjects that are integrated throughout the entire program, and all subject areas are presented in complement to each other. Great lessons involving the Time Line of Life, geography, zoology and botany are presented as to stir the imagination as they unveil the concept of order in the universe. The program goals are to develop within the child a sense of self worth, respect for others, and a quest for knowledge.

**Nine to Twelve Year Old Curriculum** - Building on the six to nine year old curriculum and philosophy, the nine to twelve year old class extends academic and social concepts to higher levels of abstraction and sophistication.

Children enjoy working with square root, beginning algebraic concepts, and plane and solid geometry. Word functions, sentence diagramming, and clause and phrase analysis are just part of the integrated whole language approach. Great books and novel reading make language and reading skills fascinating. Early humans and great civilizations are a continuation of Time Line studies. Beginning chemistry is explored in relation to the origin of the universe. Drama, music, and performance opportunities enrich the curriculum in the nine to twelve year old classroom.

Recommended Readings. David Elkind's, Miseducation: Preschooler at Risk, and The Hurried Child. These books are recommended in A.M.S. Montessori teacher training programs

### **Major Points of the Montessori Method.**

- ★ It is based on observations of the true nature of the child.
- ★ Its application is universal. The results can be successfully achieved in any country, and with any racial, social, cultural, or economic group.
- ★ It reveals the small child as a lover of work, both of the intellect and mastery of the body (especially the hand). This work is spontaneously chosen and carried out with profound joy.
- ★ In his/her work, the child shows spontaneous discipline. This discipline originates within him/her and is not imposed from without. This discipline is real, as contrasted with structured discipline of rewards and punishments prevalent under other methods.
- ★ It provides suitable activities based on vital urges of the child at each stage of development. Each stage is successfully mastered before the next is attained.
- ★ It offers the child a maximum of spontaneity in choice of physical and mental activity. Nevertheless, the child reaches the same, or higher levels of scholastic attainment as under old systems.
- ★ Each child works at his/her own pace. The quick are not held back, nor are the slowed pressured. There is much opportunity for group work and the child spontaneously offers help with work they have mastered to those children who have not.
- ★ It enables the teacher to guide each child individually in each subject according to his/her own individual requirements.
- ★ It allows the child to grow in biological independence by respecting his/her needs and removing undue influence of the adult. It allows the child a large measure of liberty based on respect for the right of others. This liberty is not permissive license, but forms of the basis of self discipline.
- ★ It does away with competition as a major motivation for learning. The child competes with himself/herself. It presents endless opportunities for mutual work and help, which are joyfully given and received.
- ★ The child works from his/her own free choice. This choice is preceded by knowledge and is thus a real choice.
- ★ The Montessori method develops the whole personality of the child, not merely his/her intellectual faculties, but also his/her power, deliberation, initiative and independent choice, with their emotional complements. By living as a member of a real social community, the child is trained in those fundamental social qualities that form the basis of good citizenship.

## **ATTENDANCE AND RELATED EXPECTATIONS**

### **Daily Schedule**

TMES school hours are from 8:30 a.m. to 3:30 p.m., Monday through Friday. School office hours are from 8:00 a.m. to 4:00 p.m. Please feel free to call regarding any topic, question, or concern you may have that is not included in this handbook. However, teachers will NOT be called to the telephone before or during class time. Messages will be given to the teacher. Emergency calls will be handled immediately by office staff.

### **Mandatory 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 or a state institution.
- TMES reports habitual truants to the Children's Court Liaison office and to the State of New Mexico.

### **Attendance Policy:**

1. TMES students are allowed no more than 5 unexcused absences per semester and no more than 10 unexcused absences per school year.
2. The parent/guardian must notify the school of each day the student will be absent with appropriate explanation for said absence.
3. Absences may be excused for the following reasons with appropriate notification or verification

Doctor's appointment	Death in the family	Religious commitment
Illness	Family emergency	Diagnostic Testing
	School visit/interview	
4. In the event TMES has not received notification of absence by a parent/guardian for three (3) consecutive days, the school will make a good faith effort to contact the parent/guardian.
5. Excessive excused absences may result in further inquiry from the Principal and request for additional documentation.
6. 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.
7. 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.

TMES' PRINCIPAL HAS THE DISCRETION TO MAKE ALLOWANCES FOR STUDENTS WHO ARE FACED WITH SERIOUS INJURY OR CHRONIC ILLNESS.

### **Make Up Work**

Students are entitled to make up work for ALL absences – excused and unexcused. However, parents and students have the following responsibilities:

1. The student must take responsibility for requesting make-up assignments.
2. Teachers may need 24 hours from the time of the request to compile assignments.
3. 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**

1. If a student's attendance rate drops below 90% in any grading period, the student and his/her guardian will be referred to the Student Assistance Team (SAT) for intervention.
2. A student with excessive absences may be referred to appropriate Children's Court authorities.
3. School-related absences are not included when evaluating excessive absences.
4. State law requires a school to dis-enroll a student after ten (10) consecutive days of unexcused absence.

### **Tardy**

Parents are encouraged to have their children at school at least five minutes prior to the beginning of classes in order to put their things away, socialize, and be ready for class. If the child is late, the parent must escort the child to the office to sign in. The student will then be accompanied to class by school personnel.

1. School begins at 8:30 a.m. Students who are tardy for class will receive consequences as deemed appropriate by the Principal and the teacher. Parents are encouraged to remember that curriculum studies start promptly at 8:30 for all TMES students.
2. Any student with excessive tardies may be referred to appropriate Children's Court authorities.
3. Students who are signed out of school before the end of the instructional day must have written documentation of reason (see excused absences), or be subject to the same consequences as tardy.
4. TMES recognizes there are occasional traffic circumstances that force tardiness on its population. In those unfortunate circumstances, the Principal may choose to waive the tardy policy.

