



ALBUQUERQUE  
PUBLIC SCHOOLS



# 2021 2022 Handbook

for student success



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**ALBUQUERQUE PUBLIC SCHOOLS**

# Superintendent's Message

Scott Elder  
SUPERINTENDENT



**ALBUQUERQUE PUBLIC SCHOOLS**  
Board of Education

Dear APS Students and Families,

It is my privilege to welcome you to the 2021-2022 school year. We are so pleased to have you as a member of the Albuquerque Public Schools family. As with any family, clear, open, and frequent communication is key to a strong, healthy relationship. The APS Student Handbook is a tool for keeping those lines of communications open. Please take a moment to familiarize yourself with its content, and keep it handy, so you can reference it throughout the school year as questions or concerns arise. If you lose your copy, don't worry. The handbook also is posted to the APS.edu website.

The APS Student Handbook, updated each year, establishes expectations and provides guidelines for our students. Its pages are filled with helpful information to ensure a safe, successful, and rewarding school year.

APS students have the right to a free public education. They have a right to learn in a safe and welcoming environment that, as this handbook states, "prohibits discrimination and harassment on the basis of ethnic identity, religion, race, color, national origin, sex, sexual orientation, gender identity, mental or physical disability, marital status and pregnancy in any program or activity sponsored by the district." The goal is to create an atmosphere of respect and responsibility for all. The handbook outlines what to do if a student or the family feels those rights are violated.

Just as students have rights, they also have responsibilities. They are expected to attend school regularly, and they are expected to behave in a way that doesn't keep others from learning. Student expectations, unacceptable conduct, and consequences are clearly outlined in the handbook.

Of course, students deserve to learn in a safe and secure environment, and the handbook includes an overview of the district's school safety plan and much more on many other topics, from bus safety to student records and child custody.

We encourage you to call your school if you need clarification of any rule, regulation, or policy. You also may contact the APS Student, Parent, Employee Service Center, the customer service center for APS. Contact them at 505-855-9040 or [servicecenter@aps.edu](mailto:servicecenter@aps.edu).

Thank you. I wish you a happy and successful 2021-2022 school year.

Sincerely,

Scott Elder  
Superintendent

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6400 Uptown Blvd., NE • P.O. Box 25704 • Albuquerque, NM 87125-0704

# APS BOARD OF EDUCATION

Albuquerque Public Schools (APS) is governed by a seven-member elected school board that sets policy, approves the budget, and hires the superintendent who oversees all operations of the district.

The board meets the first and third Wednesday of every month at 5:00 p.m. in the John Milne Community Board Room, 6400 Uptown Blvd, NE unless a different location is noted on the agenda. Board agendas are posted on the APS website at [www.aps.edu](http://www.aps.edu). To determine which board district you live in or to contact your board member email [boarded@aps.edu](mailto:boarded@aps.edu) or call (505) 880-3729.

APS Board of Education		(District)
David Peercy	President	(7)
Lorenzo Garcia	Vice-President	(3)
Yolanda Montoya-Cordova	Secretary	(1)
Peggy Muller-Aragón	Member	(2)
Barbara Peterson	Member	(4)
Candelaria Patterson	Member	(5)
Elizabeth Armijo	Member	(6)

The Board of Education is committed to providing a safe, respectful, and nurturing environment for all members of the school community including students, staff, parents/guardians, community partners, and visitors.

This handbook is an official policy statement of the APS Board of Education. Students, parents/guardians, and staff should review and be familiar with this handbook, as well as the handbook from the student’s school.

The Handbook for Student Success will be reviewed by the Board of Education on an annual basis.

Suggested changes should be submitted to the Student, Parent, Employee Service Center (505-855-9040 or [servicecenter@aps.edu](mailto:servicecenter@aps.edu)) by the end of first semester for consideration for inclusion in the following school year’s handbook. Copies of the handbook will be made available to students at the beginning of the school year.

It will also be posted on the district’s website at [www.aps.edu](http://www.aps.edu). District Policy and Procedural Directives are also available on the district’s website. They can be accessed by typing “Policies and Procedural Directives” in the search engine.

# District Information

As one of the largest school districts in the nation, Albuquerque Public Schools provides educational services to nearly 75,000 students. APS is New Mexico’s largest school district serving more than one-fourth of the state’s students. We are considered an urban-suburban-rural district. We are also a widely diverse district with students speaking more than 80 languages other than English.

The Handbook for Student Success provides useful information to parents/guardians and students. It also states guidelines for student rights and responsibilities and is not intended to provide legal advice. It does not create any contractual rights, and the district has the discretion to modify the provisions of this handbook at any time. Each school’s handbook supplements the Handbook for Student Success and should be referred to for more specific guidelines. If a provision of an individual school’s handbook is inconsistent with the Handbook for Student Success, this handbook supersedes the school handbook.

The provisions in the Handbook for Student Success are in effect:

- During regular school hours and/or on any 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

## 2021-2022 Calendar

### ALBUQUERQUE PUBLIC SCHOOLS

College & Career High School	224-4890
Coronado Elementary School	(505) 843-8283
Coyote Willow Family School	253-0050
Desert Willow Family School	888-1647
eCademy High School/BlendE	247-4209
Early College Academy CEC	(505) 247-3658 x45599
eCademy K - 8	816-9550 x63785
Freedom High School	884-6012 x46502
nex+Gen	(505) 878-6400
School on Wheels	243-2395 x47900



**ALBUQUERQUE PUBLIC SCHOOLS**



**ELEMENTARY SCHOOLS**

A. Montoya	281-0880
Adobe Acres	877-4799
Alameda	898-0070
Alamosa	836-0288
Alvarado	344-4412
Apache	292-7735
Armijo	877-2920
Arroyo del Oso	821-9393
Atrisco	877-2772
Bandelier	255-8744
Barcelona	877-0400
Bel-Air	888-4033
Bellehaven	298-7489
Carlos Rey	836-7738
Chamiza	897-5174
Chaparral	831-3301
Chelwood	296-5655
Cochiti	345-1432
Collet Park	298-3010
Comanche	884-5275
Coronado*	843-8283
Corrales	792-7400
Dennis Chavez	821-1810
Dolores Gonzales	764-2020
Double Eagle	857-0187
Duranos	764-2017
East San Jose	764-2005
E. G. Ross	821-0185
Edward Gonzales	831-6214
Emerson	255-9091
Eugene Field	764-2014
Georgia O'Keefe	293-4259
Governor Bent	881-9797
Griegos	345-3661
Hawthorne	299-4424
Helen Cordero	833-5830
Hodgin	881-9855
Hubert Humphrey	821-4981
Inez	299-9010
Janet Kahn	299-4483
John Baker	298-7486

**ELEMENTARY SCHOOLS (cont.)**

Kirtland	255-3131
Kit Carson	877-2724
La Luz	761-8415
La Mesa	262-1581
Lavaland	836-4911
Lew Wallace	848-9409
Longfellow	764-2024
Los Padillas	877-0108
Los Ranchos	898-0794
Lowell	764-2011
Macarthur	344-1482
Manzano Mesa	292-6707
Marie Hughes	897-3080
Mark Twain	255-8337
Mary Ann Binford	836-0623
Matheson Park	291-6837
McCollum	298-5009
Mission Avenue	344-5145
Mitchell	299-1937
Monte Vista	268-3520
Montezuma	260-2040
Mountain View	877-3800
Navajo	873-8512
North Star	856-6578
Onate	291-6819
Osuna	296-4811
Painted Sky	836-7763
Pajarito	877-9718
Petroglyph	898-0923
Reginald Chavez	764-2008
Rudolfo Anaya	452-3137
S.Y. Jackson	296-9536
San Antonito	281-3931
Sandia Base	268-4356
Seven Bar	899-2797
Sierra Vista	898-0272
Sombra del Monte	291-6842
S. R. Marmon	831-5400
Sunset View	792-3254
Tierra Antigua	792-3262
Tomasita	291-6844

**ELEMENTARY SCHOOLS (cont.)**

Valle Vista	836-7739
Ventana Ranch	890-7375
Wherry	268-2434
Whittier	255-2008
Zia	260-2020
Zuni	881-8313

**K-8 SCHOOLS**

Coyote Willow	253-0050
Desert Willow*	888-1647
George I. Sanchez	253-0300
Tres Volcanes	253-0200

**MIDDLE SCHOOLS**

Cleveland	881-9227
Desert Ridge	857-9282
Eisenhower	292-2530
Ernie Pyle	877-3770
Garfield	344-1647
Grant	299-2113
Harrison	877-1279
Hayes	265-7741
Hoover	298-6896
Jackson	299-7377
James Monroe	897-0101
Jefferson	255-8691
Jimmy Carter	833-7540
John Adams	831-0400
Kennedy	298-6701
L.B. Johnson	898-1492
Madison	299-4735
McKinley	881-9390
Polk	877-6444
Roosevelt	281-3316
Taft	344-4389
Taylor	898-3666
Tony Hillerman	792-0698
Truman	836-3030
Van Buren	268-3833
Vision Quest*	352-0343
Washington	764-2000
Wilson	268-3961

HIGH SCHOOLS	
Albuquerque	843-6400
Atrisco Heritage Academy	243-1458
Career Enrichment Center*	247-3658
Cibola	897-0110
College and Career*	224-4880
Continuation*	468-7284
Del Norte	883-7222
Early College Academy*	247-3658
eCademy*	247-4209
Eldorado	296-4871
Freedom*	884-6012
Highland	265-3711
La Cueva	873-2327
Manzano	559-2200
New Futures*	883-5680
Nex Gen*	878-6400
Rio Grande	873-0220
Sandia	294-1511
School on Wheels*	243-2395
Valley	345-9021
Volcano Vista	890-0343
West Mesa	831-6993

CHARTER SCHOOLS	
ABQ Charter Academy	242-6640
ACE Leadership HS	242-4733
ABQ Talent Development	503-2465
Alice King Community	344-0746
Christine Duncan Heritage	838-4971
Cien Aguas International	255-0001
Coral Community	292-6725
Corrales International	344-9733
Cottonwood Classical	988-1021
Digital Arts and Technology	341-0888
East Mountain HS	281-7400
El Camino Real Academy	314-2212
Gilbert L. Sena HS	237-2374
Gordon Bernell	468-7701
Health Leadership HS	750-4547
International School @MDS	508-3295
Academia de Esperanza	764-5500
Los Puentes	342-5959
Mark Armijo Academy	873-7758
Montessori of the Rio Grande	842-5993
Mountain Mahogany	341-1424
Native American Comm Academy	266-0992
New America School	222-4360
NM International School	503-7670
Public Academy for Performing Arts	830-3128
Robert F. Kennedy	873-1165
Siembra Leadership	681-0284
South Valley Academy	452-3132
Technology Leadership	338-2266
Wm. & Josephine Dorn	243-1434

# Academics

## Academic Achievement

Students are expected to achieve academically to the best of their ability. They are expected to:

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

## Academic Excellence

APS is committed to providing the best education possible to each of our students. Parent/legal guardian involvement is essential for students to succeed at school. We encourage parents/legal guardians to support their child's efforts throughout their educational journey while allowing their students to grow and discover their own potential. It is the responsibility of every student and staff member to do their individual best every day and support a positive learning environment for everyone in the school. Students and staff must be respectful and honest in their work and interactions. Academic dishonesty in any form is prohibited and may result in disciplinary consequences.

## Academic Learning Environment

Every student is responsible for helping maintain a safe, orderly, and educationally focused learning environment.

Students are expected to:

- Attend school every day and be on time for every class
- Respect themselves, fellow students, and staff
- Resolve differences with others in a positive, non-violent way
- Remain drug, alcohol, and tobacco free
- Dress appropriately for an educational environment
- Respect school property and the property of others
- Comply with the standards of behavior for their classrooms, their school, and their community

Parents and families are partners with school staff in educating all children. Every parent/legal 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:

- Make learning and education a priority in your home
- Make sure your students attend school, on time, every day
- Support your student in completing their homework and studying at home
- Understand and follow district rules and the rules of your student's school
- Support school staff in enforcing these rules
- Support the school and Board of Education in maintaining high expectations of all students
- Volunteer at your child's school, time permitting. Schools have many areas in which parents can assist. Volunteers must have an APS background clearance.

## Alternative Language Services

Alternative Language services are programs designed to meet the educational needs of all language minority students to enable them to participate effectively in the regular school program, thus ensuring equal access to a quality education. Schools are required to have a home language survey in place and qualify students needing services, and a language proficiency assessment for program placement. APS utilizes two models of alternative language services:

- English Model
  - Sheltered instruction is an approach to teaching English language learners that integrates language and content instruction. The dual goals of sheltered instruction are to provide access to mainstream,

grade-level content, and to promote the development of English language proficiency.

- ESL is an acronym that stands for English as a Second Language. It refers to teaching English to a person whose native language or primary language is one other than English.
- Minimally, all schools in APS provide English models of alternative language services.

For more information contact the Language and Cultural Equity Department's website at

<https://www.aps.edu/language-and-cultural-equity/schools-and-alternative-language-service-als-models> or call (505) 881-9429.

- **Bilingual Models**

- Two-way Dual-Language Immersion is designed to develop bilingualism and biliteracy in English and home language for both English-speaking and minority language students
- Maintenance is designed to develop and maintain proficiency and literacy in the home language and English
- Transitional is designed to transfer students from home language instruction to an all-English curriculum
- Enrichment is designed to further develop the home language of fully English proficient students and to teach the cultures of the state
- Indigenous Language Revitalization is designed to support and revitalize a student's native language and culture through oral and /or written language instruction with tribal approval
- See the APS website at <https://www.aps.edu/language-and-cultural-equity/schools-and-alternative-language-service-als-models/schools-with-bilingual-education-models> for a list of schools with bi-lingual models

## **Bilingual Seal**

Students have the opportunity to acquire a district and State of New Mexico Bilingualism and Biliteracy Seal in Spanish, Native American languages (i.e. Navajo and Zuni) and foreign languages (i.e. French, German, Chinese, etc.). These seals of bilingualism and biliteracy serve as formal recognitions of students who have studied and attained a high level of proficiency in English and another language by high school graduation. Bilingual Seals are available in elementary and middle school and on a student's high school diploma. For more information see the APS website at <https://www.aps.edu/language-and-cultural-equity/aps-bilingual-seal> .

## **Graduation Requirements**

25 Credit Plan - 2013 Graduates and later, entered high school in 2009 or thereafter

<b>COURSE</b>	<b>CREDITS REQUIRED</b>
English	4.0
Mathematics	4.0
Laboratory Science	3.0
US History and Geography	1.0
World History	1.0
Government	0.5
Economics	0.5
New Mexico History	0.5
Health	0.5
Physical Education*	1.0
Electives**	8.0

\*Students may apply for a waiver for the Physical Education requirement after completing:

- two years of JROTC *or*
- two consecutive fall semesters of Marching Band

\*\*Students must take:

- One credit of an Advanced Placement *or* Honors *or* Dual Credit *or* Distance Learning course
- One credit of a career cluster course *or* workplace readiness course *or* a language other than English

A student's transcript is the official documentation of graduation. A diploma is not official evidence of graduation. Transcripts can be ordered through Parchment.com.

# Attendance

## Attendance for Success Legal Requirements

The State of New Mexico requires that students between the ages of five (5) and eighteen (18) attend a public or private school (including charter and alternative schools) or register with the New Mexico Public Education Department if a parent/legal guardian is providing home school or if the student is in a state institution.

Student attendance in school is a critical component of the educational process. Students, families, and APS personnel must all work together to promote student success through regular attendance in school every school day as it is an important element of academic success. Attendance positively correlates to student success and academic achievement and should not be treated as a disciplinary issue, but rather lead to conversations with students and families about the means to improve attendance.

Students are expected to attend remote instruction, as provided by their school, each day and/or class period. For days in which students participate in a remote (Red) learning program, schools are required to track student participation.

Attendance during remote learning is based on the extent to which a student has engaged in remote learning (online with their teacher and/or assigned learning that the student does on their own without direct supervision of their teacher). Student engagement is not to be confused with how much the student understands the content, nor their grade in the class. Engagement is measured by the student showing their teacher that they are participating in the remote learning process and class activities.

## Early Checkout

Whenever a student needs to leave school early the parent/legal guardian must follow the procedures outlined by the school and provide the reason for early check-out. Students will only be released to their parent/legal guardian or to a person designated by the parent/legal guardian in the student's record. Parent/legal guardian or designee must provide a picture ID when picking up a student. Instructional time is important so appointments should be scheduled outside the school day, whenever possible. Parents/guardians should not check out students early to avoid after-school traffic.

## Excused/Unexcused Absences and Tardies

Schools shall comply with state statute and the Albuquerque Public Schools Handbook for Student Success when determining excused and unexcused absences. Excused, unexcused, and out-of-school suspensions all count toward student absences that require student intervention plans when the number of absences reach the standards for early interventions, chronic or excessive absenteeism. Differentiating between excused and unexcused absences is only helpful in informing student attendance intervention plans. Students may obtain make-up work for any absence, excused or unexcused with the exception of long-term suspensions and expulsions. Suspension shall not be used as a consequence for absences or tardies.

