

Adopted and approved by Resolution No. 21-73 on August 2, 2021



*Mescalero Apache
School*

"Home of the Chiefs"

*Student
Policies & Procedures*

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Section 1

Introduction

1.1 Purpose

The purpose of this Student Handbook is to provide each student and his or her parent/guardian with all information needed in order for such student to be successful at Mescalero Apache Schools (MAS).

1.2 Handbook Approval & Modifications

This Handbook was approved by the MAS Board and the Mescalero Apache Tribal Council. MAS reserves the right to make modifications at any time. Such modifications will be effective after Tribal Council approval. Notice of modifications will be provided to parents/guardians as soon as possible. This Handbook and any modifications thereof will be readily available for review at the Administration Office.

1.3 Communication

The Superintendent has an "open door" policy. Parents/guardians and students should feel welcome to stop by any time to discuss issues and concerns. Communication between parents/Guardians and teachers is essential to the effective education of students. Teachers may arrange for conferences with parents/guardians at any time at their discretion. Parents/guardians who wish to have a conference with a teacher(s) may schedule an appointment through the respective building administrator.

1.4 Home-MAS Partnership

1.4a Need for a Home-MAS Partnership

One of the goals of MAS is to develop strong partnerships with the home to increase student achievement and develop positive student attitudes about self and school. The key factor in the home-school partnership is the relationship between each student's teacher and parent/guardian. Teachers are professionals who utilize a combination of instructional methods and resources. Parents/guardians are an essential resource in the learning process of children. Organizational support from the MAS Board, the Superintendent, other administrators, and other employees enables teachers to effectively develop the partnerships needed to ensure student success.

1.4b Action Plan to Support Partnership

MAS will take the following steps to develop and support the home-school partnership:

- The leadership committee of parents, teachers and administrators to conduct an annual survey of the content and effectiveness of parent/guardian involvement activities; the results of the survey will be used by the steering committee to guide overall MAS efforts, to recommend strategies for improvement;
- Require that all MAS employees be parent/guardian involvement facilitators, who will assist in parent-home partnerships;

- Utilize and work in collaboration with community resources whose goal is to encourage positive attitudes toward education and to promote the concept of parents/guardians as first teachers;
- Provide direct services to families through programs designed to reduce barriers to student learning; these services include: counseling, agency referrals, advocacy and relationship building;
- Develop "Parent-School Contracts" as needed to strengthen communication between the home and school; "Parent-School Contracts" are to be developed with the promise that parents/guardians are full partners in their child's education;
- Develop opportunities for the full participation of all parents/guardians including those who lack literacy skills, language skills, are disabled or are economically disadvantaged.

Section 2

Grades, Retention & Promotion

2.1. Grades & Scales

2.1a Percentage Scale – Grades 2 - 12

Each grading period shall be nine (9) weeks. A semester examination is required to be given in each course.

Grades are figured on the following basis:

A	90% – 100%
B	80% – 89%
C	70% – 79%
D	60% – 69%
F	59% and below

A minimum of two (2) grades per week must appear in the grade book to justify the nine (9) weeks' and semester grades. For students failing at any time during the nine (9) weeks, the teacher must notify the counselor and/or principal and document efforts to contact parent/guardian via phone, mail, email, or home visit.

Grades K – 1

Kindergarten and first grade students are assessed on ability to master standards throughout the school year.

2.1b Point Scale for MAS High School Credit

MAS High School Grades use a "4 point" scale for general education coursework. General education coursework shall be defined as those courses that are taken at the grade level for which a student is enrolled and which comparable age/grade level peers are enrolled.

General course work point scale:

A	4.0
B	3.0
C	2.0
D	1.0
F	0.0

However, where a student completes advanced coursework he or she may receive an extra point (above 4.0). Advanced coursework shall be defined as those courses which are taken

at one grade level or more above those taken by age/grade peers as part of the general curriculum OR those courses designated as advanced/honors/AP in the course descriptions.