### **Student Drop off/Pick-up**

1. Parents must not leave their children on TMES premises any more than thirty (30) minutes prior to or fifteen (30) minutes after the school day without participation in the Before or Aftercare Services.
2. School grounds are not supervised except during the school day.
3. If extenuating circumstances prevent a family from picking up a student on time, the school must be notified within this same thirty (30) minute period.
4. If students are dropped off early or not picked up promptly according to the 30 minute window, they will join the Before or Aftercare program and the parent/guardian will be accountable for applicable service charges.
5. If a student is not picked up according to the Aftercare schedule, and the school has no parental directions, the student may be considered abandoned. Any abandoned student will be referred to the appropriate authorities including but not limited to APD, or CYFD.

\* When you anticipate that there will be a change to a student's pick-up time or transportation plans, please notify the child's teacher and the administration office in advance.

### **Cancellation of School.**

If it is necessary to cancel school unexpectedly for any reason during school hours, parents will be notified by the school staff. Please note scheduled school holidays as soon as possible. Working parents should be prepared for cancellations, as well as school holidays.

### **Inclement Weather Policy**

TMES adheres to APS decisions in regards to "Closed" or "Delays". "School Closed" means no school, no childcare. "Two hour Delay" means classes start 2 hours later than normal. Please tune in to the following media outlets to get the most up to date information:

KOB FM: 93.3

KOB AM: 7.70

KOB TV: Channel 4

### **ACHIEVEMENT**

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

- \* Strive to fulfill their academic potential – which includes successful completion of the Suzuki Program.
- \* Actively participate in the educational process.
- \* Actively participate in community activities.

### **MUSIC POLICY**

TMES has a strong arts component in the curriculum that includes the mandatory General Music (K-6<sup>th</sup>) and Suzuki Violin Program (1<sup>st</sup> -6<sup>th</sup>). The Suzuki violin method necessitates and is based upon the parents participation in their child's learning process. TMES Parents are required to attend a minimum of eight Parent Violin Classes each year. This ensures that you will be able to help your child practice at home. It is also a great way to understand the correlation between the Montessori Method and Suzuki Violin. The classes are offered at no cost to the parent, and scheduled to best convenience parents.

### **CITIZENSHIP**

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

- \* Model and promote the pillars of Character Counts or other Montessori curriculum character models.
- \* 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 related to campus safety, problems (fights, weapons, or drugs on campus).

### **HOMEWORK**

Parents should help students establish a positive, quiet atmosphere, where their child can read, write at a table and finish their assignments. Students who are not completing class work are expected to complete their assignments as homework. Part of the required curriculum at TMES is that each child participates in the Suzuki music program. If a student keeps current with their daily work assignments, homework usually only entails practice in reading, music and support for spelling, math facts, etc.

### **HEALTH REQUIREMENTS**

New Mexico State Law requires that all children be properly immunized. Please continue to provide the school with updated health information. The following forms with specific information about each child must be on file in the school office - Health Form, Immunization Record.

### **MEDICINE IN SCHOOL**

Please notify the office (and teacher) if medicine needs to be administered to your child. Complete a medication release form available from the office, and include it with the medicine. All medicine administered by the school must be sent in the original, labeled container. NEVER send medication with the child to keep in their lunch box, school drawer, or cubby. There is a serious danger that the child or another child might take the medicine or an overdose.

**Sick Children should not come to school.**

**Recovering students on medication need to fill out a medication release form.**

Contagious Illnesses. When you have verification of the fact that your child has a communicable disease, please call the school immediately so that we can inform other parents. Because school children are easily susceptible to communicable diseases, the school reserves the right to make judgment concerning the child's ability to participate in daily school activities. Please do not send your child to school when he/she is ill. We send sick children home!

Symptoms. The following is a list of symptoms to guide you in deciding whether your child should be sent to school. Please do not send your child to school on days when any of the following symptoms are present:

- Fever
- Rash
- Cough
- Discharge of discolored or profuse amounts of mucous from the nose
- Diarrhea
- Vomiting
- Sore throat
- Headache, body aches, general flu symptoms

If the children show any of the above symptoms, they are separated from the other children and allowed to rest. Parents are contacted to appraise the situation and determine what action is to be taken. If parents cannot be reached, then emergency numbers are called.

Emergency Release. Each child is required to have an emergency release authorization form signed by the responsible parent. In case of an accident at school, a parent is called immediately after first aid is given. If a parent cannot be reached, the school will call a doctor or another appropriate measure will be taken, as detailed on the emergency release form.

#### **TRANSPORTATION**

Transportation is the responsibility of the parents/guardian. During the school day, children will not be released to an unauthorized person i.e. not listed on the Emergency Release form. TMES strongly recommends parent try to develop car pools to reduce drop off /pickup congestion and fuel costs. Suggestions for carpooling are available on the website.

#### **PARENT PARKING**

Parents must follow the designated procedure for student drop-off and pick-up. Parent parking is available in the appropriate front office parking or on Midway Park NE. Please be considerate of our neighboring business and not park in their business lots. Parking procedures will be available from the administrative office.