## EXCUSED ABSENCES

### EXCUSED ABSENCE CODES INCLUDE

- College visits
- Deployment of a military parent/legal guardian
- Family deaths
- Illness (including chronic illness documented in a health plan, IEP, or 504)
- Limited extenuating circumstance as approved in advance by the school principal
- Limited family emergencies
- Medical, health or legal appointments
- Religious commitments
- Tribal obligations

## Unexcused Absences

All absences for reasons not included under excused absences shall be considered unexcused.

Examples include but are not limited to:

- Non-school sponsored activities or trips
- Family vacations outside of the normally scheduled school breaks

## Tardies

Students who come to school after the scheduled start time are missing important learning opportunities.

Students who come late to school will need to check in at the front office. Elementary aged children must be taken into the office by a parent/legal guardian. Students should not go to or be taken directly to the classroom.

- Students who are often late may need to make up the lost instructional time. Check with your child’s school to find out if and when your child needs to make up the lost instructional time.
- Schools may provide additional support to discourage tardiness and encourage on time attendance
- Tardy means when a student arrives to any school day or class period after the bell rings indicating the start of class or school day

## Interscholastic/Extracurricular Absences

No student shall be absent from school for school-sponsored interscholastic and extracurricular activities in excess of fifteen (15) days per semester and no class shall be missed in excess of fifteen (15) times per semester.

## Interventions

- Families will be provided a call in the evening notifying the parent/legal guardian of each student’s absence for any part of the day so parents/legal guardians can accurately track their student’s attendance
- Families will receive district notification via text, phone call, and/or email when a student has reached any of the thresholds set for attendance interventions
- Interventions for students with disabilities who have IEPs (other than students receiving “gifted” services only) will involve consultation with the IEP team and/or performance of a Functional Behavior Assessment
- Parents/legal guardians are expected to schedule an appointment with their student’s school to discuss the reasons for the absences and develop a plan, including setting goals, to improve attendance
- School staff shall contact the family and schedule an appointment with the parent/legal guardian on strategies and support, especially when the student has not attended 5/10/20 percent of the required attendance days
- In general five (5) percent of school is approximately 9 days for the school year, ten (10) percent of school is approximately 18 days for the school year (2 days per month), and twenty (20) percent of school is approximately 36 days for the school year.

Interventions for Students with Excessive Absences of Any Kind

Full Day Absences (percentage %)	5	10	20	20+
Parent/Guardian Contact	•	•	•	•
School Interventions and Strategies	•	•	•	•
Written Notice to Parents from District		•	•	•
Phone Call to Parent from District	•	•	•	•
Parent & Student Conference with School Staff		•	•	•
Referral to Principal		•	•	
Referral to CYFD/JPO			•	

Students who miss more than half of their school day are considered absent a full day.

## **Make-Up work**

- Students are entitled to make-up work for any absences, excused, or unexcused
- Upon return from an absence(s), students shall request make-up work and will have one day per one day of absence to complete the missed work unless the teacher and/or school administrator add additional time
- The teacher and/or school administrator may request a meeting with the parent/legal guardian to determine a timeframe/plan to complete the make-up work
- Teachers will provide make-up work but may need one full school day to gather the make-up work
- Grades shall not be reduced as a direct penalty for non-attendance, however grading plans may include participation grades as part of an overall grading method
- Check with the teacher regarding participation requirements for any class
- If families know ahead of time when an absence will occur, it is best practice to ask for make-up work before the absence occurs

## **Off-Site Attendance**

A student who attends an alternative school or program with off-site attendance through participation in an online/virtual education course (when available) or attendance at another site shall not be counted as absent if participation is verified.

## **Pregnant/Parenting Student Excusal**

Albuquerque Public Schools (APS) shall permit ten (10) days of excused medical absences for a student who provides documentation of the birth of the student's child and parentage. APS shall provide additional excused absences to a student after the birth of the student's child if deemed medically necessary by the student's physician. In addition, pregnant and parenting students of the age of thirteen or older shall be permitted four (4) days of excused absences for a child needing care upon the provision of proper documentation.

## **Religious Instruction Excusal**

A student may, subject to the approval of the school principal, be excused from school to participate in religious instruction for not more than one class period each school day at a time period not in conflict with the academic program of the school with the written consent of the student's parent/legal guardian.

## **Tribal Obligations Excusal**

A student maybe excused from school to participate in tribal obligations with the written consent of the student's parent/legal guardian.



# Enrollment/Registration and Withdrawal

## On-line Registration through ParentVue

ParentVue is the APS student information system that provides private, secure access to school and student information. It allows parents to register their students online without having to complete lots of paperwork at the beginning of every school year. ParentVue can be accessed by computer, mobile phone, or tablet and parents can upload copies of documents for registration. Please see the APS website at [www.aps.edu](http://www.aps.edu) for more information.

## Pre-Kindergarten and Kindergarten Enrollment Requirements

To be enrolled in an APS Pre-kindergarten program, a child must be at least four (4) years of age prior to 12:01 a.m., on September 1 of the school year in which they are enrolling. Not all APS schools have a Pre-kindergarten program but interested students can be assigned to the nearest school with a program based on available space.

To be enrolled in an APS kindergarten program, a child must be at least five (5) years of age prior to 12:01 a.m., on September 1 of the school year in which they are enrolling.

New Mexico state statute requires students of the appropriate age to enter a kindergarten program in a public school, private school, home school or state institution. Exception to the enrollment requires the parent to secure a waiver from the superintendent or designee (Student, Parent, Employee Service Center). The APS waiver states that the student may be given approval to remain out of school for one additional year prior to entering kindergarten. Upon entry into public school, the child shall enroll in kindergarten.

Children moving to Albuquerque who have been in a kindergarten program in other areas and who were five (5) years of age after 12:01 a.m., on September 1 of the enrolling year are not eligible for entry into the APS kindergarten program. Children of active-duty United States military personnel may be exempt from this rule. For more information, refer to the "Military Children Procedural Directive."

## Registration Requirements

Each year parents/legal guardians must provide the school with copies of the student's immunization record and at least two (2) documents verifying their residence in the school's attendance boundary.

For a student's initial enrollment in APS, parents/legal guardians must also provide the student's birth certificate.

To determine which school is assigned to your area go to SCHOOLS on the APS website at [aps.edu](http://aps.edu) and enter your home address.

## Other Registration Forms

These forms, available at the school, are used in cases when students live within a school's attendance area but not in a traditional setting. Along with the appropriate form, there should be verification of residency. The school may make home visits to verify residency.

These forms are not to be used for purposes of avoiding the transfer policy or rules.

If it is determined that the residency situation as described by the parent/legal guardian is not accurate, the student may be sent back to their neighborhood school, usually at the next academic break or the end of the year.

- **Family Living with Family Form** - In cases where the student and at least one parent/legal guardian are living with a family member or friend. *The individuals hosting the student's family must provide verification of residency in the school's attendance area* (i.e., family is living with grandparents then the grandparents must



provide proof of residency in the school's attendance area). Schools may ask the student's parents/legal guardians for proof of address 30-60 days after enrollment, but it does not have to be a utility bill. The Family Living with Family form must be notarized or signed by both parties in the presence of the school personnel as they present their photo IDs.

- **Educational Responsibility:** In cases where only the student is living with a non-guardian family. The school communicates with the adult assuming educational responsibility as its primary contact on matters of attendance, academic achievement, conduct, etc. *The adult assuming educational responsibility must provide proof of residency in the school's attendance area.* The form must be notarized or signed by both parties in the presence of the school personnel as they present their photo IDs.
- **Caregiver's Authorization:** Somewhat like the Educational Responsibility but used when a parent/legal guardian is not available (i.e., out of the picture, incarcerated, deceased, military deployment) and resides with someone other than a legal guardian. It is sometimes used in cases of runaway students. *The adult assuming educational responsibility must provide proof of residency in the school's attendance area.* This form does not require the signature of the parent/legal guardian, but it must be notarized.

## School Assignments and Transfer Process

Students are assigned a school based on the address where they reside.

- To find the school(s) assigned to your address go to [www.aps.edu](http://www.aps.edu) and type in your address in the "Find My School" link, or contact the Student, Parent, Employee Service Center at 855-9040 or [servicecenter@aps.edu](mailto:servicecenter@aps.edu)
- If you wish to have your student attend a school other than your neighborhood school, you will need to submit a transfer request

Transfers are approved according to state and federal laws, based on site capacity, program availability, using a random selection process.

- Transfers can be requested online at <https://www.aps.edu/schools/transfers/aps-student-transfers> or through the Student, Parent, Employee Service Center at 6400 Uptown Blvd. NE., Suite 100W
- Transfer requests for the **current school year** are accepted from the first day of school through May 1
- The first window to submit a transfer request for the **upcoming school year** will be from January 1 through January 31 of the current school year

## Verification of Residency

Assignment of students to school shall be based on the residence of the student. The property address must be where the student and parent/legal guardian live full-time. Schools may ask for two or more documents for verification of residence each year. Acceptable documents to provide proof of residence include:

- A current New Mexico driver's license
- A deed or mortgage payment dated within the last 60 days
- A property tax bill dated within the last year
- A current lease, rental agreement, or Section 8 agreement
- A utility bill (with parent's printed name) dated within the last 60 days
- Voter registration documentation from Bernalillo County with the address of the residence
- Military orders indicating the family lives on base
- A valid, district-approved transfer

A school official may visit the address given to verify residence.

## Withdrawal

A parent/legal guardian may disenroll a student from school when necessary. The parent/legal guardian will need to have a photo ID at the time of withdrawal and provide information regarding the student's next educational setting. At the time of withdrawal, students must return all textbooks, library books, uniforms, or other school equipment and pay all fines owed to the school. Payment must be made for any items not returned. Schools may disenroll a student without parent/legal guardian permission for non-attendance following district policy and state law.

# General School Information

## Birthdays, Holidays, and Celebrations

Instructional time is important so parties will not be held during class time. Parents/legal guardians/students wishing to bring food or other items to school for celebrations may only do so with prior permission from the principal.

## Clubs, Activities, and Athletics

Extracurricular activities are an integral part of the educational process, providing students with opportunities to further develop their unique capabilities, interests, and build strong friendships beyond the classroom. Participation in extracurricular activities is a PRIVILEGE offered to and earned by students. Because participants are representatives of their school and community, their conduct is expected to exemplify high standards at all times. Sponsors and coaches may develop standards of behavior and consequences that are stricter than those for other non-participant students.

- 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 the guidelines established by the student government, and with the approval of the school principal

The names of student clubs and organizations, the mission or purpose of such clubs or organizations, the names of the club's or organization's contacts or faculty advisors, and a description of past or planned activities will be available in school-provided information and/or on school websites for each school. This information is updated periodically throughout the year.

If a student is injured while participating in a school sponsored activity or athletic event their parents should contact risk management (<https://www.aps.edu/risk-management>) to file a claim.

## Community Schools

Community Schools focus on the integration of academics, health and social services, youth, family and community engagement and development, as a strategy to improve student learning and facilitate stronger families and healthier communities. APS recognizes and values that Community Schools have a collective impact on the surrounding community that improves conditions for all those living there. Specific supports and services will vary at individual schools, but APS is focused on Community Schools providing:

- Extended learning programs including before and after school programs as well as summer programs
- School-based or school-linked health care
- Family engagement and support services

Please check the APS website at [www.aps.edu](http://www.aps.edu) for more information.

## Counseling Services

Every APS school has a school counselor(s) to work with our students. School counselors assist students with academics, college and career planning and development, social-emotional learning, and personal issues including substance abuse. Parents should contact their student's counselor if they have concerns about their student's academic progress or behavior. Students can see their counselor by making an appointment through the office.

APS takes the safety of all students seriously. If a student is thinking of suicide or having suicidal ideation or knows of a student who is in this situation, they should contact their school counselor. All school counselors are trained in preliminary suicide assessment techniques. APS also provides free referrals for suicide assessment to Southwest Family Guidance.

## Delays and Closings

The safety of our students is our primary concern when deciding to delay, dismiss early or close schools due to

inclement weather. In most cases, schools will have a remote learning day in cases of dangerous road conditions.

- The decision to close schools or delay the start of school will be made as early as possible, sometimes the evening before
- School start time may be delayed by two hours. Check with your school for their specific Delay Day schedule
- Announcements about changes in school schedules will be delivered through the APS school messenger system, social media platforms, television and radio stations, and the APS website
- If no announcements are made, schools will be open as usual
- If weather conditions worsen during the day after school is in session, the district may deem it necessary to dismiss school early. If early dismissal is necessary, announcements will be made through school messenger, social media platforms, television and radio stations, and the APS website. After school and evening activities will also be cancelled.
- In remote learning, there are no delays or closures

## Dress Code

- Student dress codes shall prioritize respect for all people and cultures and create a respectful and open school community that recognizes, affirms and honors the cultures and identities of students. New Mexico law prohibits race-based hair discrimination. Students' rights to wear hair and headdresses for religious or cultural purposes shall be protected at school.
- Students are expected to pay attention to the clothes they wear to school, paying particular attention to personal grooming and appropriateness of attire. 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. The dress code is not intended to regulate type of clothing (pants, skirts, dresses), hair length or style, make-up, or jewelry but clothing must not disparage others or promote violence, drug use, or other inappropriate activities. Students whose clothing or personal grooming distracts the attention of others from their schoolwork or disrupts the educational environment shall be required to adjust their attire.
- Students have the right to be treated equitably and dress code enforcement will not create disparities, reinforce or increase marginalization of any group, nor will it be more strictly enforced against students because of racial identity, ethnicity, gender identity, gender expression, gender nonconformity, cultural or religious identity, household income, body size/type, or body maturity
- Students and their parents/guardians have the responsibility to be aware of the dress code and plan accordingly for school attire
- Schools may customize their individual dress codes to address the needs and standards of their communities and neighborhoods through use of a process that ensures input from students, parents, faculty, and staff at the school, and other interested community members
- Students shall be able to style their hair for school in a manner that expresses their individuality, religious and cultural identity without fear of unnecessary discipline or body shaming
- All schools that have adopted a uniform dress code policy also allow students to wear:
  - "Dockers" style pants in black, navy, or khaki color
  - Solid color "Polo" style shirts in white, light blue, dark blue or green
  - Schools may accept other colors of pants and shirts and shirts styles as well
- The responsibility to interpret and enforce the dress code rests with the school principal

## Clothing Assistance

All APS students are eligible to receive assistance from the APS Community Clothing Bank. Any student or family member can go to their school counselor, nurse, or social worker to place a referral for assistance. The referral will be filled by the Clothing Bank and delivered to the school. School staff will deliver the items directly to the student to ensure privacy. The APS Community Clothing Bank serves students with:

- New shoes (for students in urgent need)
- New socks
- New underwear
- Hoodie or light jacket
- Student clothing through our partnership with Goodwill Industries of NM
- Coats through our community partners

Locker #505 (an independent non-profit and APS partner) provides appropriate school clothing to K-12 students in Bernalillo County. Referrals can be made by the school principal, counselor, nurse, or teacher. A Locker #505 staff member will contact the family to gather information about student sizes and preferences. Parent/legal guardian/student go to Locker #505 to receive a minimum of five pairs of new socks and new underwear, three to four outfits, a new pair of shoes, and a jacket according to the season. Students may visit the Clothing Bank up to three times in a school year; however, each visit requires a new referral.

## **Early Childhood Programs**

The APS Early Childhood Department supports student in Pre-Kindergarten through third grade and works with the city, county, state, and experts to develop a collaborative partnership between the home, school, and community. Early childhood education is important to help students develop skills in the areas of learning, physical coordination, language, emotional, and interpersonal. Many lessons can be integrated into group play for young children.

## **Emergency Contact Information**

Emergency contact information is extremely important and emergency contacts cannot be the parents/legal guardians. In the event of an emergency, the school will always attempt to contact the parents/legal guardians first. Emergency contacts will be called only if the parents/legal guardians cannot be contacted.

## **Field Trips and Activity Trips**

Field trips are school-sponsored trips that provide a first-hand educational experience to supplement curriculum and instructional goals away from the school campus.

Activity trips are trips sponsored by school activity clubs or are trips that are non-educational in nature that are used to reward academic, athletic, or behavioral accomplishments.

Trip sponsors are required to be a certified teacher or licensed coach currently employed by APS. Trip sponsors shall be required to attend the trip in its entirety. The trip sponsors shall be the primary chaperone for student field and activity trips. All chaperones attending a trip shall be at least twenty-one (21) years of age. Most chaperones should be teachers or parents/guardians. Parents/guardians serving as chaperones cannot bring other children on the trip as chaperones will need to provide their full attention to the students on the trip. Principals shall review and approve all field and activity trips and chaperones prior to the trip. Chaperones must have an approved background check.

School administration/sponsors have the right to inspect luggage and personal belongings of any student attending a field/activity trip.

If a student is injured on a field/activity trip their parents should contact risk management (<https://www.aps.edu/risk-management>) to file a claim.

## **Food Services**

All APS schools have meal services available for students each day. APS Food and Nutrition Services provides healthy school breakfasts, lunches, and snacks to students. We provide nutrition education and work with children who have special nutrition needs. Good nutrition is key to a healthful life. Studies show that students who are well nourished have increased attendance, better grades, and are able to concentrate and perform at higher standards.

Our vision is a partnership among students, staff, school, family, and the community in offering access to and providing attractively presented nutritious meals at the lowest possible price.