The advanced coursework point scale is as follows:

A	5.0
B	4.0
C	3.0
D	2.0
F	0.0

2.1c Grade Averaging for MAS High School

MAS High School shall award a student full credit for a two-semester course if a student fails the first semester but earns a passing grade in the second semester that is high enough that the average of the two grades is a 60 or above. If the student has met the compulsory attendance rules, credit shall be granted under the following guidelines:

- Courses may be averaged from one year to another year;
- Regular courses may be averaged with summer school courses;
- Courses taken in middle school that qualify for high school credit may be credit averaged; and
- A passing first semester and a failing second semester grades will not be averaged and the student will not receive credit for the second semester.

Students who fail the first and third nine weeks will not receive a grade less than 40 percent. During the second and fourth nine (9) weeks, the grade earned will be averaged with 40 percent.

2.2 Progress Reports

Progress reports are to be mailed to each student and parent/guardian the fifth week of each nine (9) week grading period.

2.3 Guidelines for Promotion and Retention

2.3a Recommendation for Retention by Teacher

A student's classroom teacher will present the parent/guardian with a recommendation for promotion to a higher grade-level or retention at the same grade-level. This recommendation will be based on:

- Academic achievement;
- Classroom skills and abilities; and
- Performance levels on Short Cycle assessments and tests.

The recommendation will be made in the best interest of the student and his/her academic success.

2.3b Request for Retention by Parent/Guardian

A parent/guardian may request the retention of his/her child. The same criteria listed above will be used to make the determination as to whether the student should be retained. The parent/guardian must sign an acceptance or refusal for the recommendation of retention. A parent/guardian is allowed to sign a retention refusal only one (1) time during the student's elementary years.

2.3c Student Assistance Team (SAT)

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. The SAT develops interventions for at-risk students who are not responding to the core program in the general education environment and for students who might need supplemental, strategic, and individualized support. The SAT's mission is to approach and arrive at appropriate solutions to problems in the school environment through a cooperative team effort.

Although the team may make referrals to special education and other special programs, the SAT is not part of the special education process, but rather a general education responsibility. Initial evaluation for special education is appropriate when the SAT recommends the same or agrees with a parent request.

Any student being considered for retention at any grade level will be referred to the Student Assistance Team (SAT). The SAT will perform those duties listed below.

2.3d Retention Timeline

The following timeline shall be observed when considering retention:

October	<p>The teacher will contact the parent/guardian regarding concerns.</p> <p>The teacher will advise the Building Principal and the SAT in writing where he or she has concerns about a possible student and if retention may be necessary.</p> <p>The SAT, with input from the teacher, will develop an intervention plan.</p>
January	<p>The teacher will arrange a conference with the parent/guardian and the SAT no later than January 31st.</p> <p>The SAT, with input from the teacher and parent/guardian, will discuss and modify intervention plan as needed.</p>
February/March	<p>The teacher will keep the parents/guardians informed and have discussions with the SAT.</p>
April	<p>During the 1st week of April, the teacher will complete an intervention packet and submit it to SAT Chairperson.</p>

The teacher will arrange a 2nd meeting with the parent/guardian and the SAT to review progress.

The SAT will make a decision for retention by April 15th. The parent/guardian will be notified in writing of the SAT's decision as soon as possible.

2.3e MAS High School & Promotion

Promotions from 9th-12th grades are based on attained credits. The MAS High School counselor and/or Building Principal will meet periodically and as needed with parents/guardians to discuss student progress towards graduation and graduation plans.

Section 3

Graduation Requirements

3.1 Number of Credits Required

Students are required to earn a minimum of twenty-four and one half (24.5) credits to graduate.

3.2 Required Classes

To graduate, each student must take the following courses for the number of credits listed:

- Four (4) credits in English;
- Four (4) credits in Mathematics (students must take Algebra I, Algebra II, and Geometry);
- Three (3) credits in Science (students must earn 2 credits from classes with a lab component);
- Three (3) credits in Social Science (students must take World History/Geography, United States History/Geography, and Government/Economics);
- One (1) credit in Physical Education;
- All students must take Apache I and Apache II;
- One half (0.5) credit in Health Education;
- One half (0.5) credit in Computer Education; and
- One half (0.5) credit in New Mexico History.