#### **FIELD TRIPS**

Field Trips will be developed relative to the curriculum. Parents will be notified and asked to fill out a permission and release form for each child in advance. Appropriate transportation will be contracted. A Field Trip is a privilege that can be revoked by the principal based on suspensions, discipline concerns or student safety. (Note: Severe Disruption of Education Process)\_

#### **MEALS AND SNACKS.**

Parents are expected to provide well-balanced, nutritional snacks and lunch for their student. All foods need to be sent to school ready to consume with minimal preparation. Lunch boxes and miscellaneous containers need to be appropriately labeled to prevent loss. Please try to provide snacks and lunches that follow Federal Child Health guidelines. More information is available at [www.nutrition.gov](http://www.nutrition.gov)

**Birthdays Treats. Please check with the teacher for classroom guidelines in advance of birthdays.**

#### **PARENT COMMUNICATIONS / CONFERENCES**

**Parent Observations.** TMES respects parents/guardians desires to observe their child's class but must make every effort to avoid undue distractions to the educational process. It is requested that observations appointments be scheduled through the office pending the consent of the teacher in order to minimize classroom disruption.



**Parent/Teacher Conferences.** There are two parent conferences scheduled during the school year; held once a semester. In addition, the staff may request a conference with you to help them better understand your child and his/her development in the classroom.

**For situations which can not wait until conference time, please make an appointment to meet after school with the teacher concerning any particular problems you might be experiencing, whether it is related to home or school situations.**

#### **WEBSITE**

Address: [www.tmesnm.com](http://www.tmesnm.com). Please try to access the site to keep abreast of any school news, particular policies, or scheduled upcoming events. Handouts for parents without computer access will be available at the school's office.

#### **PARENT NIGHTS**

There will be events throughout the year aimed at family participation and increasing your understanding of the Montessori philosophy and our school.

#### **PARENT HELPERS / VISITORS**

Parents wishing to visit or help in a classroom must first inform the classroom teacher and then receive permission from the Principal. Appropriate documentation may be required for regular parent participants. Parents/Guardians need to be prepared to produce on request appropriate identification/documentation before entering the school or picking up any student.

#### **EMERGENCY DRILLS**

As part of the PED mandated Safe Schools Plan, TMES is required to have drill practice in preparation for various emergency situations such as but not limited to fire, inclement weather, medical emergency, school intruder, or school evacuation. The procedures specific to each drill are available for review at the school.

#### **STUDENT RECORDS**

Student records kept by TMES will be open to review by authorized parent/guardians and will be treated in a confidential manner, as prescribed by TMES policy, New Mexico State Public Education Department Regulations and the Family Educational Records and Privacy Act (FERPA) of 1974. The act specifies rights to educational documents and a list will be provided upon request.

TMES maintains the following education records directly related to students:

1. Academic records
2. Personal information records.
3. Disciplinary records.
4. Attendance records.
5. Health records.
6. Progress records.
7. Standardized testing records.

#### **TMES Policy Regarding Records**

1. Educational records are to be kept to an essential and relevant minimum.
2. Access to records is limited to the entitled persons under FERPA regulations.
3. There will be a nominal fee for copying records unless such charge would prevent access to records.
4. Individuals have the right to challenge the contents of the records.
5. 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.

#### **Publication of Student Information**

TMES does have occasion to photograph, record, and or publish student/parent information in development of our Student Directory, Annual Yearbook, School Website, school newsletters, local newspaper coverage, broadcast television features, and our Volunteer Database. The school assumes that the Parent Permission Form to release information filed as part of the enrollment packet is accurate. If you do not choose for any of this information to be released, please make sure your permission form is current in reflecting your wishes.

## **RESPONSIBILITIES**

### **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.
- \* Care for school property and the property of others.
- \* Respect fellow students and all school staff members.
- \* Comply with the standards of behavior for your classrooms and your school.
- \* Properly use and protect classroom materials.

### **Parent/Guardian**

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 and practice at home.
- \* Make learning a priority.
- \* Maintain regular communication with your children's teachers and the school staff.
- \* Stay informed of your child's ongoing scholastic achievement and progress, and advocate for your child's learning needs.
- \* Understand TMES rules.
- \* Support the TMES Principal in enforcing these rules.
- \* Support TMES and the APS Board of Education as they maintain high standards of behavior for all students.
- \* Make sure that your child does not bring gum, candy, money, toys, trading cards onto school grounds. If the child feels they are something of educational interest, please discuss this with the teacher before bringing it into the classroom.
- \* Check your child in and out using the procedures prescribed by the attendance office.
- \* Please pick up your child promptly at dismissal time. If possible, let your child know before hand, that they will be picked up at a different time than they usually expect
- \* Make sure your child has an "a.m." snack everyday.
- \* Assist your child in following the TMES Dress Code

## **DRESS CODE**

The TMES dress code is intended to create a safe, non-competitive, commercial-free school atmosphere. In addition, the student attire described will facilitate comfort and ease of movement for students while completing school assignments that can vary from outside activities to laying or sitting on the classroom floor. 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.

### **Rationale**

We believe that every student has genuine worth, based upon who he or she is and not merely what he or she wears. TMES desires to create an environment in which each student can develop those innate qualities, focus on learning, develop an awareness of others, develop character and good citizenship skills, instill respect and self-discipline. Parents are asked to exercise control and good judgment over the clothing students wear to school and to support the school's Dress Code in any decisions made with regard to clothing.

### **Clothing**

All clothing worn by students must be modest, free from profanity, gang symbolism, culturally insensitive images and other images, words or designs generally understood by the current society to be offensive.

- Polo shirts, collared dress shirts, V or crew neck shirts and blouses in solid colors, stripes or patterns are acceptable. No cartoon characters please (ie: Hannah Montana, Sponge Bob, etc.).
- Jeans, chinos, and dress pants are recommended;
- Shorts and skirts and dresses must be no shorter than fingertips when arms are placed at sides;
- Comfortable PLAIN athletic or dress shoes with rubber soles that are comfortable for physical education and recess; NO ROLLERS, WHISTLES, SQUEAKS OR LIGHTS. NO FLIP FLOPS.