The food service program, as an extension of the educational programs of the schools, is operated under the federally funded National School Lunch Act and Child Nutrition Act and the National School Breakfast Act.

We encourage parents to set up a meal account for their children through the MySchoolBucks app. The app makes

it easier for students to purchase their meals and makes it easier for parents to manage their student's account. Please see the APS website at <https://www.aps.edu/food-and-nutrition-services> for more information.

APS school menus are now at your fingertips on the YumYummi menu site. The YumYummi site provides school menus, nutrition, and allergen information. Please see the APS website at <https://www.aps.edu/food-and-nutrition-services> for more information.

- **Free and Reduced-Price Lunch (FRPL)**

Free and reduced-price meals are available following federal guidelines. Applications must be submitted each year. Please see the APS website at <https://www.aps.edu/food-and-nutrition-services> for more information.

- **Healthy Free Kids Act of 2010**

The Healthy Free Kids Act of 2010 includes the implementation of the Community Eligibility Provision (CEP) to ensure that every student in low-income neighborhoods can participate in the National School Lunch Program and School Breakfast Program. To qualify, a school must have 40 percent or more of its students eligible for free meals based on district certification. By participating in the CEP families benefit from the elimination of completing and submitting FRPL meal applications. Check the APS website at [www.aps.edu/food-and-nutrition-services](http://www.aps.edu/food-and-nutrition-services) to see if your student's school qualifies for this program.

## **Foster Care**

The Children Youth and Families Department (CYFD) and APS are obligated under the Every Student Succeeds Act ("ESSA") and the Fostering Connections to Success and Increasing Adoptions Act (Fostering Connections Act) to collaborate and aid each other in making decisions about changes in school enrollment for students in CYFD custody. ESSA and the Fostering Connections Act emphasize the importance of limiting educational disruption by keeping children who move in foster care (due to entering the foster care system or changing foster care placements) in their schools of origin, unless it is determined to be in the child's best interest to change schools. It is the joint duty of CYFD and APS to ensure that, as per the ESSA, if it is not in the child's best interest to remain in their schools of origin, children in foster care are enrolled in their new schools without delay. CYFD works with APS to determine school placement and enrollment of foster students.

## **Graduation Ceremonies**

Students shall satisfy all graduation requirements prior to the graduation ceremonies to be eligible to participate. Participation in graduation ceremonies and activities is a privilege, not a right and permission to participate may be revoked for violations of the Student Code of Conduct.

Eligible students shall receive a New Mexico Diploma of Excellence if they have successfully demonstrated competence as required by the New Mexico Public Education Department (NMPED). Students shall receive a Certificate of Completion if they do not successfully demonstrate competence as required by NMPED but have completed all other graduation requirements. Students receiving a Certificate of Completion are eligible to participate in graduation ceremonies and activities.

## **Guest Speakers**

Students have the right to encounter diverse points of view. They will have opportunities to hear speakers and view presentations representing a wide range of views in classes, clubs, and assemblies under guidelines established by the district. As a public institution, schools have a commitment to objectivity and fairness in the presentation of all sides of an issue.

If a student and/or parent/legal guardian 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 to the student. The student and/or parent/legal guardian should contact the teacher, counselor, or administrator about their concerns.

## Health Services

### Nurses

All APS schools have a nurse assigned at least part time and many have a health assistant at the school. The school nurse oversees the administration of necessary medications and treatments students may need during the school day and assists students when they feel ill or have had an accident. APS nurses are also available as a valuable resource to families, staff, and school members to guide and plan best practices for healthy students.

If you have a student with a medical or health need please call and discuss your student's needs with the school nurse. The school nurse can then help arrange the support needed for your child. Healthy students make better learners. Nursing Services supports the whole child!

### School-Based Health Clinics

School-Based Health Clinics (SBHC) operate independently but are available to work in cooperation with the School Nurse's office. The SBHC includes a team of qualified multidisciplinary professionals that supports the health and well-being of students. Services vary depending on the facility but in general, SBHC address can assist students with:

- Treatment for an illness (e.g. sore throat, cough, asthma, allergies, hypertension, etc.)
- Treatment of injuries
- Tobacco cessation or other substance abuse/use
- Behavioral health concerns
- Sports physicals
- Other confidential services

### Homeless Children and Youth (McKinney-Vento Program)

APS offers services and support to children, youth and their families who are experiencing homelessness through the Title I McKinney-Vento Program. Homeless children and youth are defined as "individuals who lack a fixed, regular, and adequate nighttime residence." The APS McKinney-Vento program offers many services to students including enrollment assistance, school supplies, referrals to the APS Clothing Bank, after-school tutoring programs, access to pre-school, parental support programs, summer experiential programs, school lunch programs, and referrals for community services. The McKinney-Vento Act requires schools to register homeless children even if they lack normally required documents, such as proof of residence; and school districts are required to provide transportation to homeless students' school-of-origin when reasonable and feasible.

Please call 505-256-8239 or submit a referral at: [https://albuquerque-public-schools.formstack.com/forms/aps\\_mckinney\\_vento\\_student\\_referral\\_form](https://albuquerque-public-schools.formstack.com/forms/aps_mckinney_vento_student_referral_form).

### Homeschooling

Homeschooling is supervised by the New Mexico Public Education Department (NMPED). To homeschool your students:

- Register at the NM PED website at <https://webnew.ped.state.nm.us/bureaus/options-parents-families/home-schools/>
- Withdraw your student from their current school and provide the school with your homeschool number assigned by NMPED
- Provide/develop your own curriculum

### Indian Education Supports

The Indian Education Department (IED) was established as part of the Albuquerque Public School (APS) district in 1974, with advocacy and representation as the primary purpose for more than 118 American Indian/Alaska Native (AI/AN) Tribes enrolled in the school district. There are approximately 6,543 or five percent AI/AN students currently enrolled in APS. The IED strives for academic excellence that aligns with the district goals that include:

- Increase the graduation rate of AI/AN students by three percent annually

- Increase the academic achievement of AI/AN students through improved literacy and mathematical skills of students in grades K-12 by three percent as measured by pre and post reading and math scores annually
- Increase the daily attendance rate of AI/AN students through the development of Memorandum of Agreement (MOA) with tribes impacted the most
- Increase appreciation and expression of cultures, languages, and heritage of AI/AN students' district wide

The Indian Education Department provides services that include:

- Reading and math intervention programs
- Navajo and Zuni language programs
- College and Career counseling
- Home to School and community liaisons
- Bilingual and Distinguished Service-Learning Seals
- Credit Recovery Programs
- Summer Enrichment Programs
- Back to school supplies
- Caps and gowns for graduating seniors
- A variety of field trips and other activities

### **Instructional Councils**

All APS schools have an Instructional Council (IC). ICs are established as part of a collaborative effort to improve and support the teaching and learning process in APS. Their intent is to allow the individuals, as elected representatives of a constituency, on each council to use their collective expertise and experience concerning their site and community to address school issues that fall within the scope of instructional improvement. ICs include teachers, administrators, and parent representative(s). Parents who have concerns about instructional policies (not individual teachers) can address their concerns to the IC.

### **Immunizations**

Immunizations protect children from serious illness and are required for attendance in APS. Studies show they are safe and effective in helping children stay healthy. The protection of vaccines far outweighs the small risk of serious complications. Most childhood vaccines are 90-99 percent effective in preventing disease. Each year the New Mexico Immunization Coalition determines immunization requirements for students attending school. These requirements may change from year to year and can be found on the New Mexico Department of Health website. New Mexico law allows for two types of exemptions for children seeking exemption from required immunizations to enter school. These two exemptions are medical or religious.

Parents must submit proof of current immunization to register for school. Parents who wish to exempt their child must submit an approved Certificate of Exemption Form to register their child. The exemption forms are valid for one school year and must be renewed prior to the beginning of each school year. Certificate of Exemption Forms can be found on the New Mexico Department of Health website.

### **Lockers**

Lockers are the property of the school and are used by students with the permission of the school. Lockers may be opened by a school official without the permission of the student or their parent/legal guardian. Students to whom lockers are assigned may face disciplinary consequences if the locker is found to contain alcohol, drugs, or other contraband.

### **Magnet Schools**

Albuquerque Public Schools knows when it comes to education, choice matters. Some students excel in traditional neighborhood schools; others crave a more intimate setting with focused areas of study. At APS, we have the right fit. APS magnet schools have themes focused around:

- Engineering the Future – Mission Avenue Elementary, Garfield Middle, and Valley High School



- Science, Technology, Engineering, and Mathematics (STEM) – Inez and San Antonito Elementary Schools
- International Baccalaureate – Sandia High School
- Arts Integration – Janet Kahn School of Integrated Arts (elementary school)
- Blended Learning – BlendEd (high school), eCademy (9-12) and eCademy K-8
- Multiple Paths to Graduation – Freedom, New Futures and School on Wheels (high schools)
- Early College High School – Early College Academy and College and Career High School
- Career Awareness and Readiness – Career Enrichment Center
- Project Based and Technology - Zuni Elementary School and Nex+Gen High School
- Dual Language – Coronado and Longfellow Elementary Schools and Hayes Middle School
- Family Schools – Coyote Willow and Desert Willow Family Schools
- Early Childhood – New Futures

## **Medications at School**

School nurses can administer medications to students who cannot administer their own medications during the instructional day. The student’s doctor and the parent/legal guardian shall submit an APS Provider Order and Medication Authorization form for the medication to be given during the instructional day. The forms are available on the APS website in Nursing Services and from the School Nurse at your child’s school. The school nurse can assist the parent/legal guardian in obtaining written authorization for a student’s needed medication. The information provided in the written authorization must match the label information on the medication container. This will ensure that the medication being taken is consistent with the medication authorized. The parent/legal guardian may come to school and administer the medication to their child until a written authorization can be secured for the school nurse. The parent/legal guardian and physician/provider may submit written consent for a student to self-administer their own medication without supervision.

Non-medically licensed school employees shall be trained to follow a specific procedure for administration of medication that assures students receive their medication in a safe and timely manner. This training shall be provided annually by the licensed school registered nurse.

Medication shall be stored in a locked medication cabinet in the health office. Exceptions shall be noted on the medication authorization form or the Individualized Healthcare Plan and shall pertain to medication that must be stored in a refrigerator or those carried by students.

- Emergency rescue medications will be stored unlocked during school hours to facilitate access to them in case of emergency need

APS school nurses and/or employees shall not administer non-FDA approved herbal and/or dietary supplements and essential oils regardless of delivery: orally, topically, or diffused. These substances do not have consistent and reliable United States Pharmacopeia (USP) formulation to ensure dose purity and consistency, are not regulated by the FDA, and a predictable dose calculation for herbal products has not been established in pediatrics. Administration of any medication shall not contradict the New Mexico Nurse Practice Act and federal law.

The district (including its employees and agents) shall not incur any liability against any and all claims, damages, causes of action or injuries incurred or resulting from the administration of the medication or as a result of any injury arising from the student’s transport, self-administration of medication or staff administration. The parent/legal guardian shall indemnify and hold harmless Albuquerque Public Schools (including its employees and agents) against any claim arising out of the administration of medication at school.

Please see the Procedural Directive “Administration of Medications at School” on the APS website for more information.



## Medical Cannabis

In accordance with New Mexico state law, students authorized as medical cannabis users may attend public school settings and be allowed administration of medical cannabis in a school setting. Under certain circumstances where it is necessary for a student to take medical cannabis during school hours, the district will cooperate with obtaining the required written certification to permit the parent/legal guardian to administer medical cannabis in a school building. The parent/legal guardian must administer the medical cannabis in a way that does not create disruptions to the educational environment or cause other students to be exposed to the medical cannabis. Students may not self-administer medical cannabis.

“Medical cannabis” means cannabis that is authorized for use by qualified patients in accordance with the provisions of the Lynn and Erin Compassionate Use Act and is in the form of a capsule, extract, or concentrate to be ingested through the mouth that:

- is recommended for treatment of a student’s debilitating medical condition as defined in the Lynn and Erin Compassionate Use Act in a written certification by a certified practitioner
- is dispensed by a cannabis producer that has received approval from the New Mexico Department of Health to conduct sales of medical cannabis; may be safely divided into measurable doses
- is not an aerosol product, consumable through smoking, or in particulate form as a vapor or by burning
- is not a food or beverage product
- is not a salve, balm, or other topical product
- does not require refrigerated storage
- is in a package or container clearly labeled with:
  - the student’s name and date of birth and the dosage allotment

Students using medical cannabis at school buildings must not drive a personal vehicle or park a vehicle on school or district property.

The student’s parent or legal guardian must submit a written release of liability on a form approved by the district.

**Please see the Procedural Directive “Administration of Medical Cannabis for Students in School” on the APS website, [www.aps.edu](http://www.aps.edu) for more information.**

## Next-Step Plans

The purpose of the Next Step Plan (NSP) is to involve pertinent people in each student’s life (the student, the student’s parents/guardians, school counselor, school advisor, and others as appropriate) who work collaboratively with the student in developing goals and plans that prepare the student for a prospective career and personal future. The NSP is a living, working document, reviewed, and updated annually, beginning in middle school and culminating in the 12<sup>th</sup> grade year in a transition plan for a post-secondary or career related future. Completion and revision of a NSP is a New Mexico Public Education Department graduation requirement.

## Office of Equity and Engagement

Albuquerque Public Schools is a culturally and linguistically responsive, diverse community committed to educational equity for all students. APS provides various levels of support and assistance to students, families, and schools that are appropriate to specific needs. APS students deserve respectful learning environments in which their diversity in all areas of disaggregation is valued and contributes to successful academic outcomes through equitable decisions by the district. APS is committed to culturally responsive curriculum and training, an equity-centered focus, an asset-based approach and intersectionality. For more information please see the APS website at <https://www.aps.edu/office-of-equity-and-engagement> .

## Parent Resource and Engagement Program

The Parent Resources and Engagement Program (PREP) recognizes the importance of parent participation! Parents and guardians are the best advocates for their child, and we want to empower you so that you can support your child. APS encourages parents to participate in parent workshops and/or a Parent Advisory Council. Please see the AP website at <https://www.aps.edu/special-education/parent-resource-and-engagement-program-prep/prep-events> for upcoming activities.

## Parent/Legal Guardian Teacher Conferences

Parents/legal guardians are encouraged to contact the school to arrange a conference with their student's teacher(s) whenever they have a concern or would like more information about their student's performance in school. Conferences must be scheduled in advance. Parents can bring an advocate of their choice with them to discuss academic or disciplinary concerns.

Each school also has specific days set-aside for Parent-Teacher Conferences. Parents are encouraged to attend these conferences to see how their students are doing in school and to support the student in their presentation.

## Parent Teacher Organizations

Most schools have a Parent Teacher Organization (PTO) or a Parent Teacher Association (PTA). Through these groups parents and teachers organize initiatives and activities to enhance the school environment and improve student success. Most organizations meet once a month. Please contact your school for more information.

## Physical Restraint Law

In order to provide safe and effective interventions with students who are demonstrating dangerous behaviors, physical restraint may be necessary at times. Physical restraint is the use of physical force without the use of any device or material that restricts the free movement of all or a portion of a student's body, but "physical restraint" does not include physical escort.

### 22-5-4.12. Use of restraint and seclusion; techniques; requirements

- A. A school may permit the use of restraint or seclusion techniques on any student only if both of the following apply:
  - (1) The student's behavior presents an imminent danger of serious physical harm to the student or others
  - (2) Less restrictive interventions appear insufficient to mitigate the imminent danger of serious physical harm
- B. If a restraint or seclusion technique is used on a student:
  - (1) School employees shall maintain continuous visual observation and monitoring of the student while the restraint or seclusion technique is in use
  - (2) The restraint or seclusion technique shall end when the student's behavior no longer presents an imminent danger of serious physical harm to the student or others
  - (3) The restraint or seclusion technique shall be used only by school employees who are trained in the safe and effective use of restraint or seclusion techniques unless an emergency situation does not allow sufficient time to summon those trained school employees
  - (4) The restraint technique employed shall not impede the student's ability to breathe or speak; and
  - (5) The restraint techniques shall not be out of proportion to the student's age or physical condition

Any time a physical restraint occurs, school authorities should provide the student's parent/legal guardian with written or oral notice on the same day the incident occurred unless circumstances prevent same-day notification followed by a written report of the incident completed on the appropriate district form within a reasonable time. APS staff should follow all APS Policies and Procedures with regard to student safety. A hierarchy of non-physical interventions must be used prior to the initiation of physical restraint, except in emergency situations. Chokeholds will not be used in APS.

## Refugee and Newcomer Support Program

The APS Refugee and Newcomer Support Program (RNSP) operates in several schools. Staff are available to assist families navigating the school system, connecting them with local community organizations and helping students in their classrooms. The staff speak over a dozen languages, providing support for schools, families, and students. Three Refugee Case Managers work at the district level and provide support to schools as needed. Refugee Case Managers are multi-lingual in the languages most-commonly spoken by refugee families in Albuquerque. RSNP can support schools by providing trainings, supporting communication with refugee communities, support with parent meetings, IEPs/SAT and more. For questions or to request support, please contact the program manager, Brandon Baca at [brandon.baca@aps.edu](mailto:brandon.baca@aps.edu) or (505) 803-7781. The Refugee and Newcomer Support Program provides additional supports such as Newcomer Specialists and Newcomer Teachers to schools with the highest number of refugee students such as La Mesa ES, Van Buren MS, Highland HS, and Del Norte HS.