3.3 Dual Credit

MAS students must earn at least one half (0.5) credit for a dual credit class. Dual credit classes are those that count toward college credit at an accredited university.

Students who complete three (3) college credits will receive one (1) credit in the corresponding MAS class. For example, a college algebra class which is worth three college credits would be equal to one (1) MAS Algebra credit.

MAS currently has Memoranda of Understanding with New Mexico State University-Alamogordo, Eastern New Mexico University-Ruidoso and Institute of American Indian Arts that allow MAS students to take dual credit classes with each.

3.4 Community Service

MAS believes that students benefit from becoming involved through community service. This promotes a sense of belonging. In addition, students should be encouraged to give back to the community. This invests the student in the community and teaches students traditional Apache values.

Therefore, each student must complete eighty (80) hours of community service to graduate. The MAS counselor will coordinate with Tribal entities and other service programs in the community that are willing to provide community service opportunities to MAS students.

Students should contact the MAS counselor for more information as to the community service requirement.

3.5 Elective Credits

MAS offers a variety of elective classes for students interested in certain areas of study or practical skills. From time to time, based on funding and other resources, MAS may offer certain electives one year and not another year. Due to the importance of the core curriculum and the need for structured curriculum, only the following elective classes will be counted toward meeting the number of credits requirement for graduation:

- Practical and Fine Arts
- Health, Physical, and Vocational Education
- Languages other than English
- Speech
- Drama
- Mathematics
- Science
- English
- Social Sciences
- Computer Science
- Office Aide, Nurse Aide, or Teacher Aide (up to one credit)

3.6 Correspondence Credits

Students with approval of the Principal and counselor may complete correspondence study in lieu of classroom instruction for up to two (2) credits per school year. Credits earned through correspondence study must be through an MAS approved program or a program accredited by the National Home Study Council or New Mexico's Public Education Department, or a college or university which is accredited for such purposes. Parents are encouraged to participate in Next-Step and 4 Year Plans with their child.

3.7 Grade Classification for MAS High School

Students with the listed number of credits will be classified as follows:

- | | |
|---------------------|-----------|
| • 0 – 6 credits | Freshman |
| • 6.5 – 12 credits | Sophomore |
| • 12.5 – 18 credits | Junior |
| • 18.5+ credits | Senior |

3.8 Annual graduation plan

All 8th grade students must complete a graduation plan. The purpose is to verify with parents/guardians the progress and future expectations for graduation. This plan requires a parent/guardian signature. The plan lists the courses that each student intends to complete each year such that he or she is able to meet all graduation requirements. The plan will be amended at the end of each year to reflect changes in the student's planned coursework. Any amendments should be made such that graduation requirements are still met by the end of the student's senior

year. At the completion of each school year, each parent/guardian will be required to sign a statement stating that he or she reviewed his or her student's graduation plan.

3.9 Eligibility for Salutatorian/Valedictorian

Students transferring to Mescalero Apache School during their senior year of high school are not eligible for the honor of Salutatorian or Valedictorian regardless of grade point average (GPA).

3.10 Graduation Testing & Certificate of Coursework

In order to graduate, each student must pass any standardized graduation testing required by the MAS Board.

The MAS High School shall issue a certificate of coursework completion to a senior who has successfully completed credit requirements for graduation but has failed to meet applicable graduation testing requirements.

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Section 4

Truancy/Attendance Policy

4.1 Mescalero Apache Tribal Ordinance 08-05/Truancy Code

Mescalero Apache Tribal Ordinance 08-05 ("Truancy Code") was passed by the Mescalero Apache Tribal Council to curb the issues of truancy and educational neglect. The Truancy Code is attached hereto as Appendix 3. The Truancy Code seeks to provide a formal Tribal Court process for intervention in cases of truancy and educational neglect.