### Dress and Grooming

- Clothing must be fitted so as to cover the student's mid-section at all times.
- A student who's clothing or appearance is a distraction to the learning environment of the classroom will be asked to change his/her clothing or appearance or the student's parent/guardian will be called to pick up the student or arrange to have a change of clothing brought to the school before the child is permitted to return to class.
- Clothing must fully conceal a student's undergarments.
- It is suggested that girls wear shorts under their skirts for recess and P.E.
- Students and their clothing should be clean and neat Natural hair color – no unnatural colors (e.g. fuchsia, blue, green, etc.)
- No makeup, this includes body glitter
- Earrings must be small and safe for physical activities
- No tattoos or body piercing except for pierced ears (earrings must meet guidelines)
- Hats and sunglasses are suggested to be worn outside
- It is recommended that students wear sunscreen daily.

### Special Conditions and Exceptions

If a student has a condition that requires an exception to the TMES dress code, please contact the School to schedule a meeting with the Principal so that an appropriate exception can be made. If a parent/guardian has a concern about the dress code or difficulty in following any of its requirements, please contact the Principal to discuss the issue. Arrangements to accommodate concerns may be made at the discretion of the Principal.

### Personal Property Code.

Students are discouraged from bringing personal property to school except with the permission and consent of the classroom teacher for special activities. Personal property includes but is not limited to toys, make-up, jewelry, excess clothing, sports equipment, tools, pets, or any electronic devices.

Cell Phone Policy: Personal cell phones for family contact may be at school only if stored in student's back pack and kept off at school or during school functions. Any cell phone used during the school day will be confiscated, and returned directly to the parent at the end of the school day.

NOTE: TMES will not be responsible for loss or damage to personal property brought on school premises, and reserves the right to confiscate any personal property arriving at school that is disruptive to the learning environment.

### Principal's Discretion.

The responsibility to interpret and enforce the dress code/personal property policy rests with TMES' principal.

### Knowledge of Dress and Personal Property Code.

Students and their parents/guardians have the responsibility to be aware of the school specific dress and personal property code and to conform to those requirements.

## **THE MONTESSORI APPROACH TO STUDENT BEHAVIOR**

Discipline versus Self Control. To discipline literally means "to educate" or "to train;" yet the phrase is most often given the meaning "to punish." TMES seeks to minimize teacher imposed control by facilitating the growth of self-discipline in the child. Dr. Maria Montessori believed that the only true discipline is "active" or "inner" discipline, which is developed by the child himself or herself as s/he works at interesting tasks at home or at school.

Freedom to do What's Right. The ultimate goal of discipline is student self-control in preparation for a successful adult life. Within the Montessori philosophy of education is the concept of freedom within limitations. Dr. Montessori, when she was once abruptly confronted by individual demanding to know about "all this freedom in your classrooms," is reported to have replied, "Children always have the freedom to do what is right. They never have the freedom to do what is wrong."

Making Appropriate Choices. This concept is indeed the guiding principle for discipline in a Montessori classroom. There are many choices that children can make that are right and appropriate. However, if they make a wrong choice, it will always have consequences that come with it. TMES is committed to creating an environment in which learning is a rewarding experience for students. TMES will create a learning zone where independence flourishes, where students are safe in all respects (i.e., free from inappropriate and abusive language and actions) and where distractions to learning and development are minimized for all students.

Clear Rules and Expectations: Some parents are under the impression that Montessori is completely permissive when it comes to discipline. This is absolutely untrue. The school's ground rules are always communicated to students at the beginning of the year. Classroom rules are clearly posted in each room and the teaching staff and administration consistently and continually reinforce necessary adherence to these rules. The purpose of ground rules is to aid in the development of self-respect, respect for others and respect for the environment.

TMES is first and foremost a place for learning where the educational climate is strictly controlled to create the optimum environment for teachers to teach and students to learn. The following are principles and guidelines for student discipline at TMES.

#### Guiding Principles and Behavioral Expectations.

- ▶ Students share in the responsibility for making the school a safe, orderly and pleasant place in which education can take place effectively.
- ▶ Each student has the right to learn without interference from others. The school and classroom rules have been developed to protect that right.
- ▶ Parents and legal guardians understand that the School is expected to hold students accountable for behavior while at School and during School's sponsored activities.
- ▶ Students are expected to obey adults without argument or disrespect.
- ▶ TMES teachers and staff are expected to use a consistent, common sense approach to handling repetitive misconduct.
- ▶ Rules and appropriate behavior expectations are made clear by a posted code of conduct in the entryway to each classroom.
- ▶ Behavior management includes positive guidance, redirection and clearly setting appropriate boundaries to foster the child's ability to become self-disciplined.
- ▶ Disciplinary consequences are clear and understandable, consistent, and made known to students in advance as well as when disciplinary measures are implemented.
- ▶ Staff members will guide the child to develop self-control and orderly conduct in his/her relationships with peers and adults.
- ▶ Staff members will show children positive alternatives rather than simply telling children "no."
- ▶ Good behavior will be rewarded by positive reinforcement and there will be no recourse to physical punishment or abusive language.
- ▶ Staff members will address the behavior or situation rather than labeling the child as "good" or "bad."
- ▶ The staff members will respond quickly and calmly to prevent children from hurting each other while demonstrating understanding of the them children's needs and feelings.
- ▶ Children experience teachers and staff who are compassionate and who understand each child's limitations. As a result power struggles often occur less frequently.
- ▶ Children are allowed to appropriately express their feelings, e.g. anger, hurt, frustration, etc. Aggressive behavior, however, may require that the student is taken aside by the teacher or staff member to help the child express and learn appropriate ways to express his/her feelings. With younger children, a teacher assists by giving them the language to communicate their feelings.
- ▶ Teacher try to maintain a normal tone of voice when addressing children, even while disciplining. Consequently, children will usually listen to what is being said rather than the way it is being said. The children's natural instinct is to please and not to displease.