## Restrooms

- Students have the right to use the restroom facilities at any time with the permission of their teacher. Teachers should not deny a student request unless there is a pattern of misuse of restroom requests at which time the teacher may make parent contact to discuss the issue.
- Students should not congregate in the restroom
- School authorities may enter the restroom facilities at any time to check the facility for health, safety, and/or housekeeping. School authorities should announce they are entering the facility prior to their entrance.
- Students shall have access to the restroom that corresponds to their gender identity at school

## School Safety

APS is committed to providing a safe, secure, and respectful learning environment for students, staff, families, and visitors to our schools. All schools have site safety plans specific to their location, which include detailed instructions for a host of possible emergency situations.

- Schools are required to conduct safety drills periodically
- Schools are required to practice fire, shelter-in-place and evacuation drills that include preparation to respond to an active shooter during the school year
- School safety plans are reviewed annually and include site and school-specific instructions relevant to each school, depending on the design and layout of the building(s)
- Albuquerque Public Schools Police Department (APSPD) have school resource officers and security officers assigned to many of our schools and have field officers who respond to incidences at all sites
- APSPD works closely with the Albuquerque Police Department and the Bernalillo County Sheriff's Office
- Visitors to our schools are required to check in at the front office and wear a visitor's badge while on campus
- Schools use a variety of security systems including systems that take a picture of the visitor and prints the visitor's picture in the badge for additional security.
- Volunteers and providers at a school must have a current APS background check clearance
- Visits to classrooms must be arranged 24 hours in advance, should be limited to 20 minutes, and parents/legal guardians may only visit classrooms where their children are enrolled
- Visitors/Guests/Volunteers visiting a classroom who disrupt the educational process will be asked to leave the school campus
- Parents serving as chaperones on activity/field trips must have a background clearance
- Students, staff, parents/guardians, and visitors are expected to be responsive and follow the directions of all APS personnel and public safety responders
- All schools and most busses have security cameras
- Any time a student or staff member sees a suspicious person on campus or encounters a person who is being disruptive, they are asked to contact a police officer, safety officer or an administrator
- Every threat or rumor of a threat to students, staff or schools is taken seriously. Immediate investigations are conducted, and disciplinary action is taken, if necessary
- Anyone who hears of a possible threat to a school is encouraged to contact school administration or police. The APSPD can be reached at 505-243-7712

We all have a role to play in ensuring our schools continue to be a safe place for learning, and it is incumbent on all of us to be vigilant and supportive of one another. If you see something, say something.

## **Section 504 Services**

Section 504 is a federal civil rights statute under the jurisdiction of the Rehabilitation Act of 1973. Section 504 is designed to provide equal access and fairness in general education to students with disabilities, thereby leveling the playing field for them through what is known as a Section 504 Accommodation Plan. It is not a plan designed to enhance a student's performance. Its purpose is to ensure equal access to the programs, benefits, and activities that APS offers.

Section 504 provides protections against discrimination for individuals on the basis of a disability. Students in school settings fall under the protection of Section 504 which prohibits discrimination on the basis of disability from all school programs, benefits, and activities. It may be a service option available to students with disabilities who have been evaluated and met Section 504 identification criteria.

For students not receiving special education services but have an impairment that substantially limits major life activities such as caring for oneself, learning, seeing, hearing, speaking, breathing, and working, Section 504 ensures, that upon request, a committee will determine a student's 504 plan eligibility. If your student is determined to be eligible, accommodations can be provided to help the student access their educational program.

For students receiving special education services for a disability, Section 504 ensures these students are not subject to discrimination based on their disability. This means students with disabilities should have access to the education programs relevant and appropriate to that student.

Students who qualify for Section 504 accommodations do not automatically qualify for special education services under IDEA and students who qualify for special education services under IDEA do not automatically qualify for Section 504 accommodations.

### **How does the 504 process work?**

- Parents or school staff may request a 504 planning conference
- Parents are notified in writing of the date, time, and place of the 504 planning meeting
- Information is gathered for review of the conference to determine eligibility. Parents may wish to bring information to the conference.
- The meeting participants review the information and determine if the student meets the 504 plan eligibility criteria
- If the student is eligible, a written 504 plan is completed with input from the parent(s), school staff and when appropriate, the student
- If the student is found not to be eligible for a 504 plan, the student may be referred to the school's Student Assistance Team (SAT)
- The SAT may work with your child's teacher, nurse, or other staff to create a school health plan, a behavior plan, or an academic improvement plan that will help to ensure your child is successful in accessing the educational program at the school
- If a 504 plan is developed for your student, that plan will be reviewed at least annually to ensure that your student still needs the plan or that the plan is meeting your student's need
- If, at any time, a student's condition changes or the parent/legal guardian believes a change is needed in the plan, the parent/legal guardian may request a new planning meeting

### **What to do if parent/legal guardians believe the 504 plan is not being followed?**

If a parent/legal guardian believes that part of the 504 plan is not being followed, they may make a report and

request a meeting to review the plan. If after the meeting, a parent/legal guardian does not feel the problem was resolved they may:

- Parents may request mediation between themselves and the school staff to resolve the situation informally. This request should be made to the principal.
- If parents are not satisfied with the informal resolution, they may request a due process hearing. That hearing is a formal process with the district-appointed 504 Hearing Officer. The hearing will provide opportunity for participation by the parent, students, and their representative or legal counsel.
- Parents may also file a complaint directly with the Office for Civil Rights

### Does every student with a disability/impairment require a 504 plan?

No. A student may have a health plan or a behavior plan instead of a 504 plan. These plans are written documents describing what accommodations will be provided by teachers, nurses, counselors, or other school staff. They are reviewed periodically and may be updated or changed if at any time the parents/guardians, students, or staff believes other accommodations are required. These plans are developed with parents/guardians and students, and changes are only made with parent/legal guardian communication and agreement. Section 504 applies only if the impairment substantially limits a major life activity. APS encourages school personnel, parents/guardians, and students to work cooperatively to avoid getting mired down in definitional disputes, and focus on ensuring that the student is able to equally access the programs, benefits and services that APS offers, regardless of whether through a health plan, behavior plan, Section 504 plan or process.

### Where can a parent/legal guardian ask about a 504 plan?

Questions about how to develop a 504 plan for a student or concerns about equitable treatment of a special education student, start with the student's principal, counselor, or teacher. The principal may refer the parent/legal guardian to the school counselor or the chair of the SAT.

The principal may request that the district 504 coordinator attend and participate in a 504-planning meeting or to be involved in the mediation. The district 504 coordinator is charged with ensuring that school staffs understand the requirements of Section 504 and helps to ensure that these requirements are implemented. The district 504 coordinator may serve as an impartial third party to help with planning or mediation. Parents/guardians may request that the district 504 coordinator attend a planning meeting.

If a parent/legal guardian feels that the staff at your child's school has not adequately responded to a request, the parent/legal guardian may contact the APS Student, Parent, Employee Service Center at (505) 855-9040 or [servicecenter@aps.edu](mailto:servicecenter@aps.edu). The APS Student, Parent, Employee Service Center will give direction on how to address the concerns or will connect the parent/legal guardian with the district 504 coordinator for support.

Any student, visitor or staff that is having difficulty with building access, due to a physical barrier should immediately report these concerns to a school administrator. APS Facilities, Design, and Construction will work to remove barriers and provide access to the area/program in accordance with the American with Disabilities Act (ADA).

## Special Education Services

Albuquerque Public Schools shall provide a free appropriate public education for all students with disabilities, complying with the Individuals with Disabilities Act, its implementing regulations, and state regulations pursuant to 20 U.S.C. Section 1412. The APS Special Education Department is committed to:

- Serving students according to individualized need(s)
- Ensuring quality of access to educational services regardless of where the student lives in the city
- Using evidence-based practices for all students
- Meeting our students' needs in their own communities

Services provided for eligible students include:

- Deaf or Hard of Hearing
- Development Preschool
- District Comprehensive Support
- Extended School Year
- Gifted Education
- Related Services
- Transition Services
- Visual Impairment

For more information, please see the APS website at <https://www.aps.edu/special-education> .

## **Student Assistance Team**

Each school has a Student Assistance Team (SAT) whose purpose is to support the progress of students struggling with the general education curriculum despite the use of differentiated instruction and universal interventions. In conjunction with the student's parents/guardians the SAT develops interventions for students who are not responding to the core instructional program in the general education environment. These interventions may include supplemental, strategic, and individualized supports. The SAT process works independently and in coordination with the IEP referral process. Parents may request a SAT referral by contacting their student's teacher or counselor. SAT referrals may also be initiated by school personnel.

## **Student Drop Off/Pick Up**

It is not safe to drop off children more than fifteen (15) minutes before school or to leave them for more than fifteen (15) minutes after the school day ends.

- Parents must not leave their children on a school campus longer than fifteen (15) minutes either before or after the school day
- School grounds are not supervised outside the school day
- Parents/guardians are expected to follow the school's policy or procedure for drop off/pick up
- If extenuating circumstances prevent a family from picking up a student on time, the school must be notified at least fifteen (15) minutes before the end of the school day
- If students are repeatedly left on campus outside the school day hours, an administrator will attempt to contact the family to discuss and resolve the issue
- If a child is often left on school grounds during unsupervised times, school staff may provide parents/guardians with information on before/after school programs in the area
- Schools are required to contact law enforcement if a child is left on school grounds during unsupervised times and the parent/legal guardian cannot be reached
- APS schools will do their best to abide by parenting plans provided to them but are not responsible to enforce specific pick-up days
- Any safety issues or concerns should be expressed to the school principal. The school principal will then contact APS Maintenance and Operations for assistance.

## **Student Government**

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

Each middle and high school will establish an elected student government with membership open to all students. The student government will establish reasonable standards for candidates for office as outlined by the New Mexico Activities Association (NMAA). All students shall be allowed to vote in elections designed to promote careful consideration of the candidates and issues. The responsibilities of the student government shall be subject

to the regulations of the School Board and shall include but are not limited to:

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

### **Student Records\***

Student Records kept by the Albuquerque Public Schools will be open to review by parents/guardians and/or students and will be treated in a confidential manner, as prescribed by APS Board of Education (BOE) policy, New Mexico Public Education Department (NMPED) regulations, and the Family Educational Records and Privacy Act (FERPA). Records are kept for differing amounts of time based on the guidelines from the APS BOE, NMPED and FERPA.

APS maintains the following education records directly related to students:

- Academic records
- Attendance records
- Disciplinary records
- Health records
- Personal information records
- Progress/grade records
- Standardized testing records

APS policy regarding records states that:

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

Access to education records is limited to:

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

\*For more information, see the FERPA section of this handbook

## STUDENT RECORDS DIRECTORY INFORMATION

Student Directory Information includes a student's name, mailing address, phone number and grade level. Student Directory Information may be released without prior consent unless the parent/legal guardian or the student (over the age of 18) informs the district within a reasonable period of time that any or all the information should not be released. Parents/guardians may choose to have their student's information removed from any of the following lists: military recruiter lists, college/university lists, or other requested lists. Parents can exempt their children from Directory Information during the enrollment process, through online registration or while completing registration at the school.

## Technology

The Albuquerque Public School District provides technology resources to its students for educational purposes. The goal of providing these resources is to promote educational excellence.

Proper behavior, as it relates to the use of computers, is no different from the proper behavior in all other aspects of APS activities.

All users are expected to use computers and computer networks in a responsible, ethical, and polite manner.

Violation of this policy may result to school disciplinary action.

Students are expected to comply with the Student Internet Acceptable Use Policy, as set out above and in the J18 Acceptable Student Use of Educational Technology.

## Student Use of Personal Electronic Devices

- Personal electronic devices include but are not limited to cell phones, small watches, laptops, and tablets
- Students who possess a personal electronic device are solely responsible for its care. The school/district is not responsible for damage, loss, or theft
- Student possession of personal electronic devices on school campuses, busses, or school activities is permitted
- Students may use devices before and after school as determined by the school administration
- Students may have devices on in the following circumstances with the permission of school administration
  - Special medical circumstances for student or family member
  - Using the device for an educational or instructional purpose
- Student electronic devices that are not used for educational or instructional purpose shall be kept powered off and out of sight during the school day, during any school sponsored activity and during practices held on APS property
- Students may use devices before and after school as determined by the school administration. High School students may use devices during lunch as determined by the school administration
- Student use of personal electronic devices that disrupt the instructional day may result in disciplinary action and/or confiscation of the personal device. When a personal device is confiscated, it shall only be released and/or returned to the student's parent/legal guardian. It is the parent's/legal guardian's responsibility to retrieve the device according to school procedures. Each school will have specific procedures when a device is confiscated.
- Students using personal electronic devices at appropriate times should follow common courtesies such as not taking photographs of others without their permission or posting photographs of others on social media without their permission and putting phones away when speaking to others

## Textbooks and Instructional Materials, including School Issued Devices

Textbooks and other instructional materials aligned to the curricular standards are an important component of the instructional program. APS is committed to providing textbooks and instructional materials that are appropriate for a student's age and ability level.

- APS schools provide textbooks on loan to students
- Textbooks are generally checked out to students at the beginning of the academic year or upon enrollment



- Students are responsible for the textbooks or other instructional materials, including electronic devices checked out to them
- Students are expected to return textbooks and other instructional materials in good condition, allowing for normal wear at the end of the school year or when a student withdraws from school
- Fees/fines will be charged for textbooks and other instructional materials, including electronic devices not returned, lost, and/or damaged
- Fees/fines will be tracked throughout a student's academic career

## **Title IX of the Educational Amendments of 1972**

Title IX Educational Amendments Acts of 1972 is a federal law that states: "No person in the United States shall on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance." If there is belief that students, parents, or employees have encountered discrimination or feel that their Title IX rights have been violated, please reference the APS Office of Equal Opportunity Services (OEOS) link listed below, Handbook for Student Success, or any administrative office.

Discrimination and Harassment Based on Gender, Sexual Orientation or Pregnancy (Title IX):

Discrimination and harassing behavior based on gender, sexual orientation, or pregnancy violate federal and/or state civil rights law and deny equal educational opportunities for all students. Discrimination may occur when an individual or individuals are treated differently specifically because of his/her/their gender, sexual orientation or pregnancy with respect to APS programs or activities. Additionally, unintended behavior or action that ultimately results in treating a group differently because of their gender, sexual orientation or pregnancy may be a form of gender discrimination. Other prohibited behaviors can include: making comments, name-calling, physical conduct or other expressive behavior directed at an individual or groups on the basis of gender, sexual orientation or pregnancy. Discriminatory and harassing behavior creates a demeaning, intimidating and hostile educational school environment.

Sexual Harassment/Bullying is a form of gender-based harassment that is considered a misuse of power. Examples of possible sexual harassment are: unwelcome pressure for sexual activity; unwelcome, sexually motivated or inappropriate physical contact, unwelcome verbal or written words or symbols directed at an individual because of gender (whether that gender is the same as the harasser or aimed at a different gender); and the use of authority to coerce sexual favors or behavior toward another student(s) makes him/her/their actions to be offensive.

Additionally, retaliatory harassment is when any adverse educational action is taken against a person because of the person's participation in a complaint or investigation of discrimination or sexual misconduct. This may include retaliation against a reporting party by the responding party or responding party's friends. It may also include retaliation directed toward a third party because of that party's participation in a grievance process of for supporting a grievance.

## **Sexual Violence**

Sexual violence is a broad term and includes conduct that is criminal in nature such as rape, sexual assault, stalking, child sexual abuse, sexual exploitation, human trafficking, unwanted sexual contact, sexual harassment, exposure, and similar offenses. Although sexual violence may also be considered sexual harassment, criminal sexual violence against students within the district's jurisdiction needs to be reported to the APS Police Department and the district's Title IX Director in the Office of Equal Opportunity Services (OEOS). The initiation of criminal complaint does not mitigate the district's obligation to complete a prompt and equitable resolution of every complaint alleging sex discrimination.

## Training

APS is committed to effectively train its APS personnel who implement the Title IX procedures, to take appropriate action to eliminate sexual harassment, sexual violence, prevent its recurrence and to address and correct its discriminatory effect as promptly and thoroughly as possible.

### Reporting and Compliant Procedures for Title IX

Student(s), parent(s) or legal guardian(s) who believe his/her/their student has been subjected to an alleged Title IX discrimination and/or harassment by a student, teacher, administrator or other schools personnel or third parties in an education program or activity, should report the incident(s) immediately to a school administrator such as a principal, assistant principal and/or dean of students. Individuals may also report to a school staff member such as a teacher or counselor. They may also directly report to the APS Office of Equal Opportunity or any civil rights entities such as New Mexico Human Rights Division.

Examples of third parties include audiences and competitors at inter-district athletic competitions, service contractors, school visitors and employees and businesses or organizations participating in cooperative work or school programs with the district in relation to the incident(s) at issue.