Like the Tribe, MAS believes that in order for students to receive the maximum benefit of instruction, they must be in class, arrive on time, and be prepared to learn. This is possible when the student is on time and prepared to learn. This section is meant to:

- Create non-Court intervention processes that should be utilized before resorting to the Tribal Court; and
- Reiterate and explain the Court process outlined in the Truancy Code.

4.2. School Hours

School hours for the elementary are from 8:30 AM-3:00 PM, Monday through Thursday. School hours for the middle/high schools are from 8:00AM – 4:00pm, Monday through Thursday. Students are expected to be present during school hours.

4.3 Age Requirement

To be able to attend MAS, a student must turn 5 years of age prior to September 1st of the school year to be eligible for Kindergarten.

4.4 Attendance Committee

Due to the importance of regular attendance, MAS believes that it is necessary to create an entity, the Attendance Committee, within MAS, whose sole responsibility is to monitor student attendance and make recommendations to the MAS Board in regard to MAS attendance policies. Attendance Committee Membership will consist of five (5) members, including: at least one (1) counselor, the MAS Administration secretary, and a MAS employee who is also a member of the Mescalero community. Additionally, the Attendance Committee must consist of at least two (2) certified employee and one non-certified employee.

4.5 Definition of Unexcused Absence

The term "unexcused absence," as used in the Truancy Code and this section, means any absence beyond the limits established in the following sections.

4.6 Documentation

A student who is absent must provide a note from his or her parent/guardian, physician, or hospital. Each parent/guardian should save such documentation for future reference.

4.7 Attendance Policy for Grades K-5

4.7a Number of Absences Allowed, Warnings & Tardies

A student is allowed a total of twenty-five (25) absences per year regardless of the reason. Warning notices will be sent home after the third (3rd), sixth (6th), tenth (10th), fifteenth (15th) and eighteenth (18th) absences. A phone call to the parent/guardian will be made for any student that was marked absence where there is no documentation as to the reason for the absence.

Three (3) tardies count as one absence. If a student arrives for school between 8:30AM-9:45 AM, then that late arrival will count as a tardy. If a student arrives after 9:45 AM, then the student will be counted absent for AM attendance. PM attendance is taken at 12:45 PM. Any students who arrive from 12:45-1:15 PM will be counted tardy for PM attendance. If a student arrives after 1:15 PM, then the student will be counted absent for PM attendance. If a student is checked out between 12:15 p.m.-1:15 p.m., then he or she will be counted absent for PM attendance.

4.7b Risk of Retention K-12

Notification that a student will be retained at the same grade level for another year due to excessive absences will be made by mail on the twentieth (20th) absence to the student's parent/guardian, as allowed in 4.10. The parent/guardian has the opportunity to contest retention as described below.

4.8 Attendance Policy for Grades 6-8

4.8a Number of Absences Allowed, Warnings, & Tardies

A student is allowed a total of twenty-five (25) absences per year for any reason, including Out of School (OSS) Suspension. A student will be counted absent for each period he or she is not in

class. If a student is less than fifteen (15) minutes late, then the student will be counted tardy. If a student is more than fifteen (15) minutes late for class, then the student will be counted absent. Warning notices will be sent home after the third (3rd), sixth (6th) and (15th) absences.

4.8b Risk of Retention

Notification that of the possibility of the retention of a student at the same grade level for another year due to excessive absences will be made by mail on the fifteenth (15th) absence to the student's parent/guardian. Another notice will be send on the twentieth (20th) absence that the student will be retained.

4.9 Attendance Policy for Grades 9-12

4.9a Number of Absences Allowed, Warnings, & Tardies

A student is allowed a total of twelve (12) absences (including OSS) in each class per semester. Three tardies count as an absence. If a student is late for class fifteen (15) minutes or less, the student will be counted tardy. If a student is more than (15) minutes late for class, the student will be counted absent. All work missed during the twelve (12) absences may be made up. Warning notices will be sent home after the third (3rd), sixth (6th) and tenth (10th) absences.