## **GENERAL DISCIPLINE**

### **PRIMARY LEVELS OF CONSEQUENCES.**

Montessori does not employ any discipline method that would be emotionally or physically harmful to the child. All discipline is a response to a specific negative behavior – i.e. does not label the child “good” or “bad,” and is age appropriate.

#### **Examples of Discipline**

The following are examples of consequences for inappropriate behavior used by the school staff.

- ▶ Child sits slightly apart from class where he/she may hear and observe the other children; this “Time out” enables the child to regain control of himself or herself. The teacher or aid has visual contact of the child at all times.
- ▶ When confrontation occurs, teacher and child or children “explore feelings” in a kind, positive manner.
- ▶ Occasionally it becomes necessary to remove a child from class and place him under the supervision of another staff member.
- ▶ Teachers may contact a child’s parent/guardian or have the student call his or her parent to advise of his or her misconduct in the presence of the teacher.
- ▶ Incidents reports are used when a child’s behavior particularly disruptive. “Incident Reports” are notices to the parent/guardian describing the child’s misconduct.
- ▶ Parent/Guardian conferences or referral to the Student Assistance Team (SAT) will be called for repeated behavior issues.

#### **Occurrence Reports**

The most common behaviors that result in issuance of an "Occurrence Report" include but are not limited to :

- |                  |                           |
|------------------|---------------------------|
| ◇Temper tantrums | ◇Verbal abuse             |
| ◇Fighting        | ◇Disrespect/defiance      |
| ◇Profanity       | ◇Violation of class rules |

#### **Parent Responsibility re: Occurrence Report**

Parents/guardians are expected to sign and return the Occurrence Report to the teacher or staff member issuing the Occurrence Report. Montessori educators have observed that the "Occurrence Report" generally requires no further action. In most instances, a class discussion of acceptable and unacceptable behavior heads off the need for parental conference or further consequences. However, it is recognized that parents are the child's first and most important educators. Montessori schools emphasize the importance of the family in the child's development and seek to create a partnership with parents/guardians. Such a partnership is a two-way, interactive process. Consequently, the primary intent of sending an “Occurrence Report” to the parent/guardian is to keep the family informed of the child’s conduct at school and to enlist support and reinforcement of good behavior.

#### **Search of Person or Property**

Physical Searches – Search of a student’s person or property may be conducted only where there is individualized reasonable suspicion that the student being search committed a crime or a breach of the disciplinary code.

Minimally Intrusive Searches – Searches such as emptying of packets, searches of student backpacks, removal of hats, socks, and shoes may be conducted by any certified school employee.

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.

### **SECONDARY LEVEL OF CONSEQUENCES.**

Although it is the philosophy and policy of TMES to exhaust disciplinary problems using the Primary Level of Consequences, if a student’s behavior disrupts the learning environment such that neither he/she or other students can learn, then TMES will consider using the following discipline measures to assist the student in learning positive behavior. Behavior contracts, referrals, short-term suspension, long-term suspension, or expulsion from school may be used, if previous methods are not effective or if the circumstances warrant. **Note: Access to and participation**

**in public education is not absolute right; it may be taken away, temporarily or permanently, for violation of school rules.**

The administrative response to unacceptable behavior may vary as the Principal, usually in consultation with the child's teachers, decides whether to implement the following measures of discipline. Ultimately, it is the Principal's decision as to if and when to implement any of the following consequences.

**Contracts.** Behavior contracts may be used if previous attempts to learn positive behavior have not been successful. Ideally parents, teachers and the student will be involved in drafting the terms of the contract.

**Suspension Generally.** 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 short-term suspension alternatives to long-term removals of one year or longer. Long-term suspensions are those suspensions for a period of ten days or longer.

**Notification.** Immediately upon the occurrence of a student's misconduct, that results in suspension he/she will be instructed to call his/her parent and report his/her misbehavior and ask his/her parent to pick him/her up from school for the rest of the day. In the event that the student refuses or is otherwise incapable of giving such notification, the Principal will call the parent or other authorized person to pick up the child from school. The Principal will provide a written notice concerning the suspension to be presented by the child on the day he or she is sent home from school. It shall be the child's responsibility to present the written notice to the parent/guardian.. The Principal will keep in a student's record a copy of the notification for any suspension occurring during a school year. 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 is removal of a student from school for any amount of time less than ten school days. In the event of a short-term suspension, a student will be given rudimentary due process. That is, he or she is not entitled to a formal due process hearing as described for long-term suspensions and expulsions. Rather, prior to the suspension, the student will be notified of the school rules he or she has violated, any "evidence" that the Principal has to support that the child broke the rules; and an oral summary or written statement of any witness(es) concerning the violation. The child will have the opportunity to respond and present whatever information she or he may have to rebut the accusation before the Principal decides on the length of the suspension. Whenever possible, the Principal, will allow sufficient time after parent/guardian notification, for the parents/guardian to be present at the informal hearing.

**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 must be given a rudimentary due process hearing as described in paragraph 2, above prior to implementing a long-term suspension. In addition, a student is entitled to a formal due process hearing as described in Section V., below. If a formal due process hearing can be scheduled within 7 school days from the date the student was suspended, the principal may implement the suspension immediately after the informal due process hearing. In no event, however, will a student's suspension last beyond the 10<sup>th</sup> day, if a formal due process hearing has been requested and not completed.