All APS employees who have actual knowledge of a Title IX discrimination and/or harassment toward a student(s), whether by witnessing the incident or being told of it, must report to their immediate supervisor, the school's Title IX Coordinator, or to the Office of Equal Opportunity Services, Title IX Director. This reporting obligation is in addition to a school's employee's reporting obligations to appropriate officials pursuant to law and APS Procedural Directive G Personnel: Reporting Child Abuse, Neglect or Educational Neglect, when the employee has a reasonable belief that a student is being sexually abused or subjected to other forms of abuse and neglect prohibited by law.

School official(s) who are received a Title IX complaint from a student(s), parent(s), legal guardian(s), employee(s) or third parties must report the alleged allegation(s) to the school's Title IX Coordinator or a school administrator such as a principal, assistant principal and/or dean of students. This school administrator will then report the incident(s) to the Office of Equal Opportunities Services, Title IX Director.

## Responsibility

When the district becomes informed of actual knowledge of an alleged Title IX harassment or discrimination, it is obligated by law to take prompt and appropriate action. The Office of Equal Opportunity Service, Title IX Director, shall oversee that an adequate, reliable and impartial investigation of the complaint is conducted by an investigator at the school site and/or where the alleged discrimination occurred.

These procedures shall be available in every school site administrative office, posted on the district website, and included in the student handbooks.

## Pregnancy

Regulations promulgated pursuant to Title IX prohibit discrimination against pregnant or parenting teens. Pregnant teens:

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

## Pregnant/Parenting Student Absence Excusals

APS shall permit ten (10) days of excused medical absences for a student who provides documentation of the birth of the student’s child and parentage. APS shall provide additional excused absence to a student after the birth of the student’s child if deemed medically necessary by the student’s physician. Further days of excused medical absence may be granted depending on the circumstances. In addition, pregnant/parenting students of a child under the age of thirteen shall be permitted four (4) days of excused absences for a child needing care upon the provision of proper documentation.

## Violation of Student Rights

- Students who believe that their rights been violated should report 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 Student, Parent, Employee Service Center at (505) 855-9040 or [servicecenter@aps.edu](mailto:servicecenter@aps.edu)
- For additional information, please see “What to do if you believe that your rights have been violated” in the OEOS section of this handbook

For more information about Title IX, please see the APS website at <https://www.aps.edu/about-us/policies-and-procedural-directives/procedural-directives/j-students/gender-discrimination-and-sexual-harassment-students> .

Title IX complaints by students/parents/employees filing an internal complaint can be filed at:

Office of Equal Opportunity Services  
 Title IX Director  
 APS, 6400 Uptown Blvd, NE, Suite 510W  
 Albuquerque, NM  
 (505) 855-9831  
[eooffice@aps.edu](mailto:eooffice@aps.edu)

**OR**

Students/Parents/Employees filing a complaint through a human rights agency:

<p><b>US Department of Education, Office for Civil Rights</b></p>	<p><b>State of New Mexico, Department of Labor Human Rights Division</b></p>
<p>1244 Speer Blvd., Suite 310                  Denver, CO 80204-3582                  (303) 844-5695  <a href="mailto:OCR.Denver@ed.gov">OCR.Denver@ed.gov</a></p>	<p>1596 Pacheco St                  Santa Fe M 87502                  Phone: (505) 827-6838 or (800) 566-9471  <a href="https://www.dws.state.nm.us/Human-Right-Information">https://www.dws.state.nm.us/Human-Right-Information</a></p>

## Transportation

Albuquerque Public Schools Student Transportation Services safely transports more than 40,000 students to and from school, averaging 34,000 miles daily, with an annual mileage of 5,689,823. That is equal to traveling 1.37 times around the circumference of the earth every day!

Bus transportation is provided based on the distance from the student’s school of residence to their home.

- High school students who live more than two (2) miles from their school of residence
- Middle school students who live more than one and one half (1.5) miles from their school of residence
- K-8 school students who live more than one and one half (1.5) miles from their school of residence
- Elementary school students who live more than one (1) mile from their school of residence
- Students on an approved transfer must provide their own transportation to their transfer school

Student safety comes first! Albuquerque Public Schools, students, and parents all bear responsibility of ensuring that bus transportation to and from school remains safe. Working together, recognizing, and understanding everyone's responsibilities will help the district and families keep the busses running smoothly. The rules apply to field trips and activities as well as regular school transportation.

- Riding the school bus is a privilege
- Students will be picked up and dropped off only at their assigned stops. Bus drivers cannot accept notes or messages authorizing them to drop off students at a point other than the student's regular stop.
- Parents must be present to meet kindergarten students or provide prior written approval to allow the kindergarten student to go home with an older sibling or be left unattended
- The bus driver will assign seats to the students
- Middle and high school students are required to show their school ID cards upon request
- The school bus will leave the school bus loading zone seven minutes after the bell rings in the afternoon

For more information, see the APS website at [www.aps.edu/student-transportation-services](http://www.aps.edu/student-transportation-services)

### **Visitors, Volunteers and Guests on Campus**

APS encourages parents and community members to visit and volunteer in our schools.

- Parents/legal guardians on campus during the school day need to check in at the main office and wear a visitor or volunteer nametag throughout their time on campus
- Visits to classrooms should be arranged 24 hours prior to the visit, should be limited to twenty (20) minutes, and parents/legal guardians may only visit classrooms where their child is enrolled
- Visitors/Guests/Volunteers visiting a classroom who disrupt the educational process will be asked to leave the school campus
- Parents serving as chaperones on activity/field trips must have a background clearance
- Public health orders may require limiting or denial of visitors to campuses

Students under the age of eighteen (18) must have their parent's/legal guardian's written permission to volunteer and to obtain a volunteer clearance. APS students over the age of thirteen (13) who volunteer in any school program must meet all criteria for volunteering, including all volunteer screening requirements.

The guidelines for volunteers, visitors, and guests on campus are listed below.

- Visitor/Guest – occasionally visits a school for a short period of time to observe a class or activity. This does not require a background clearance.
- Supervised Volunteer – a volunteer who is always in line of sight of district personnel and is never alone with a student. This requires a general volunteer background clearance.
- Unsupervised Volunteer – a volunteer who may conduct functions that lead them to have unsupervised access to students at any point for any amount of time and anyone volunteering for a before/after school program. This requires an FBI background clearance.

For more information or to begin the background clearance process, please refer to the APS website at [www.aps.edu](http://www.aps.edu).

### **Whistleblower Procedures**

APS maintains an anonymous whistleblower service through which any individual may file a concern or complaint regarding the district. Concerns should be reported for any suspected unethical behavior including, but not limited to, accounting/audit irregularities, fraud, theft, embezzlement, conflict of interest, improper use of district resources or information, unsafe workplace, falsification of documents, unethical business practice, harassment, discrimination, substance abuse, vandalism, or violation of district policy or procedural directive. Concerns will be investigated regarding any school or department and will include APS Police if it is of a criminal nature. Concerns can be filed at <https://aps.ethicaladvocate.com> or 877-395-2782.

# Parent/legal guardian and Student Resources

## Communicating with Your Student's School

- Keep your contact information up to date at the school, including but not limited to, emergency contacts, change of address or phone numbers, and medical information
- Be sure to inform the school of any special healthcare needs the student may have, including the need for medication during the school day
- Complete the required paperwork for any medication sent to school with your student
- Maintain regular communication with your child's teachers, school administrators and other school staff members
- Stay informed of your student's ongoing scholastic achievement and progress and advocate for your student's learning needs
- Sign up for and use ParentVue to get information about your student's attendance, assignments, grades and more
- Sign up for and use MySchoolBucks to manage your student's meal account and use the YumYummi App for school menus, nutrition, and allergen information
- Familiarize yourself with the sick day guidelines on the APS Nursing Services website
- Use the Peachjar App for current events and information from your child's school

## Communication Tips

If you have concerns about your student's academic performance, behavior, or anything else related to school, do not hesitate to reach out to the school. Parents/guardians, teachers, counselors, and administrators all want our students to perform at their best and enjoy school. To get assistance or resolve issues please follow the steps below.

- ✓ Discuss your concern with the teacher, counselor, or nurse. Concerns or misunderstandings can often be resolved with a personal conversation.
- ✓ Some issues may not be able to be resolved at the staff level. If not, contact your student's assistant principal or principal for further assistance.
- ✓ If the issue has not been resolved with school administration, contact the APS Student, Parent/legal guardian, Employee Service Center at 955-9040 or [servicecenter@aps.edu](mailto:servicecenter@aps.edu). District staff will review the situation with you and work with you on solutions.

Remember to model appropriate behavior. Our children are important to us and we can become emotional when discussing issues related to them, but we need to remember that they learn from us. Yelling, cursing, using inappropriate language, intimidation, or name calling does not solve a problem. Calmly discussing your concerns in a respectful and courteous manner is the most effective way to communicate and resolve issues.

## Child Find

The purpose of Child Find is to identify, locate, and evaluate children between the ages of three (3) and twenty-one (21) who are suspected of, or have a disability or developmental delay. APS offers comprehensive services to children between the ages of three (3) and twenty-one (21) through our Special Education programs to provide a Free, Appropriate Public Education (FAPE). Please contact your local school or the district for more information.

## ParentVue and StudentVue

ParentVue and StudentVue are the APS student information systems that provide private, secure access to school and student information. It is an easy to use tool for registration, checking grades, assignments, attendance, calendars, and teachers. Parents need only one account for all their APS students. Each parent can have their own account. Please see the APS website at <https://www.aps.edu/students-parents/parentvue-studentvue> for more information.

### **MySchoolBucks and YumYummi menus**

Sign up for and use MySchoolBucks to manage your child's meal account and use the YumYummi App for school menus, nutrition and allergen information. Please see the APS website at <https://www.aps.edu/food-and-nutrition-services> for more information.

### **Peachjar**

Use the Peachjar App for current events and information from your child's school.

### **School Messenger**

School Messenger is used to notify families and staff of important district information as well as specific school information. Messages may come in the form of calls, text notifications, and/or email. Parents/guardians are automatically enrolled in the system.

# Student Code of Conduct

School is a place to learn and to be part of a community. If a student is behaving in a way that does not allow other students to learn, school staff will need to intervene with the student. Students, whether receiving general or special education services, may need to receive interventions for disruptive behavior. Acts of misconduct are subject to disciplinary action by appropriate school personnel. Unacceptable conduct is defined as whether or not it disrupts or has the potential to disrupt the educational process. Consequences will result for cases such as bullying, fighting, harassment, inappropriate use of electronic devices, use or possession of controlled substances, or other forms of disrupting the educational process or violations of laws, rules, or regulations.

## School District Authority and Jurisdiction

The provisions in the Handbook for Student Success are in effect:

- During regular school hours and/or on any 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

Additionally, the principal, any public school official or designated chaperone is authorized to take administrative action when a student's conduct away from school during a school activity may have a detrimental effect on the student, 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 their best judgement with respect to a particular situation.

## Restorative Practices

Restorative Practices are a shift from traditional rule-based punitive discipline systems to a system that focuses on building, maintaining, and when necessary, repairing relationships among all members of a school community. The restorative approach is a set of guiding principles, which includes respect, relationships, responsibility, repair, and reintegration practices for the school community, which sees relationships as central to learning and the development of an inclusive, respectful and safe culture.

All members of a school community bring with them diverse abilities, talents, viewpoints, and family and cultural backgrounds. These differences can be a source of great energy and strength when members of the community value and respect one another. Using restorative practices to foster positive interpersonal and intergroup relations and to address inappropriate behavior when it occurs is a cornerstone of a progressive approach to discipline.

Restorative Practices give priority to repairing harm done to individuals and school communities and providing student accountability by assuming responsibility and taking action to repair the harm they caused. It aims to keep students in school and to create a safe environment where learning can flourish.

## Student Rights and Responsibilities

### Educational Opportunity

- A free public-school education shall be available to every school-aged person, and each student who enrolls has a corresponding responsibility not to deny this right to any other student
- Albuquerque Public Schools affords all students equal educational opportunities, as well as, equal opportunities to participate in extracurricular activities

- APS policy prohibits discrimination and harassment on the basis of ethnic identity, religion, race, color, national origin, sex, sexual orientation, gender identity, mental or physical disability, marital status, or pregnancy in any program or activity sponsored by the school district
- If a parent/legal guardian has concerns regarding their student's education or school or feel their student's rights have been violated, you may contact the APS Student, Parent, Employee Service Center at 505-855-9040, [servicecenter@aps.edu](mailto:servicecenter@aps.edu), or 6400 Uptown Blvd. NE, Suite 100W
- A grievance procedure is available under the provisions of this handbook in the section "Office of Equal Opportunity Services"

## Expression and Association

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

## Publications

Students shall be allowed to distribute political leaflets, newspapers, and other literature on school premises, at specific times and places. Such publications shall be submitted to the principal or designee for prior review. Student publications shall be submitted to the principal or designee for prior review.

## Controversial Issues

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

## School/Student Disciplinary Procedures

All APS schools use progressive discipline practices for student misbehavior. Progressive discipline means disciplinary action other than suspension or expulsion from school that is designed to correct and address the basic causes of a student's misbehavior while retaining the student in class or school, or restorative school practices to repair the harm done to others as a result of the student's misbehavior. Progressive discipline may include parent/legal guardian conferences, reflective activities, counseling, social-emotional cognitive skills building, resolution circles, restorative conferencing, mediation, community service, lunch detention, in-school detention or suspension, after-school detention, or Saturday detention.

Disciplinary consequences will be appropriate for a student's age, ability level, and severity of behavior. Out-of-school suspension will be used in cases of significant behavior violations.

Class grades shall not be reduced because of unacceptable conduct or disciplinary action. Grades shall not be reduced as a direct penalty for inappropriate behavior.

## Contracts

- Student commits to more positive behavior in the form of a written contract
- Terms of the contract will be determined by the principal or designee
- Student may be assigned school or community service
- Not honoring the conditions of the contract will result in continuing progressive discipline up to and including long-term suspension

## Referrals

- Student may be referred to the school counselor, Student Assistance Team, School Health and Wellness Team, or the School Safety Team
- Student and school authority may call parent/legal guardian to discuss problems and solutions



- Student may be referred to a peer jury as designed by the school, but only upon student's waiver of educational records privacy rights
- Each school has a Health and Wellness Team (H/WT) whose goal is to help reduce students' barriers to learning and provide integrated health supports to students and their families. Parents/legal guardians or staff members may make referrals. Parents/legal guardians not wanting their child to receive support from the school's H/WT should submit a written request to the school principal to convey that information
- Students and/or parents/guardians may be referred to and required to attend the Parent Involvement Program (PIP), Crossroads Program, Tobacco Intervention Program, or other appropriate intervention programs as an alternative to suspension
- Student may be referred to the Student Safety Team (SST) to address concerns regarding threats and to make informed decisions on how to manage threats and ensure safety of all students and staff. Each school's SST may include members of the Health and Wellness Team, an administrator, and staff member who has information about the student. Every threat is taken seriously. Situations that may warrant conducting an SST meeting include verbal and/or physical threats to do harm, threats of use or involvement with weapons or explosives, and any other concerns to be determined at the discretion for the administrator.
- A Functional Behavior Assessment (FBA) and Behavior Intervention Plan (BIP) may be used to identify and address behaviors that are impeding education
- Students may be formally referred for legal action

## Removal from Class

- Student may be removed from class or activity but remain at school pending a conference with appropriate school personnel. Parents/guardians must be informed.
- Student may be placed in an alternative educational setting until satisfactory resolution is reached. Parents/guardians must be informed.
- The authority of the schools is to supervise and control the conduct of students and includes the authority to impose reasonable periods of detention during the school day or outside normal school hours, as disciplinary measures
- Reasonable periods of detention may be imposed with the procedures for temporary suspension

## Disciplinary Investigations

### Questioning a Student

- If APS personnel, school resource officers, or APS police authorities desire to question a student beyond a preliminary investigation on school premises regarding an alleged suspected criminal act by the student, the school authorities shall attempt to contact the parent/legal guardian. If a parent/legal guardian cannot be contacted, the minor child shall be advised verbally and in writing that it is their right not to speak to any official without the presence of their parent(s)/guardian(s) or an attorney.
- Except for a case of emergency, danger to the student or others, or flight risk, if outside police authorities, not assigned to an APS school, desire to question a student on school premises, the principal must contact the APS Police Department to verify the need to question the student on campus
- A school administrator or designee must immediately make a good faith effort to notify the parent/legal guardian of a student if the student has been removed from campus by law enforcement authorities

### Search of Person, Vehicle, or Locker

- Vehicle Searches – Search of a student's vehicle while parked on school property may be conducted only if a certified school employee, school security officer, campus security aide, or school bus driver have reasonable suspicion that a crime or breach of the disciplinary code is being committed by the student
- Physical Searches – Search of a student's person or property may be conducted only when there is reasonable suspicion that the student being searched has committed a crime or breach of the disciplinary code
  - Searches such as emptying of pockets, searches of student backpacks and purses, removal of hats, socks, and shoes may be conducted by any certified school employee, school security officer, or campus security aide

- More intrusive searches such as pat downs and frisks may only be conducted by an authorized person (principal or designee) of the same gender as the student being searched and in the presence of another person of the same gender
- The most intrusive searches include removal of clothing, such as lowering clothing or inspecting inside clothing to determine if items are being concealed within undergarments or clothing. A school administrator or their designee shall determine if the search is necessary; these searches should only be conducted in situations that pose a danger to the student or the school population, including but not limited to situations where there is reasonable suspicion a student is in possession of drugs (over-the-counter, prescription, illicit, look-alikes) or weapons. Administrators who conduct a most intrusive search will report the incident to their appropriate associate superintendent or supervisor. If the school administrator determines that it is necessary to conduct a most intrusive search, APS Police shall be contacted and informed about all safety concerns associated with the search.
- In cases of an intrusive search reasonable efforts must be made by the school administrator to contact the student's parent/legal guardian to notify them about the situation, safety concern and that an intrusive search shall be conducted
- Field trips – Approved chaperones of the same gender may assist in checking of luggage or personal items for activity/field trips
- Transgender students may request which gender they prefer to conduct an intrusive search or in checking luggage or personal items for activity/field trips. The school administrator/sponsor must make every effort to comply with this request.