4.9b Risk of Loss of Credit

Notification that the student is at risk for loss of credit due to excessive absences will be made by mail prior to the tenth (10th) absence and again on the thirteenth (13th) absence to the address of record in the student's file.

4.10 Contesting Retention/Loss of Credit & Hearing

The parent/guardian may contest retention by submitting a letter regarding the same to the Attendance Committee provided that he or she does so within one (1) week of the notice of retention/loss of credit. Further, a parent/guardian of a student in 1) grades K-8 cannot contest where his or her student has more than twenty-five (25) absences; and 2) grades 9-12 cannot contest where his or her student has more than fifteen (15) absences.

Upon receipt of a letter from the parent/guardian contesting retention/loss of credit, the Attendance Committee will schedule a hearing. The parent/guardian must attend the hearing in person to contest retention. The Committee may consider extraordinary circumstances, such as hospitalization of the student or a death in the student's immediate family (not to exceed five (5) days). The Committee may waive some or all absences where the parent/guardian provided prior notice of the absences, but is not required to do so. The Committee shall issue a decision as to whether to uphold the retention/loss of credit within one (1) week of the hearing. If the retention is not upheld, no more absences by the student will be allowed for the remainder of the school year. The decision of the Committee is final.

4.11 Tribal Court Intervention

4.11a Level 1

In addition to and concurrently with the actions listed above, MAS will take the following steps after a student's 20th absence:

- On the first unexcused absence, MAS will call the parent/guardian to inquire about the student's absence.
- On the second unexcused absence, MAS will be required to visit the home to leave a written notice. This notice will inform the parent/guardian that a third unexcused absence will be cause for notifying BIA-Law Enforcement.
- On the third unexcused absence, MAS will notify BIA-Law Enforcement. BIA-Law Enforcement will issue a formal citation to the parent/guardian.

4.11b Levels 2 and 3

Levels 2 and 3 are outlined in the Truancy Code. A copy of the Truancy Code appears in the Appendix.

4.12 Student Work Missed

All student work missed during an absence(s) may be made up. All work will be accepted for the same number of days after a student's return to school as the number of days that the student was absent. For example; if the student was absent two (2) days, then the student has two (2) days to submit missing work.

4.13 Disenrollment

After ten (10) consecutive absences, with/without notification to MAS, a student will be dis-enrolled from MAS. A waiver must be requested prior to the absences, if extenuating medical or other extraordinary circumstances exist. The request must be submitted in writing to the Superintendent.

4.14 Coming of Age and Other Tribal Ceremonies, Feasts, & Activities

4.14a Coming of Age Ceremony

A female student that is taking part in her Coming of Age Ceremony will be allowed to be absent for the ceremony. This includes: the four (4) days prior to the Ceremony, the four (4) days of the Ceremony, and the four (4) days following the Ceremony. Such absences will not count toward the absence limits listed above. A signed written statement from the parent/guardian noting the dates of the Ceremony must be presented to the Superintendent at least one (1) month prior to the Ceremony. Absences taken in preparation, such as wood gathering, grocery shopping, gathering of teepee poles, butchering, trying on buckskin dresses, etc. will count toward the limits on absences listed above. Absences by siblings and other relative students of a female student taking part in a Ceremony during the Ceremony or in preparation for the same will be counted towards the absence limits listed above.

4.14b Other Ceremonials

An absence on a school day during the Tribe's Annual 4th of July Ceremonial or any other ceremonial's sponsored by the Tribe will not count toward the limits on absences listed above.

4.15 Ditching

Any student present on school property and not in class or In School Suspension (ISS) will be considered to be "ditching," which shall result in the student being placed in ISS:

- 1st Violation: Three (3) days in ISS
- 2nd Violation: Five (5) days in ISS
- 3rd Violation: Other sanctions to be determined by the Superintendent.