**Expulsion Generally:** Expulsion is the removal of a student from The Montessori Elementary School for a period exceeding one (1) semester. The student's position at the school will then be forfeit.

**Referral for Legal Action.** The following acts by a student will be reported to law enforcement or other authorities.

- a. Communication of intent to commit any illegal act or actual illegal action by a student will be forwarded to the appropriate authority or law enforcement agency.
- b. 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.

**Bus Misconduct.** These guideline apply to students' conduct during field trips where school buses or transportation is provided. Teacher 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 transported by his/her parent/guardian for the next field trip and the matter to be reported to the parent/guardian.

\* Third Offense – Suspension of riding privileges may result for all future field trips depending on the severity 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

### **Severe Disruption of the Educational Process**

This list is not all-inclusive; whether there is an act of severe misconduct, specified herein or not, shall be at the sole discretion of TMES principal, subject only to review using the Grievance Process. These types of behavior shall result in suspension. Examples of severe and unacceptable conduct for which suspension or expulsion will be imposed, unless in the sole discretion of the Principal such discipline is unwarranted under the circumstances, are as follows:

Arson,	Extortion	Assault/bullying
Assault	Battery/Fighting	Severe disruptive conduct
Harassment – (gender, ethnic, race, sexual orientation)		
Bomb threat/false alarm		Abusive, obscene or profane language
Purposeful misuse or destruction of school materials		
Possession of a controlled substance		Possession of drug paraphernalia
Theft	Use or possession of tobacco	
Defiance of directives from school personnel		Vandalism
Weapon possession/ weapon use (or any object intended to do physical harm)		
Gang related activities		

Suspension of a student may result in restriction of privileges such as but not limited to field trips, special school events, and or after-school activities. Any such restriction is at the discretion of the principal.

### **When are the TMES Student Discipline Policies in Force?**

TMES student discipline policies as outlined herein apply:

- \* 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; and
- \* On the way to or from a school school-related event.

Additional sanctions may apply above and beyond the minimum mandatory consequences of this policy for violations which occur when the TMES Handbook is in force (i.e. on school property, during school time, or at school events). The principal, any public school official or designated chaperone are 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.

## **THE MONTESSORI ELEMENTARY SCHOOL BULLYING POLICY**

The Montessori Elementary School believes that providing an educational environment for all students, employees, volunteers, and families, free from harassment, intimidation, or bullying supports a total learning experience that promotes personal growth, healthy interpersonal relationships, wellness, and freedom from discrimination and abuse. Therefore, harassment, intimidation, discrimination or bullying are forms of dangerous and disrespectful behavior that will not be tolerated. This policy is in compliance with **TITLE IX OF THE EDUCATION AMENDMENTS OF 1972**.

## DEFINITIONS

1. “Bullying” means any repeated and pervasive written, verbal or electronic expression, physical act or gesture, or a pattern thereof, that is intended to cause distress upon one or more students in the school, on school grounds, or at school activities or sanctioned events. Bullying includes, but is not limited to, hazing, harassment, intimidation or menacing acts of a student which may, but need not be based on the student’s abilities, ethnicity, sex, religion, disability, age, or sexual orientation.
2. “Harassment” means knowingly pursuing a pattern of conduct that is intended to intimidate, alarm, or terrorize another person.

Harassment techniques include but are not limited to

- a. Verbal acts, teasing, use of sarcasm, jokes;
- b. Name-calling, belittling;
- c. Nonverbal behavior such as graphic or written statements; or
- d. Conduct that is physically threatening, harmful, or humiliating
- e. Any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, embarrassment, shame, or humiliation.

## SOME SPECIFIC TYPES OF HARASSMENT ARE, BUT ARE NOT LIMITED TO:

1. “Disability Harassment” is defined as intimidation or abusive behavior toward a student based on their disability that creates a hostile environment thereby interfering with a student’s ability to participate in academics, receive services or participate in school opportunities.
2. “Racial Harassment” consists of physical or verbal conduct relating to an individual’s race when the conduct has the purpose or effect of creating an intimidating, hostile, or offensive academic environment thereby interfering with a student’s ability to participate in academics, receive services, or participate in school opportunities.
3. “Sexual Harassment” means any unwelcome sexual advances, inappropriate verbal, written or physical conduct of a sexual nature or request for sexual favors thereby interfering with a student’s ability to participate in academics, receive services, or participate in school opportunities.
4. “Hazing” means committing an act against a student, or coercing a student into committing an act, that creates a risk of harm to a person, in order for that student to be initiated into or affiliated with a student organization, or for any other purpose.

## NOTICE OF PROHIBITION AGAINST BULLYING AND ANTI-BULLYING INTERVENTIONS

“Bullying”, “harassing” or “hazing” behavior by any student at the The Montessori Elementary School is strictly prohibited, and such conduct may result in disciplinary action, including suspension and/or expulsion from school.

Students and parents may file verbal or written complaints concerning suspected bullying behavior to school personnel and administrators. Any report of suspected bullying behavior will be promptly reviewed. If acts of bullying are verified, prompt disciplinary action may be taken against the perpetrator, up to and including suspension and/or expulsion.”

Staff will be reminded at the beginning of each school year about the Anti-Bullying Policy, as well as their responsibilities regarding bullying behavior. The Anti-Bullying Policy will be available on the The Montessori Elementary School website, and in all student, staff, and parent handbooks.

## REPORTING INTIMIDATION, HARASSMENT OR BULLYING BEHAVIOR

1. Any student who believes he/she has been the victim of harassment, intimidation, bullying, or hazing by a student or school personnel, or any person with knowledge or belief of such conduct that may constitute harassment, intimidation, bullying, or hazing toward a student should immediately report the alleged acts.