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

Students with disabilities receiving special education services are subject to the same expectations as students receiving general education services and are expected to follow the district's disciplinary process. While IDEA provides federal guidelines covering the discipline procedures to be followed for student with disabilities receiving special education services, consequences for behavior violations, including school removal of more than ten (10) days, may still occur. Discipline safeguards, as covered under IDEA, do not apply to students identified under the eligibility of "gifted" unless such students also have a disability eligibility.

Since the exclusion for a student with a disability from their education program for more than a total of ten (10) days cumulative during a school year may constitute a change in placement, the following considerations must be addressed:

- When considering long-term suspension or expulsion, an individualized Education Plan (IEP) team must first determine whether the behavior of concern is a manifestation of the student's disability
- To determine if the conduct in question is or is not a manifestation of the student's disability, the IEP team must conduct a Manifestation Determination Review Meeting and address:
  - Whether the conduct in question was caused by, or had a direct and substantial relationship to the child's disability; or
  - Whether the conduct in question was a direct result of the Local Educational Agency's (LEA) failure to implement the IEP
- If the IEP team determines that the behavior was related to the student's disability or a result of the LEA's failure to implement the IEP, no discipline shall occur other than removals for special circumstances under IDEA (refer to IAES below). Recommendations: review IEP, add services and supports, develop/update a Functional Behavior Assessment (FBA), Behavior Intervention Plan (BIP), and/or change services, if appropriate.
- If the IEP team determines that the behavior was not a manifestation of the student's disability or was not a result of the LEA's failure to implement the IEP, disciplinary actions may be taken in accordance with the procedures in this handbook
- Should the disciplinary procedures include long-term suspension or expulsion, the district must continue to provide educational services, including access to the general education curriculum and related services, as determined by the IEP
- Any suspension that excludes a student from their IEP services must be counted when calculating the total

number of suspension days (up to ten (10) cumulative days or beyond the ten (10) days may constitute a change of placement)

- The decision to change a student from their IEP placement to an Alternative Education Setting (AES) or Interim Alternative Education Setting (IAES) due to imposition of discipline must be made by the IEP team who must consider the student's individual needs

Interim Alternative Education Setting (IAES) is an off-campus placement for long-term suspension or expulsion for "special circumstances" offenses that include:

- Weapons: objects used to cause bodily harm and used in a threatening way
- Guns/Knives (blades must be two and one-half (2 ½) inches or longer): possession/carrying
- Illegal drugs: possession/sale/distribution/solicitation (does not include alcohol or tobacco)
- Serious bodily injury: student has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function
- Placement in IAES for "special circumstances" may be no longer than 45 school days. Removals may extend past the 45 school days only if the student has been long-term suspended or expelled through the APS Discipline Hearing Process because the conduct was not a manifestation of disability. During the IAES period for "special circumstances" in which the conduct was a manifestation, the IEP team is to meet to develop strategies and interventions to bring the student back into their typical placement as soon as appropriate

Alternative Education Setting (AES) is an on-campus placement that refers to special education services provided on the campus where the student is currently enrolled for the duration of a suspension period of more than ten (10) days. Typically, on campus AES settings are for students for violations that do not involve drugs/weapons/serious bodily injury. The IEP team determines the student's AES and is also responsible for ensuring completion of a Functional Behavior Assessment (FBA) and the development of a Behavior Intervention Plan (BIP). If one already exists it will need to be updated.

- APS will follow the federal guidelines regarding the continuation of educational services for suspended special education students with disabilities
- Procedural safeguards ensure that parent/legal guardianship rights are afforded
- Students with disabilities are entitled to a due process hearing
- A student with a disability should not be suspended for a period of time longer than a student without a disability would be suspended

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

Students with 504 accommodations are not immune from the district's disciplinary process once identification and placement procedures are properly followed. Students with 504 accommodations being considered for long-term suspension or expulsion must receive a Manifestation Determination Review prior to a District Discipline Hearing. The committee must determine if the conduct in question was caused by or has a direct and substantial relationship to the student's disability or was the conduct in question a direct result of the school's failure to implement to 504 plan. If the committee determines the conduct in question was caused by, had a direct and substantial relationship to the student's disability, or was a result in the school's failure to implement the student's 504 plan then any disciplinary recommendation for a change of placement should be withdrawn. If it was not determined to be a result of the student's disability then the student may be disciplined in the same manner as students without disabilities.

## Suspensions

A suspension is the removal of a student from a class or classes and all school activities for any period of time. Suspension may include in-school suspension alternatives to long-term removals from school for one year or longer. Administrators may impose consequences to maintain the safety and security of the school population, but suspension may not be used as a consequence for excessive absences or tardies.

- The school administration must provide notification of any form of suspension to the parent/legal guardian and teachers for any student being suspended. The notification must be documented in writing and should occur on the same day, or as soon as possible if the parents cannot be contacted. Written notification should follow upon parent request if the notification is made by phone or in person.
- The school administration must keep on file a copy of the notification for any suspension occurring during a school year
- The principal of the school is responsible for notification, compliance, and documentation at their school
- Copies of suspension notifications may be discarded at the beginning of each academic year for prior year actions, except for long-term suspension or expulsions still in effect

### In-School Suspension

Suspension of a student from one or more classes while requiring the student to spend time in a designated area at the school or elsewhere as determined by each school. In-school suspension shall include instruction and/or restorative practices.

### Out-Of-School Suspension

Suspension of a student from one or more classes for no more than five (5) days and requiring the student to spend time outside of school. Out-of-school suspension includes all school related activities and counts toward a student's chronic absenteeism totals, which may require targeted student interventions to improve attendance.

### Short-term

Suspension of a student from one or more classes in school or out of school.

- Short-term suspension (STS) will be limited to no more than five (5) school days
- Each school will have its own method for developing alternative educational settings for students who have been STS

### Long-term

The removal of a student from instruction and all school-related activities for more than ten (10) days and up to the balance of the semester, or longer as determined by the hearing officer in cases which are near the end of a given semester.

- A student must be given the opportunity for a due process hearing prior to long-term suspension (LTS)
- At the principal's discretion, students may be suspended pending a due process hearing
- The student may, at their own expense, choose to be represented by an attorney at the hearing
- A student receiving a long-term suspension may lose credit for the semester unless placed in an alternative school setting
- Transfer students will have their transfer revoked (except students placed in accordance with their IEP) for the transfer school they are attending at the time of their long-term suspension. The transfer revocation date for students receiving special education services assigned to an Alternative Educational Setting (AES), through a LTS hearing, will be determined at the end of the suspension period by the IEP team in consultation with school and district administration. Upon completion of a LTS, a student may return to their assigned school, request a transfer for the next school year, or explore alternative options.

## Expulsion

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

- A student must be given the opportunity for a due process hearing prior to expulsion
- At the principal's discretion, a student may be suspended pending a due process hearing
- The student may, at their own expense, choose to be represented by an attorney at the hearing
- A student receiving an expulsion may lose credit for the semester unless engaged in an alternative school setting
- Transfer students will have their transfer revoked (except students placed in accordance with their IEP) for the transfer school they are attending at the time of their expulsion. The transfer revocation date for students receiving special education services assigned to an Interim Alternative Educational Setting (IAES), through an expulsion hearing, will be determined at the end of the suspension period by the IEP team in consultation with school and district administration. Upon completion of an expulsion, a student may return to their assigned school, request a transfer for the next school year, or explore alternative options.

## Due Process Hearing Procedure for Proposed Long-Term Suspensions or Expulsions

- The Board has adopted a formal hearing procedure for students recommended for LTS or expulsion
- If a hearing is requested or required, school authorities shall prepare and provide the parents/guardians with a written notice of the hearing by the fifth day of suspension, either in person or by certified mail
- The parent/legal guardian (student if emancipated or over the age of 18) may, at their own expense, choose to be represented by an attorney during any due process hearing. The parent/legal guardian must notify the hearing office that an attorney will represent the student as soon as possible but no later than 72 hours prior to the hearing to enable the school to also seek representation if it so chooses. If either the parent's/guardian's or the school's attorney cannot accommodate the originally scheduled hearing date due to a scheduling conflict, a parent/legal guardian may either attend the originally scheduled hearing without legal representation or ask the district to change the hearing date in order to facilitate legal representation.
- The hearing shall be scheduled no sooner than five (5) and no later than ten (10) school days from the date of receipt of notice by the parents/guardians. As described above, the hearing may be extended by request of the parent/legal guardian in circumstances involving legal representation of the student.
- Schools will make available copies of documentary evidence, with the exception of police reports that will be used at the hearing to families at least two (2) school days before the hearing. In cases where police reports are part of the documentary evidence, parents/guardians may contact the APS Police Department at (505) 243-7712 to obtain a copy.
- The parent/legal guardian (student if emancipated or over the age of 18) may choose to waive the right to a hearing and accept the disciplinary consequences recommended by the school administrator
- Expulsion hearings cannot be waived

## Hearing Authority and Record

- The hearing authority is the appointed hearing officer or designee of the district
- A record of the proceeding, including an audio recording, shall be kept at the District Hearing Office for a period of one year, after which the recording and documentation will be destroyed, except in cases of expulsion hearings where records will be kept for two years.

## Burden of Proof

- The hearing is an administrative proceeding for the purpose of deciding issues of fact or law. Though formal rules of evidence will not direct the proceeding, evidence will be admitted and considered by the hearing officer.
- The burden of proving that the student violated a provision of this handbook is on the school authorities
- The student or their counsel shall have the right to call witnesses on their behalf and to question witnesses against them
- The school authorities shall have the right to call witnesses and to question any witnesses who testify

## Decision of the Hearing Officer

- The hearing authority shall decide first if the alleged behavior violations are substantiated and second, will decide upon disciplinary action, if any, that should be taken
- The hearing authority may request additional evidence from the parties
- The student shall have the right to comment upon the evidence orally and/or in writing
- The hearing authority shall provide its written decision to the parties, stating its findings, conclusions, and implementations within five (5) school days after hearing the evidence
- The hearing authority's decision shall take effect immediately upon notification of the parent/legal guardian and shall continue in force during any subsequent review

## Appeal to the Superintendent

- The student/parent/legal guardian may appeal the decision of the hearing officer by providing a written notice to the superintendent's designee at the Student, Parent, Employee Service Center within ten (10) school days after the decision has been made
- The designee shall, within fifteen (15) working days after receipt of the appeal, review the record of the hearing and the decision in the case
- The designee shall have discretion over whether to permit the student/parent/legal guardian and school authorities to submit additional written materials and/or to present their respective views in person at a conference or hearing
- The designee shall then provide the parties, within ten (10) working days after the review is concluded, their decision affirming, overruling, or modifying the decision of the hearing officer
- The severity of any sanction may not be increased

## Time Limits

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

## Extra-Curricular Privileges

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

- Participation in extra-curricular activities is a privilege offered to and earned by students
- Since participants are serving as representatives of their school and community, they are expected to exemplify high standards at all times
- Participants are expected to adhere to higher standards of academics and conduct than established for the general school population in order to maintain their extra-curricular privileges

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



# Student Offenses/Consequences

This Matrix lists unacceptable behaviors and **Minimum Consequences**.

Administrators may impose consequences beyond mandatory, where there is documented evidence of prior intervention and/or progressive discipline, or in the case of extenuating circumstances as determined by the principal. In using a progressive discipline approach, consequences may vary from student to student. Consequences may also vary when a student is covered by provisions of IDEA (Individuals with Disabilities Education Act).

Incidents of misbehavior which do not reach the level of administrative attention will continue to be resolved by the classroom teacher/staff member.

Principals must report Sexual Harassment or Discrimination Complaints to the Office of Equal Opportunity Services (OEOS) within 72 hours.

\* See the Glossary for possible Parent Involvement Programs. They are imposed when programs are available.

Students are suspended from Extracurricular Activities during the timeframe of any suspension. Per policy, the suspension from Extracurricular activities extends beyond the school suspension in cases involving tobacco or controlled/illegal substances.

Administrator/Student/Parent Contact  
 \*\*\*Parent Involvement Program  
 Administrator/Parent Contact  
 Staff/Student Contact  
 Short-term Suspension  
 Long-term Suspension  
 Referral for Legal Action  
 Seek Restitution  
 Expulsion  
 Suspension of Extracurricular

OCURRENCE	BEHAVIOR VIOLATION	MINIMUM CONSEQUENCE									
Any	Arson I (damage of less than \$200)	•	•	•	•	•	•	•	•	•	•
Any	Arson II (damage of \$200 - \$999)	•	•	•	•	•	•	•	•	•	•
Any	Arson III (damage of \$1000 damage or more) # if greater than \$10,000	•	•	•	•	•	•	•	#	•	•
Any	Assault	•	•	•	•	•	•	•	•	•	•
1 <sup>st</sup>	Assault, Aggravated	•	•	•	•	•	•	•	•	•	•
2 <sup>nd</sup>		•	•	•	•	•	•	•	•	•	•
Any	Battery, Aggravated	•	•	•	•	•	•	•	•	•	•
Any	Battery/Fighting	•	•	•	•	•	•	•	•	•	•
1 <sup>st</sup>	Bullying/Cyberbullying	•	•	•	•	•	•	•	•	•	•
2 <sup>nd</sup>		•	•	•	•	•	•	•	•	•	•
Any	Bus Disruption	•	•	•	•	•	•	•	•	•	•
1 <sup>st</sup>	Controlled Substance Possession (or Paraphernalia)	•	•	•	•	•	•	•	•	•	•
2 <sup>nd</sup>		•	•	•	•	•	•	•	•	•	•
Any	Controlled Substance Sale or Distribution	•	•	•	•	•	•	•	•	•	•
1 <sup>st</sup>	Controlled Substance Use or Under the Influence	•	•	•	•	•	•	•	•	•	•
2 <sup>nd</sup>		•	•	•	•	•	•	•	•	•	•
1 <sup>st</sup>	Extortion	•	•	•	•	•	•	•	•	•	•
2 <sup>nd</sup>		•	•	•	•	•	•	•	•	•	•
Any	False Accusations	•	•	•	•	•	•	•	•	•	•
Any	False Alarm/Fire Alarm	•	•	•	•	•	•	•	•	•	•
Any	Firearm Possession/Use (1 year Expulsion per "Gun-Free Schools Act")	•	•	•	•	•	•	•	•	•	•
Any	Gang Related Activity (severe cases may result in greater consequences)	•	•	•	•	•	•	•	•	•	•
Any	General Disruptive Conduct and/or Defiance	•	•	•	•	•	•	•	•	•	•
1 <sup>st</sup>	Harassment	•	•	•	•	•	•	•	•	•	•
2 <sup>nd</sup>		•	•	•	•	•	•	•	•	•	•
Any	Hate Incident	•	•	•	•	•	•	•	•	•	•
1 <sup>st</sup>	Language, Profane and/or Abusive	•	•	•	•	•	•	•	•	•	•
2 <sup>nd</sup>		•	•	•	•	•	•	•	•	•	•
1 <sup>st</sup>	Materials, Obscene	•	•	•	•	•	•	•	•	•	•
2 <sup>nd</sup>		•	•	•	•	•	•	•	•	•	•
1 <sup>st</sup>	Robbery	•	•	•	•	•	•	•	•	•	•
2 <sup>nd</sup>		•	•	•	•	•	•	•	•	•	•
1 <sup>st</sup>	Theft	•	•	•	•	•	•	•	•	•	•
2 <sup>nd</sup>		•	•	•	•	•	•	•	•	•	•
Any	Threats of Violence against School	•	•	•	•	•	•	•	•	•	•
Any	Tobacco, Possession, Use or Distribution (including e-cigarettes)	•	•	•	•	•	•	•	•	•	•
Any	Trespassing/Unauthorized Presence	•	•	•	•	•	•	•	•	•	•
Any	Vandalism I (damage of less than \$200)	•	•	•	•	•	•	•	•	•	•
Any	Vandalism II (damage of \$200 - \$999)	•	•	•	•	•	•	•	•	•	•
Any	Vandalism III (damage of \$1000 or more) # if greater than \$10,000	•	•	•	•	•	•	•	#	•	•
1 <sup>st</sup>	Weapon Possession (gun with projectile by explosive action is considered Firearm)	•	•	•	•	•	•	•	•	•	•
2 <sup>nd</sup>		•	•	•	•	•	•	•	•	•	•
Any	Weapon Use (gun with projectile by explosive action is considered Firearm)	•	•	•	•	•	•	•	•	•	•

# Student Offenses/Consequences

## Definitions

- **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. Arson I: less than \$200 damage, Arson II: \$200 to \$999 damage, Arson III: \$1000 damage or more.