Section 5

Student Discipline

5.1 Policy Statement

Good discipline creates a desirable teaching/learning environment, provides control, and leads to each student learning to act appropriately in particular settings. Discipline should not be mere punishment, but instead should be intended to teach students respect for law, authority, property, the rights of others, and toward responsibility for one's self. One student's education should not be denied because of the disruptive behavior of other students. Student behavior that is disruptive to the classroom and/or school in general will be considered as interfering with the educational process.

This Section provides additional information as to those disciplinary actions listed elsewhere in this Handbook and lists disciplinary actions for a number of other violations.

5.2 Non-Discrimination & Process

MAS's disciplinary policies and practices will not discriminate on the basis of race, color, national origin or disability.

Where discipline is to be implemented, the respective student must:

- Be made aware of the alleged violations;
- Have been informed of the factual basis for the allegations;
- Have had the opportunity to admit or to deny allegations; and
- Have had the opportunity to present his or her perception of the situation

5.3 Non-Disclosure

MAS will not disclose student disciplinary records except as allowed or required by federal or Tribal law.

5.4 Responsibility/Authority to Enforce

All Principals and employees on a school-wide basis will have the responsibility and authority to enforce impose discipline for violations of this Handbook except as provided.

5.5 Severely Disruptive Behavior

The following kinds of behavior, when occurring on MAS property, including in MAS vehicles, or on field trips or other off campus activities, are considered severe disruptions of the teaching/learning situation and are, therefore, prohibited and will result in the consequences specified below.

5.5a Possession of a Weapon

The possession of a weapon is strictly prohibited. Possession of a weapon will result in:

- Mandatory Out of School Suspension (OSS) for five (5) days;
- Immediate confiscation of the weapon;

- Immediate notification of law enforcement and the student's parent/guardian; and
- A recommendation to the Superintendent that the student be expelled. The Superintendent, on a case by case basis, shall determine whether the recommendation should be forwarded to the School Board for final consideration.

A weapon means any firearm, whether loaded or unloaded, any device designed as a weapon, or through its use capable of producing great bodily harm or death, any device or instrument which is used to threaten or cause bodily harm or death. Some examples of weapons are guns (including pellet guns), knives, clubs, metal knuckles, nunchucks, throwing stars, explosives, ammunition, lighters and blow darts.

5.5b Threats/Attacks with a Weapon

A threat, other intimidating behavior, or physical attack with a weapon against another will result in the above noted actions except that the Superintendent will submit documentation relating to the incident to the MAS Board. The MAS Board will determine whether the student will be expelled. The student will be placed on OSS pending the decision of the Board.

5.5c Threats or Intimidating Behavior

A threat of bodily harm or death to another person, without material physical contact or other intimidating behavior (like aggressive intentional pushing) is strictly prohibited and will result in a parent/guardian conference and/or OSS for up to three (3) school days.

5.5d Fighting

Fighting is strictly prohibited. Fighting includes any non-consensual, violent, physical attack on another student or MAS employee.

- 1st violation: Students in grades K-5 will be placed on ISS or OSS for a period not to exceed three (3) school days. Students in grades 6-12 who engage in fighting will be placed on OSS for five (5) school days. Two (2) mandatory counseling sessions with the student, parent/guardian, and a counselor will take place within thirty (30) days of the incident.
- 2nd violation: The student will be placed on OSS immediately and the Superintendent will submit documentation relating to the incident to the MAS Board. The MAS Board will determine whether the student will be expelled. The student will be placed on OSS pending the decision of the Board.

5.5e Cigarettes/Tobacco/Vape/Illegal Drugs

Possession and/or use of cigarettes, vape, other tobacco products, illegal drugs is strictly prohibited and will result in a parent/guardian conference and/or OSS for up to three (3) school days. Prescription drugs that are being misused or abused constitute illegal drugs for purposes of this Paragraph.

5.5f Verbal Abuse and Disrespect of School Staff & Other Students

Verbal abuse and/or disrespect of MAS employees or other students is prohibited and will result in ISS or OSS for up to three (3) school days.