2. The report may be made to any staff member. The staff member will assist the student in reporting to the principal or designee.
3. Teachers and other school staff who witness acts of bullying or receive student reports of bullying during TMES curricular or extra curricular activities are *required* to promptly notify administrative staff using appropriate incident reports.
4. School principal or designee is *required* to accept and investigate all reports of intimidation, harassment or bullying occurring during TMES curricular or extra curricular activities.
5. School principal or designee is *required* to notify the parent or guardian of a student who commits a verified act of intimidation, harassment, or bullying of the response of the school staff and consequences that may result from further acts of bullying.
6. Retaliation against an individual who either orally reports or files a written complaint regarding harassment, intimidation, bullying, or hazing or who participates in or cooperates with an investigation is prohibited.
7. The right to confidentiality, both of the complainant and the accused, shall be preserved consistent with applicable laws.
8. To the extent permitted under the Family Educational Rights and Privacy Act (FERPA) school staff is *required* to notify the parent or guardian of a student who is a target of bullying of the action taken to prevent any further acts of bullying.

#### INVESTIGATING INTIMIDATION, HARASSMENT OR BULLYING BEHAVIOR

The Principal, or designee will appropriately and promptly investigate all reports of harassment, intimidation, bullying, or hazing occurring during TMES curricular or extra curricular activities. In determining whether the alleged conduct constitutes bullying, the totality of the circumstances, the nature of the conduct, the student's history, and the context in which the alleged conduct occurred will be investigated.

1. The administrator will make every effort to inform the parents/guardians of the victim and the accused of any report of harassment, intimidation, bullying, or hazing *during* the investigation procedures.
2. The investigation shall consist of personal interviews with the complainant, the individual(s) against whom the complaint was filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of other methods or documents deemed relevant by the investigator.
3. The investigation shall be completed as soon as possible. If the complaint involves the Administrator, the report shall be filed directly with the New Mexico Public Education Department, Educator Ethics Bureau. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy. A copy of the completed report will be maintained by the TMES Safe Schools Coordinator.

#### CONSEQUENCES FOR BULLYING

1. Verified acts of bullying shall result in intervention by the Principal or his/her designee that is intended to ensure that the prohibition against bullying behavior is enforced.
2. Bullying behavior can take many forms and can vary dramatically in how serious it is, and what impact it has on the targeted individual and other students. Accordingly, there is no one response to bullying. While conduct that rises to the level of "bullying" as defined above will generally warrant disciplinary action against the perpetrator of such bullying, whether and to what extent to impose disciplinary action (detention, in and out-of-school suspension, or expulsion) is a matter for the professional discretion of the building Principal.

#### CONSEQUENCES FOR KNOWINGLY MAKING FALSE REPORTS

1. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

#### ANTI-BULLYING INCLUDED IN SECOND STEP CURRICULUM

“Second Step” is a TMES instructional program that provides the opportunity to motivate and assist all students to maintain and improve peer interactions and social relationships. It meets the Content Standard 2 with benchmarks and performance standards as set forth in 6.30.2.19 NMAC.

All students need to be aware of bullying behavior beginning in Kindergarten and continuing throughout their school years. It imperative that students are comfortable with understanding, describing, and recognizing appropriate and inappropriate behaviors, and then in the later grades being able to analyze those behaviors and role play refusal skills.

### **Reporting Complaints**

Students and parents/legal guardians are encouraged to resolve concerns with the principal. If the principal is unable to resolve your concern, you are encouraged to seek assistance from the Collaborative Council.

### **Student/Parent and Staff Conflicts**

Any grievance or concerns about teachers and staff should be brought to the immediate attention of the Principal ( in writing). Concerns with any actions of the Principal should be brought to the President of the TMES Collaborative Council. Issues or concerns of former employees of TMES can be expressed in writing to the State Department of Education Certification Department in Santa Fe, NM.

## **STUDENT RIGHTS:**

### **Educational Opportunity.**

. A free public school education shall be available to every school-aged person, and each student who enrolls has an equal responsibility not to deny this right to any other student. TMES affords all students equal educational opportunities.

### **Expression and Association**

. Students are protected in the exercise of the constitutional rights of free speech, press and assembly.

### **Privacy.**

Students have a limited right to privacy while at school. All students should understand that school property is subject to scrutiny at any time and that they should have no expectations of privacy with respect to school-supplied cubby holes, materials, desks, etc.

School-supplied Storage. Students will be assigned “cubby-holes” to store their instruments and other school materials. The “cubby-holes” cannot be closed or locked. Consequently, students should not store any personal items in their cubby-hole.

Questioning of Students. Prior to a student being questioned concerning an alleged illegal act, the School Principal will attempt to contact the student’s parent/guardian and shall advise the student that he or she does not have to discuss his or her involvement in the alleged illegal without advice of an attorney. The parent/guardian shall be permitted to be present for questioning.

## **PROTECTION OF STUDENT RIGHTS.**

**Equal Education Opportunity.** TMES does not discriminate on the basis of ethnic identity, religion, race, color, national origin, sex, sexual orientation, mental or physical disability in any program or activity of, or sponsored by, the school district.

**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, First Amendment, XIV Amendment, New Mexico Human Rights Act, or with the New Mexico Public Education Department 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, the Principal, or other appropriate school personnel. Thereafter, all concerns should be brought to the attention of the Principal. If the Principal is the alleged offender, then the complaint should be brought to the attention of the president of the Collaborative Council or his/her designee.

**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. This 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.

## **GRIEVANCE PROCEDURE.**

The Grievance Procedures will be followed as appropriate for disciplinary actions including but not limited to suspensions and expulsions.