- **Assault**

A verbal threat or physical attempt of bodily harm

- **Assault, Aggravated**

Unlawfully assaulting or attempting to strike at another person with a weapon, instrument, or any means of force likely to produce bodily injury. Assaults on staff members are included in this definition.

- **Battery, Aggravated**

An actual and intentional touching or striking of another person against his or her will with the use of a weapon or intentionally causing bodily harm to an individual

- **Battery/Fighting**

Unlawful, intentional touching or application of force to another person, when done in a rude, disrespectful, or angry manner

- **Bullying**

Bullying is a way of using power aggressively in which a person is subjected to intentional, unwanted, and unprovoked hurtful verbal and/or physical actions. An act of bullying results in the targeted student feeling oppressed, fearful, distressed, injured, or uncomfortable. The aggression is repeated on more than one occasion and can include physical, verbal, emotional, racial, sexual, written, electronic, damage to property, social exclusion, and intimidation. Bullying may be motivated by actual or perceived characteristics such as race, color, religion, ancestry, national origin, gender, sexual orientation or identity, mental, physical, or academic disability. Bullying often takes place in a social context. Cyber bullying means any bullying that takes place through electronic communication.

## To determine if an incident qualifies as bullying:

- The incident must involve an imbalance of power between the target and the student who acts aggressively
- Bullying usually involves multiple incidences, aggressor and the target have drastically different reactions to the incident, and target feels powerless to self-advocate

<b>NORMAL CONFLICT</b>	<b>BULLYING</b>
Equal power	Imbalance of power
Happens occasionally	Repeated negative interactions
Accidental	Purposeful
Equal emotional reaction	Strong emotional reaction from the target
Not seeking power or attention	Seeking power and control
Not trying to get something	Trying to gain material things or power
Remorse – takes responsibility	No remorse – blames target
Effort to solve problem	No remorse – blames target

## Guidelines for reporting an incident of bullying

- Students may bring the incident to the attention of a teacher, counselor, administrator, or any school personnel. Staff members will file a Harassment/Bullying Incident Referral form with the administrator.
- Students will also be able to complete a Student Harassment/Bullying Report form and turn it in to a box strategically placed in the school to ensure confidentiality. School staff will check this box daily.
- Parents are encouraged to report any incidents of bullying to a school administrator



## Reporting Incidents of Bullying

- Anyone who sees or hears of a bullying incident must report the incident
- All referrals should be submitted to an administrator within one day of the incident or report of incident
- If it is an immediate safety concern, the staff member will contact the office to escort the student who is acting aggressively to the office to ensure student safety

## Responding to an Incident of Bullying

- Teachers or other school staff who witness or receive reports of acts of bullying will appropriately intervene
- An investigation will take place where all parties involved, including bystanders, are interviewed separately ensuring the confidentiality of reporters, bystanders, and students. Findings of the investigation will be documented.
- If bullying is indicated mediation is not appropriate
- Teachers and other staff who are party to the students involved will be notified to help monitor and prevent further bullying incidents
- If it is deemed a bullying situation, parents of all students involved will be notified of the incident and of outcomes, which pertain to their student. Confidentiality in regard to other students will be maintained.
- Schools shall develop a student safety plan for students who are determined to be targets of bullying
- An appeal process is available for a student accused of bullying or a student who is the target of bullying who is not satisfied with the outcome of the steps taken

### • Bus Disruption

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

Bus disruption occurs anytime a student deliberately or inadvertently interferes with the safe operation of a school bus, which is stopped, or moving; behaves in a manner adversely affecting an individual or property on or near the bus itself, at bus stops or at pick-up areas.

- 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 discuss the incident with the student to help prevent a recurrence.
- Second Offense – Depending on the seriousness of the behavior, disciplinary action will be taken at the discretion of the school administrator. It is recommended that the student be placed on probation and receive written documentation of the offense to take to their parent/guardian.
- Third Offense – Suspension of riding privileges may result. The length of suspension will depend on the seriousness of the infraction. A parent/guardian conference is required.
- Severe Disruption – The following inappropriate and dangerous behavior will result in automatic suspension of transportation privileges:
  - Physical harm to other students or staff
  - Physical damage to the bus (restitution may be required)
- For students receiving special education services for a disability that includes behavior needs:
  - The IEP team shall provide relevant information to the bus company
  - The bus assistant, driver, or administrator have discretion in handling day to day minor infractions. For circumstances in which suspension of privileges for more than ten (10) days, the matter will be reported and referred to the student's IEP team.

### • Controlled Substance

A controlled substance is defined as any substance capable of producing a change in behavior or altering a state of mind or feeling. Controlled substances include but are not limited to alcohol, marijuana, "look-alikes", narcotics, hallucinogens, prescription drugs, over the counter drugs, and synthetic drugs. Possession and/or use of a controlled substance, including alcohol presents a health concern for students and is a potential disruption to the educational process. The district believes that students caught

possessing/using controlled substances need consequences and support. Therefore, consequences for a first infraction will be short-term suspension and participation in the Parent Involvement Program (PIP). Failure to complete PIP will result in further suspension days.

- **Controlled Substance and Tobacco Policy for Activities and Athletics**

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

The definition of alcohol/illegal substance possession is extended to include circumstances where substance covered under the policy are nearby and available (i.e., parties, gatherings, etc.).

Criteria for application of sanctions would include, but not be limited to:

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

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

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

### Use and/or Possession of Controlled/Illegal Substances

- First Offense – Student’s loss of all NMAA sanctioned extra-curricular privileges and eligibility for 45 school days from the date determined by a site administrator. The loss of privileges includes practice and competition. Summer school is not considered as school days for this policy. Students will be required to complete the Parent Involvement Program or other appropriate intervention program approved by the site administrator.
- Second Offense – Student is ineligible to participate in NMAA sanctioned extra-curricular activities for the remainder of the academic year or longer under special circumstance

### Use/Possession and/or Distribution of Tobacco Products, E-cigarettes and/or Nicotine Liquid Containers

The term “tobacco product” means any product made or derived from tobacco that is intended for human consumption, including any component, part, accessory of a tobacco product. This includes, among other products, cigar, cigarettes, cigarette tobacco, roll-your-own tobacco, smokeless tobacco, e-cigarettes, and nicotine liquid containers.

- First Offense – Student’s loss of all NMAA sanctioned extra-curricular privileges and eligibility for ten (10) school days from the date determined by a site administrator. The loss of privileges includes practice and competition. Summer school is not considered as school days for this policy. Students will be required to complete the Tobacco Intervention Program (if available at that school) or other appropriate intervention program approved by the site administrator.
- Second Offense – Student is ineligible to participate in NMAA sanctioned extra-curricular activities for 45 school days

If any student is in violation of this policy at a time in which the handbook is in force other disciplinary consequences may apply. This may include suspensions of extra-curricular activities, including but not limited to attendance/participation in school activities such as athletic events, open campus privileges, dances, clubs, and other privileged events (including graduation activities and commencement exercises), as determined by the site administrator.

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

### Sale or Distribution of Controlled/Illegal Substance

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

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

The Extra-curricular Substance Abuse and Tobacco Policy is in effect twenty-four hours a day, seven days a week, at all times/locations from the first day of fall sports practices to the end of the school year. Additional sanctions may apply beyond this policy for violations that occur when this handbook is in force (i.e. on school property, during school time, or at school events).

- **Controlled Substance\*, Paraphernalia Possession\*\*\***  
Possessing any paraphernalia, such as but not limited to rolling paper, pipes, bongs or vape pens
- **Controlled Substance\*, Possession\*\*\***  
Possessing any substance capable of producing a change in behavior or altering a state of mind or feeling; having a “look-alike”\*\*, a substance that looks like a controlled substance
- **Controlled Substance\*, Sale or Distribution**  
Selling or distributing a substance capable of producing a change of behavior or altering a state of mind or feeling; including a “look-alike”\*\*, or an item sold as a controlled substance
- **Controlled Substance\*, Use**  
Absorbing a substance capable of producing a change of behavior or altering a state of mind or feeling, including a “look-alike”\*\*, or an item sold as a controlled substance
- **Dress Code Violation**  
Non-compliance with specific school dress codes
- **Extortion**  
Using intimidation or the threat of violence to obtain money, information, or anything else of value from another person
- **False Accusations**  
Falsely reporting crimes or purposely giving false information to a school administrator or other investigator during the process of an investigation, in accordance with the NM Criminal Code Statute
- **False Alarm/Fire Alarm**  
Interfering with the proper functioning of a fire alarm system or pulling the fire alarm intentionally when no fire or other danger exists
- **Firearm, Possession\*\*\*/Use**  
Possession or use of any weapon, which will propel a projectile by the action of an explosive, and other weapons as defined in the United States Code: Title 18, Section 921. This definition does not apply to items such as toy guns, bb guns, or pellet guns, but does include bombs, grenades, and some explosives (also, see weapon possession).
  - The Gun Free Schools Act provides for a mandatory expulsion of a period of not less than one year for a student who is determined to have brought or to have possessed a firearm at school or any setting that is under the control and supervision of school officials. Only the superintendent may modify in writing the one-year expulsion requirement on a case-by-case basis. All school related incidents of firearm possession must be reported to the APS Police Department.

- New Mexico 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.

- **Gang-Related Activity**

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

- The student associating with admitted or known gang members
- The student wearing attire consistent with gang dress
- The student displaying gang logos, graffiti and/or symbols on personal possessions
- The student displaying gang hand signs or signals to others
- The student talking about gang activities with others
- Hostile contact with others in which two or more students have contributed to a situation causing bodily harm to another

- **General Disruptive Conduct and/or Defiance**

Any behavior or conduct that disrupts or interferes with the operation of the public schools, including individual classes. This can also be behavior that leads a school authority to reasonably forecast that such an interruption or interference is likely to occur unless preventive action is taken. Refusing to comply with any reasonable demand or request by any school official or sponsor or lying to or intentionally misleading any school official at places and times where school personnel have jurisdiction is included in this definition.

- For example: use of cell phone during instructional time; misuse of cell phones and other forms of technology; failure to provide school identification upon request; dress code violation; inappropriate display of affection; making false accusations regarding staff or students; and so forth
- Note: It is the responsibility of the parent/legal guardian of the student to retrieve confiscated cell phones or other electronic devices according to the individual school's procedures. The school may keep items for extended periods of time for repeat offenses.

- **Harassment**

Any gesture or written, verbal, or physical act that is reasonably perceived as being motivated by any actual or perceived characteristic, such as race, religion, national origin, sex, gender identity, sexual orientation or disability; which has the effect of harming another individual/group, damaging their property; placing the individual/group in reasonable fear; or has the effect of causing a disruption to the educational process. Inciting or encouraging others to commit such acts is also considered harassment.

- Disability: Conduct including but not limited to the following: mocking, taunting, intimidating, criticizing, or punishing a student/group with a disability because of their disability. (See Section 504 and the Americans with Disabilities Act).
  - Repeatedly placing classroom furniture or other objects in the path of students who use wheelchairs or walking devices, impeding their mobility
  - Repeatedly belittling and criticizing a student for using accommodations in class
  - Taunting or belittling a student with disabilities by mocking and intimidation
  - Making remarks out loud during class that a student with a disability is "retarded" or "deaf and dumb" and does not belong in the class
  - Habitually subjecting a student to inappropriate physical restraint because of conduct related to their disability
  - Repeatedly denying a student with a disability access to lunch, recess, field trips, assemblies, or extra-curricular activities as punishment for taking time off from school for requires services related to the student's disability

- Sexual: Gender discrimination as defined in Title IX of the Education Amendments of 1972. Examples include but are not limited to the following: sexual assault, unwanted touching, inappropriate comments or conversation, certain non-verbal behaviors, and gestures, which threaten or belittle others on the basis of gender. The school principal/designee should report incidents to the APS Office of Equal Opportunity Services (OEOS).
- Racial: Conduct including but not limited to the following: racial slurs, racial jokes, offensive or derogatory remarks, display of racially offensive material or symbols, or exclusion from normal school activities

- **Hate Incident**

Conduct that reflects hatred or bigotry based on real or perceived race, nationality, color, religion, sex, gender, sexual orientation, disability, or other protected class

- **Language, Profane and/or Abusive**

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

- **Materials, Obscene**

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

- **Robbery**

Taking of property through means of force or fear

- **Theft**

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

- **Threats of Violence Against the School**

Threats of violence against the school in any form, verbal, written, or via social media

- **Tobacco**

Any tobacco products made or derived from tobacco that are intended for human consumption, including any component, part, or accessory of a tobacco product. This includes among other products, cigarettes, cigars, pipe tobacco, roll-your own tobacco, dissolvable or smokeless tobacco. E-cigarette means any electronic oral devices, or any part of it, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, or any other product, name or descriptor; but does not include any product regulated as a drug or device by the US Food and Drug Administration. Nicotine liquid container means a bottle or other container of any substance containing nicotine where the substance is sold, marketed, or intended for use in an e-cigarette.

- **Tobacco Possession\*\*\*, Use, and/or Distribution**

Possession, use, and/or distribution of tobacco, including all tobacco products, e-cigarettes, and nicotine liquid containers anywhere on a school campus or at a school related event is prohibited. In addition, students found in possession, distributing, or using tobacco are subject to the provisions of the Substance Abuse and Tobacco Policy. Tobacco Intervention and support resources are available and referral to intervention programs and/or Parent Involvement Program (PIP). Contact Health and Wellness Teams for more information.

- **Trespassing/Unauthorized Presence**

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

- **Vandalism**

Deliberately or maliciously destroying, damaging, and/or defacing school property or the property of another individual. Vandalism I: less than \$200 damage, Vandalism II: \$200 - \$999 damage, Vandalism III: \$1000 damage or more.

- **Weapon Possession\*\*\***

Possessing a weapon such as but not limited to a firearm, any type of gun, knife, club, firecracker, explosive, spiked wristband, 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. (Weapons covered by the Gun-Free Schools Act are defined under Firearm, Possession/Use.)

- **Weapon Use**

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

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

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

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

## APS Notice of Nondiscrimination

Albuquerque Public Schools does not discriminate nor condone discrimination by students, employees, or third parties on the basis of ethnic identity, religion, race, color, national origin, sex, gender identity, sexual orientation, genetic information, HIV status, mental or physical disability or serious medical condition, age, veteran status, spousal affiliation or pregnancy, and/or any other protected status as defined by law in any program or activity for, or sponsored by, the school district.

## FAMILY EDUCATIONAL RECORDS AND PRIVACY ACT (FERPA)

APS recognizes the rights of parents/guardians to access their student's educational records in accordance with the Family Educational Records and Privacy Act (FERPA). In addition, students over the age of 18 may access their own records. FERPA provides certain rights to parents/guardians and eligible students. In brief, these rights include:

- Parents/guardians/eligible students have the right to inspect and review the student's education records
- Parents/guardians/eligible students have the right to request that a school correct records which they believe to be inaccurate
  - If a school decides not to change the record, the parent/legal guardian/student has the right to a formal hearing
  - After the hearing, if the school decides not to change the record the parent/legal guardian/student has the right to place a statement with the record about their view of the contested information

Parents/guardians/eligible students must give written permission for a school to release a student's educational record to third parties not covered by FERPA. FERPA allows schools to disclose a student's educational records, without consent, to the following parties or under the following circumstances:

- School officials with a legitimate educational interest
- Other educational institution where the student is enrolled or seeks to enroll
- DOE, state, or local education authorities
- Appropriate parties connected to financial aid for the student
- State or local officials in conjunction with legislative requirements
- Accrediting organizations
- Organizations conducting studies for or on behalf of the school
- Judicial order or subpoena
- Appropriate officials in cases of health or safety emergencies

## PROTECTION OF PUPIL RIGHTS AMENDMENT

APS abides by the Protection of Pupil Rights Amendment (PPRA) to the Family Educational Rights and Privacy Act (FERPA). The PPRA:

- Requires APS to obtain parental/guardian consent as a condition for students to participate in certain types of surveys, analyses, or evaluations that require disclosure of private information
- Allows parents/guardians the right to inspect certain survey and curriculum information
- Provides parents/guardians the opportunity to opt their child out of certain activities involving the collection, disclosure, or use of personal information, the administration of certain surveys, and non-emergency, invasive physical examinations, or screenings

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

## When a Student’s Rights May Have Been Violated

The APS system does not discriminate nor condone discrimination by students, employees, or third parties on the basis of ethnic identity, religion, race, color, national origin, sex, gender identity, sexual orientation, genetic information, HIV status, mental or physical disability or serious medical condition, age, veteran status, spousal affiliation or pregnancy, and/or any other protected status as defined by law in any program or activity for, or sponsored by, the school district and provides equal access to the Girl Scouts and other designated youth groups.

The Office of Equal Opportunity Services (OEOS) is responsible for investigating complaints about Discrimination and Harassment based on Civil Rights issues. If a student, employee, or parent/legal guardian on behalf of a student believes that they have been discriminated against on the basis of race, color, ethnicity, national origin, sex/gender, sexual orientation, gender identity, religion, age, or disability, they may file an internal complaint with the APS Office of Equal Opportunity Services (OEOS). In addition, OEOS can provide informational literature related to rights and responsibilities.