### **Informal Procedures.**

1. *Teacher/Parent/Student.* Faculty, parents and students shall attempt resolution of problems affecting students and the education process by informal means.
2. *Principal/Parent/Student.* If any student or parent believes that disciplinary decisions made by TMES staff are not fair or reasonable, he or she may request a conference with the Principal or his/her designee to present their concerns. Ultimately, the final decision for disciplinary consequences rests with the Principal. Following a Principal conference, should the parent have further concerns they are encouraged to pursue the Formal Hearing Procedure below.

**Formal Hearing Procedure.** The Collaborative Council prescribes the formal hearing procedures for students recommended for long-term suspension or expulsion, which are intended to protect the student's rights to due process. The following procedures must be followed by the student and his/her representative as well as the school. Failure to follow the procedures may jeopardize a student's rights to a hearing.

1. *Request for Hearing.* A student who has been recommended for long-term suspension or expulsion must notify the Principal by no later than 3 school days from the date the disciplinary action is taken that he or she is requesting a formal hearing. Notice of a request for hearing may be made by the student or his parent/guardian or representative.
2. *Representation.* The student may, at his/her own expense, choose to be represented by an attorney or other representative during any due process hearing. If a student chooses to be represented by an attorney at the hearing, he/she must notify the school within five (5) days of the scheduled date of hearing.
3. *Notice of Hearing.* Upon receipt of request for hearing or if a hearing is required (See, No. 6, below), the Principal will prepare and deliver to parents/legal guardians a written notice of the date, time and location of the hearing. The notice shall be made by personal delivery, certified mail return receipt requested or some other method that provides the school with evidence of the date and time of delivery.
4. *Date of 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 of hearing by the parents, unless a shorter or longer time frame is agreed to by both the school and the parents/guardians in writing.
5. *Evidence.* TMES and the student/parents/guardian or representative will exchange copies of any documents that will be used as evidence in support of their case at the hearing by at least two (2) working days in advance of the hearing.
6. *Waiver.* The parent/guardian may choose to waive the student's right to a hearing and accept the disciplinary consequences recommended by the Principal. Failure to request a hearing within three days shall constitute an acceptance of the discipline and waiver of a hearing unless an extension is agreed upon prior to expiration of the three days and except in cases of expulsion.
7. *Expulsions.* Expulsion hearings cannot be waived.

### **Hearing Authority and Transcript.**

1. *Hearing Officer.* An impartial hearing officer will be appointed by the Collaborative Council or its designated representative.
2. *Transcript.* An audio recorded transcript of the proceeding shall be recorded and kept at TMES' 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.**

1. *Evidence.* The hearing is not a legal proceeding, and formal rules of evidence shall not govern the conduct of the hearing.
2. *Burden.* The burden of proving that the student violated a provision of the TMES Student Behavior Policies is on the school authorities.
3. *Witnesses.* The student or his/her representative shall have the right to call witnesses on his/her behalf and to question witnesses against him/her. TMES officials, its representative or attorney, shall also have

the right to call witnesses and to question any witnesses who testify.

#### **Decision of Hearing Authority.**

1. *Decision.* The hearing officer shall decide first upon whether the information provided to him/her supports the Principal's recommended disciplinary action. If the information supports the Principal's actions, the hearing officer will then decide whether the discipline is appropriate or whether some lesser discipline should be administered. In no event, will the hearing officer's recommendations for discipline exceed that recommended by the Principal in the first instance.
2. *Additional Evidence.* The hearing officer may request additional evidence from the parties than presented during the hearing.
3. *Student's Response to Evidence.* The student shall have the right to comment upon the evidence orally and/or in writing. If the comments are written, they must be received by the hearing officer and school before the date and time of the hearing.
4. *Written Decision.* The hearing officer shall serve his/her written decision on the parties, stating his/her findings and conclusions, within five (5) school days after hearing the evidence.
5. *Effect of Decision.* The hearing officer decision shall take effect immediately upon notification of the parent/guardian and shall continue in force during any subsequent review. Notification (service) of the parent/guardian shall be deemed to be three days from the date the decision is mailed.

#### **Appeal to the Collaborative Council.**

1. *Notice of Appeal.* The student/parent may appeal the decision of the hearing officer to the Collaborative Council by serving a written Notice of Appeal to the President of the Collaborative Council or his/her designee within five (5) school days after the decision has been served. The Collaborative Council may appoint a committee of no less than three members to hear the appeal.
2. *Review Period.* Collaborative Council shall, within ten (10) school days after receipt of the Notice of Appeal, review the record of the hearing and the decision in this case.
3. *Discretion.* The Collaborative Council 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.
4. *Decision.* The Collaborative Council shall then serve on the parties, within five (5) working days after the review is concluded, his/her decision affirming, overruling, or modifying the decision of the hearing officer. The severity of any sanction may not be increased.
5. *Extension of Related Time Limits.* The hearing officer or President of the Collaborative Council shall have the option to extend the time limits after a showing of good cause.
6. *Final Decision.* The decision of the Collaborative Council is final.

**It is the intent of the Collaborative Council of TMES that every reasonable effort is made on behalf of the student's education, even in the case of suspension or expulsion.**

**This Parent Handbook and Student Behavior Policies are subject to review by the Collaborative Council at the end of each school year, at which time suggested amendments or additions submitted by administrators, teachers, students parents and/or other interested persons will be considered. However, if the Collaborative Council deems necessary, these policies may be reviewed and revised more frequently. The current handbook will be distributed to each student at the beginning of the school year. Parents are required to verify by signature that they have reviewed the handbook with their student.**

**This handbook was reviewed and approved by the Collaborative Council on August 24, 2008**