### Reports

Any report will be addressed in accordance with the appropriate procedures as specified in IDEA, Section 504, ADA, Title VI of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Age Discrimination Act of 1975, First Amendment, Fourteenth 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.

### 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 rights is justified
- That right may be denied in response to behavior that threatens the safety and security of the school population, is illegal, or has the potential to disrupt the educational process or compromises the safety and learning of the students and school at large
- It is the intent of the Board of Education that every reasonable effort is made on behalf of the student’s education, even in the case of suspension or expulsion
  - Students receiving special education services (other than those receiving “gifted” services only) must receive alternative educational services during suspension or expulsion

### Grievance Procedure

- It is the intent of the Board of Education that students and their parents/legal guardians be informed of the regulations regarding disciplinary and appeal procedures affecting students within the school
- Staff, parents/legal guardians, and students shall attempt resolution of problems affecting students and the education process by informal means

- If any student or parent/legal guardian believes that the conditions of the school or decisions made by its staff are not fair or reasonable, a conference shall be held with the principal or designed to discuss the matter
- If the student or parent/legal guardian is not satisfied with the results or handling of the conference, the student or parent/legal guardian shall have the opportunity to consult with a Student, Parent, Employee Service Center staff member at (505) 855-9040 or [servicecenter@aps.edu](mailto:servicecenter@aps.edu) regarding the matter

## Violation of Student Rights

- Students who believe that their rights have been violated should report concerns to their parents, school administrators, or other appropriate school personnel
- If the appropriate school personnel do not resolve the concern, a report should be made to the Student, Parent, Employee Service Center staff member at (505) 855-9040 or [servicecenter@aps.edu](mailto:servicecenter@aps.edu)
- If the concern cannot be resolved with the assistance of the Student, Parent, Employee Service Center a complaint can be filed with the OEOS or Section 504 office

## Internal Complaint Procedures

Students and parents/legal guardians are encouraged to resolve concerns with a school site administrator. If the site administrator is unable to resolve their concern, they are encouraged to contact Student, Parent, Employee Service Center staff member at (505) 855-9040 or [servicecenter@aps.edu](mailto:servicecenter@aps.edu) .

- Report gender or disability harassment and/or discrimination to the principal, either verbally or in writing
- Any knowledge of inappropriate behavior must be reported to the principal, assistant principal, teacher, or counselor
- School personnel who receive reports of harassment and/or discrimination shall immediately inform the principal
- Students who have knowledge of inappropriate behavior and fail to contact appropriate personnel will be subject to disciplinary action
- Upon receipt of notification of sexual or disability harassment and/or discrimination, the principal or the appropriate associate superintendent must contact the Office of Equal Opportunity Services, to report the incident
- Any school personnel who fail to report incidents of harassment and/or discrimination will be subject to appropriate disciplinary action

## Who May File a Complaint

- Any APS student or parent/legal guardian on behalf of their student, who believes they have been discriminated against on the basis of ethnic identity, religion, race, color, national origin, sex, gender identity, sexual orientation, genetic information, HIV status, mental or physical disability or serious medical condition, age, veteran status, spousal affiliation or pregnancy, and/or any other protected status as defined by law
- These procedures do not deny any student or parent/legal guardian the right to pursue other avenues of recourse

## How to File a Complaint

Contact the Office of Equality Opportunity Services (OEOS) or Section 504 Coordinator, in any manner, to report inappropriate conduct.

- An internal complaint must be filed within one hundred eighty (180) calendar days from the last day of the alleged discrimination, unless the time for filing is extended by the OEOS for good cause (to be determined by the office of OEOS)
- All inquiries and internal complaints filed are confidential
- Confidentiality also applies to the inquiry and investigative process of all investigations conducted by the Offices of EOS, Title IX or Section 504



## 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 ground for a subsequent retaliation complaint
- APS will respect the privacy of the complainant, the respondent, and the witnesses as much as possible, consistent with its legal obligations to investigate, take appropriate action, and conform with any discovery or disclosure obligations

## Where to file

Office of Equal Opportunity Services and Title IX	Section 504	US Department of Education Office for Civil Rights
6400 Uptown Blvd. NE, Suite 510 West PO Box 25704 Albuquerque, NM 87125-0704 (505) 855-9831 <a href="mailto:eosoffice@aps.edu">eosoffice@aps.edu</a>	6400 Uptown Blvd. NE, Suite 480 West PO Box 25704 Albuquerque, NM 87125-0704 (505)855-9853 or (505) 855-9831	Federal Office Building 1244 Speer Blvd., Suite 310 Denver, CO. 80204-35820 (303) 844-5695

## Appeal Process

When the Office of Equal Opportunity Services (OEOS) has completed an internal investigation, either the complainant or respondent may appeal the decision. This process is as follows

- Once the investigation is complete, the OEOS inform both the complainant and respondent (i.e., the parties) of the investigative findings. If either party is not satisfied with the resolution they may submit a written request to the OEOS requesting an appeal. The appeal needs to focus on the nature of the disagreement with the findings, the reasons underlying such disagreement and how the outcome would be changed by reconsideration of the determination.
- Either party has up to ten (10) days of their receipt of the finding notice to inform OEOS of their intent to appeal. (1) By physical letter, postmarked within ten (10) days of their receipt of finding, or, (2) A letter sent electronically within ten (10) days of their receipt of findings to [EOSOffice@aps.edu](mailto:EOSOffice@aps.edu)
- OEOS receives the appeal notification from the respective party within the designated time period. OEOS contacts the appeal party providing (1) Confirmation of receiving the appeal and any documentation submitted, (2) A copy of the investigative report and (3) information on the appeal process including but not limited to the date, format, timeframe and process.
- OEOS also contacts the other party to notify them an appeal has been requested and provides the same information given to the appealing party. While it is not required, the other party can choose to participate in the appeals process.
- An appeal is heard by a designated Appeal Panel, comprised of three (3) appointed persons of supervisory or administrative rank/position within APS. They conduct a review of the investigation to determine whether the preponderance of the evidence supports the determination and findings.
- At the hearing the appealing party presents their findings. The findings may include the original appeal statement provided to OEOS as well as any additional statements or testimonies by appealing party and/or declarations or affidavits from witnesses.
- The OEOS office presents their finding. If the other party chooses to participate in the hearing, they all present. However, it is the responsibility of OEOS, not the other party, to provide the Appeal Panel justification of the original investigation finding as well as answer questions at the hearing.
- The Appeal Panel has the opportunity to question all parties involved.
- The Appeal Panel will then meet privately to review all the information.
- The Appeal Panel will defer to the majority of the three (3) person panel. It may reverse, modify or uphold the original finding. It may also determine the need to gather additional or updated information, as deemed necessary, in order to make its final decision, or, it may also return the matter to OEOS for additional

investigation.

- The Appeal Panel will inform OEOS of its decision, and OEOS will contact all parties of the Appeal decision.
- The decision by the Appeal Panel is the final decision of the APS District in the OEOS process.
- However, if a party is not satisfied at any time, including with the Appeal Panel's decision, the party may file a complaint with the Office of Civil Rights (OCR) in Denver, Colorado. More information is available at the Office of Civil Rights, Federal Office, 1244 Speer Blvd, Suite 301, Denver CO 80204-3582, (303) 844-5695. Individuals may also file complaints with any other civil rights entities such as the New Mexico Human Rights Division.

## Parent's Right to Know

In compliance with the federal Every Student Succeeds Act, parents may request information about the professional qualifications of their student's teacher(s). The following information may be requested:

- Whether the teacher has met the New Mexico Public Education requirements for certification for the grade level and/or subject areas in which the teacher provides instruction
- Whether the teacher is teaching under an emergency or other provisional status through which New Mexico qualifications or certification criteria have been waived
- The college major and any graduate certification or degree held by the teacher and if they are teaching in the field of discipline of their certification
- Whether the student is provided services by paraprofessionals, and if so, their qualifications

If a parent/legal guardian wishes to request information concerning their child's teacher's qualifications, they should contact the principal of their child's school for information.

## Useful Contact Information • Albuquerque Public Schools

APS Operator	(505) 880-3700	
Adult Education	(505) 253-0330 x67018	
APS Education Foundation	(505) 881-0841	
APS Police and Security	(505) 243-7712	
Athletics	(505) 884-9580	<a href="mailto:athletics@aps.edu">athletics@aps.edu</a>
Attendance Supports	(505) 855-9850	
Board of Education	(505) 880-3729	<a href="mailto:boarded@aps.edu">boarded@aps.edu</a>
Charter Schools	(505) 880-3790	
Clothing Bank	(505) 248-1873	<a href="mailto:clothing.bank@aps.edu">clothing.bank@aps.edu</a>
Communications Office	(505) 881-8421	<a href="mailto:communityrelations@aps.edu">communityrelations@aps.edu</a>
Custodian of Records		<a href="mailto:custodianofrecords@aps.edu">custodianofrecords@aps.edu</a>
Early Childhood	(505) 253-0320	
Facility Rentals	(505) 842-3521	
Hearing Office (Student)	(505) 855-9980	
Homeless Students Program (McKinney-Vento)	(505) 256-8239	
Homework Hotline APS/ATF Dial a Teacher	(505) 344-3571 or 1-800-947-8839	
Indian Education Department	(505) 884-6392	
Language and Cultural Equity	(505) 881-9429	
Magnet School Information	(505) 880-3753	
Office of Equal Opportunity Services	(505) 855-9831	<a href="mailto:eosoffice@aps.edu">eosoffice@aps.edu</a>
Office of Equity and Engagement	(505) 872-6897	
Parent Resource and Engagement Program	(505) 855-9949	
Pre-Kindergarten	(505) 253-0320	
Refugee and Newcomer Supports	(505) 803-7781	
Risk Management	(505) 830-8460	<a href="mailto:risk.management@aps.edu">risk.management@aps.edu</a>
Section 504	(505) 855-9853 or (505) 855-9831	
Special Education	(505) 855-9900	<a href="mailto:specialdept@aps.edu">specialdept@aps.edu</a>
Special Education Records	(505) 253-0310 x67228	<a href="mailto:special.ed.records@aps.edu">special.ed.records@aps.edu</a>
Student Insurance	(505) 830-8460	<a href="mailto:risk.management@aps.edu">risk.management@aps.edu</a>
Student, Parent, Employee Service Center	(505) 855-9040	<a href="mailto:servicecenter@aps.edu">servicecenter@aps.edu</a>
Student Transfers	(505) 855-9050	<a href="mailto:servicecenter@aps.edu">servicecenter@aps.edu</a>
Technology Assistance	(505) 830-8080	<a href="mailto:servicedesk@aps.edu">servicedesk@aps.edu</a>
Title IX	(505) 855-9831	<a href="mailto:eosoffice@aps.edu">eosoffice@aps.edu</a>
Transportation Services	(505) 880-3989	<a href="mailto:transcom@aps.edu">transcom@aps.edu</a>
Volunteer Programs	(505) 855-5262	<a href="mailto:volunteer.programs@aps.edu">volunteer.programs@aps.edu</a>
Whistleblower Hotline	(877) 395-2782	<a href="http://aps.ethicaladvocate.com">aps.ethicaladvocate.com</a>

## Useful Contact Information • Non-APS Numbers

### APS Bus Contractors

Bus Contractors	Bus Numbers	Phone Number
Beal	01-30	(505) 879239
Gonzales, Joyce	969	(505) 877-0697
Herrera Bus Company	1100-1290	(505) 242-1108 (505) 877-4560 (505) 243-1523
Sanchez, Albert	1339-1385	(505) 877-0697
Sanchez, Diane	970, 987,988,990	(505) 877-0697
Triple J Bus Company	989	(505) 321-6696
Sanchez Southwest	371-435	(505) 345-7821
Transp. Mechanical Center	86-300, 1400-1441	(505) 298-6831
Transp. Mechanical Center (Tijeras)	70-85	(505) 253-0287

## Useful Contact Information • Non-APS Numbers

Albuquerque Rape Crisis Center	(505) 266-7711	
Alcoholics Anonymous	(505) 266-1900	
Best Buddies of NM	(505) 299-2552	<a href="mailto:newmexico@bestbuddies.org">newmexico@bestbuddies.org</a>
Domestic Violence Hotline	1-800-773-3645	
Early Head Start Program (0-3 years old)	(505) 767-6512	
Homework Hotline – ATF Dial a Teacher	(505) 344-3571 or 1-800-947-8839	
NM Children, Youth, and Families (CYFD)	1-855-333-SAFE [7233] or #SAFE from a cell phone	
National Human Trafficking Hotline	1-888-373-7888	
National Suicide Prevention Hotline	1-800-273-8255	
New Mexico COVID-19 Hotline	1-855-600-3453	
New Mexico Crisis and Access Line	1-855-NMCRISIS (662-7474)	
New Mexico Pre-School/Pre-K (3-5 years old)	(505)-767-6504	
Parents Reaching Out	(505) 247-0192	
Peer to Peer Warmline	1-855-4NM-7100 (466-7100)	
UNM Center for Development and Disability	(505) 272-3000	

# Glossary of Terms

## 1. Absence

A student who is not in attendance for a class or school day for any reason, whether excused or not, provided that “absent” does not apply to participation in interscholastic extracurricular activities. Students are provided no more than fifteen (15) days per semester for interscholastic extracurricular activity absences.

## 2. Alternative Educational Setting (On Campus AES)

On Campus AES refers to special education services provided on the campus where the student is currently enrolled for the duration of a suspension period of more than ten (10) days. Typically, on campus AES settings are for students suspended for violations that do not involve drugs, weapons, or serious bodily injury.

## 3. Behavior Intervention Plan (BIP)

The documentation of interventions, methods and strategies that are used in the school environment to address the behavior issue impacting a student’s school success.

## 4. Chronic Absenteeism

A student is chronically absent if they have missed ten percent (10%) or more of classes or school days for any reason, whether excused or not, when enrolled for more than ten (10) days in the school. Students with chronic absenteeism receive early intervention strategies.

## 5. Excessive Absenteeism

A student who has been absent for twenty percent (20%) or more of classes or school days for any reason, whether excused or not, when enrolled for more than ten (10) days in the school. Students with excessive absenteeism receive early intervention strategies.

## 6. Expulsion

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

## 7. Functional Behavior Assessment (FBA)

A procedure by which problematic behavior is examined to determine the cause, consequences, and nature of the behavior, in order to develop effective interventions to address that behavior.

## 8. In-School Suspension

Suspension of a student from one or more classes while requiring the student to spend time in a designated area at the school or elsewhere. In-school suspension shall include instruction and/or restorative practices.

## 9. Interim Alternative Educational Setting (Off Campus IAES)

Off campus IAES options are for students with disabilities whose continued presence on campus poses a safety risk. Off campus IAES settings are typically used when a student with a disability carries a dangerous weapon; uses, or is in possession of illegal drugs, sells or solicits the sale of controlled substances (not including alcohol or tobacco); or has inflicted serious bodily injury upon another person.

## 10. Long-Term Suspension

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, or longer as determined by the hearing officer in cases which are near the end of a given semester. A student must be given the opportunity for a due process hearing prior to long-term suspension.

## 11. Out-of-School Suspension

Suspension of a student from one or more classes for no more than five (5) days and requiring the student to spend time outside of school. Out-of-school suspension includes all school related activities and counts toward a student’s chronic absenteeism totals, which may require targeted student interventions to improve attendance.

## 12. Physical Restraint

The use of physical force without the use of any device or material that restricts the free movement of all or a portion of a student’s body, but “physical restraint” does not include physical escort.

**13. Restitution**

Compensation for loss or damage.

**14. Restorative Practices**

Restorative Practices is system that focuses on building, maintaining, and when necessary, repairing relationships among all members of a school community. The restorative approach is a set of guiding principles, which includes respect, relationships, responsibility, repair, and reintegration practices for the school community, which sees relationships as central to learning and the development of an inclusive, respectful and safe culture.

**15. Search, Minimally Intrusive**

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

**16. Search, More Intrusive**

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

**17. Search, Most Intrusive**

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

**18. Short-Term Suspension**

A suspension, not to exceed five (5) school days, which is at the discretion of the administrator and will address behaviors that disrupt the educational process.

**19. Tardy**

When a secondary student (6<sup>th</sup> – 12<sup>th</sup> grade) arrives to any class period or activity during the school day after the scheduled start time or when an elementary student (K – 5<sup>th</sup> grade) arrives after the official start time of the school day. A tardy may not be recorded as an absence.

**20. Volunteer**

An unsalaried person (parents, guardians, family, or community members) authorized by APS to perform volunteer services for the district more than once and/or on a regular basis. Volunteers must have background clearances.



# Student, Parent, Employee Service Center

6400 Uptown Blvd. NE Suite 100 West  
P.O. Box 25704, Albuquerque, NM 87125-0704

**HOT LINE: 855-9040**

**FAX: 855-9051**

[servicecenter@aps.edu](mailto:servicecenter@aps.edu)

The Student, Parent, Employee Service Center assists the APS and Albuquerque community by providing information, policy explanation, problem-solving support, and related student services in a collaborative and cooperative manner which promotes student success.



ALBUQUERQUE  
PUBLIC SCHOOLS

# 2021 2022 Handbook for student success

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ENGLISH VERSION



ALBUQUERQUE PUBLIC SCHOOLS