5.5g Theft

The intentional taking of the property of another by force, threat or otherwise without the consent of the other is theft. Theft is prohibited. A student who commits theft will be placed on OSS for up to five (5) school days. Law enforcement may be contacted by MAS at the discretion of the Superintendent. The student's parent/guardian will be notified immediately.

5.5h School Property Damage

Intentional damage to MAS property is prohibited. A student who intentionally causes damage, by vandalism, arson or other act, to MAS property or the personal property of another student will be placed on OSS for up to five (5) school days. In the case of damage to MAS property, law enforcement may be called and MAS may seek restitution for the damage caused. The student's parent/guardian will be notified immediately.

5.5i Improper Activation of Fire Alarms

Fire alarms are to be activated only in the case of a real emergency or possible emergency. Therefore, a student who intentionally and inappropriately activates a fire alarm will be suspended for five (5) school days. A recommendation may be made to the Superintendent that the student be expelled. The Superintendent will determine whether to forward the recommendation to the MAS Board. The student will be allowed to return to school pending the decision of the Board. The student's parent/guardian will be notified immediately.

5.5j Trespassing

A student should be present on MAS property only during school hours; or if after or before school, only with the permission of an MAS employee and for a legitimate reason, such as athletic practice, tutoring or participation in some other extracurricular activity. In all other cases, a student on MAS property will be considered to be trespassing. Further, any former student that has been expelled or excluded as provided herein will be considered to be trespassing. Any student that is present on School property before or after school hours without the consent of an MAS employee for a legitimate reason or a former student that had been expelled or excluded from MAS will be told to leave immediately. Law enforcement will be contacted in the case that the student/former student does not leave. MAS may seek prosecution of the student/former student for criminal trespass or a restraining order against the student.

5.5k Bomb Threat, Inappropriate and/or False 911 Call

Any student responsible for a bomb threat, inappropriate, and/or false 911 call to or from MAS property will be expelled for the remainder of the school year.

5.6 Bus Discipline

The contractor selected by MAS to provide bus services for students is responsible for developing and implementing a disciplinary policy for students while they are being transported to and from school. Discipline may be in the form of a student being required to sit in a certain

seat or banning a student for inappropriate behavior. All students are expected to comply with such disciplinary policy.

5.7 Types of Discipline

5.7a In-School Suspension (ISS)

In School Suspension (ISS) means the removal of a student from the regular classroom for up to five (5) days. A student on ISS must report to a specified classroom immediately at the beginning of the school day unless directed to report at a different time. The student will not be allowed to change classes at the bell. The student will be: 1) segregated from other students during bathroom and lunch breaks; 2) be required to complete classroom work; and 3) perform other work given by the MAS staff member that is assigned to supervise the student. The respective Building Principal must authorize ISS.

5.7b Out of School Suspension (OSS)

Out of School Suspension (OSS) means the removal of a student from MAS property for up to five (5) days. OSS is considered to be a more severe punishment than ISS. The student will not be allowed to attend classes, enter onto MAS property, or attend off-campus or after school MAS activities, including athletic events. The student will be allowed to request classroom work:

- Prior to the beginning of OSS, in which case the classroom work must be returned when the student returns to school in order for the student to receive credit for the same; or
- Within three (3) days of the student's return to school, in which case the classroom work must be returned within two (2) days of receiving his or her classroom work in order for the student to receive credit for the same.

The respective Building Principal must authorize OSS.

5.7c Long-Term OSS

Long-term OSS (OSS that exceeds five (5) days) may be appropriate in cases where a student continues to violate MAS policies after at least two (2) prior times of being placed on OSS within the same semester and the Superintendent finds that the student's behavior necessitates more severe punishment than OSS but less severe than expulsion or exclusion. Long-term OSS should not be common practice and should not exceed twenty (20) days per semester. A student who is in long-term OSS is not allowed at any MAS school functions.

5.7d Expulsion

Expulsion means the removal of the student from MAS for a stated, extended duration. An expelled student may not return without special permission from the MAS Board. Expulsion is considered to be a severe disciplinary action that is to be taken only after all other discipline was unsuccessful in correcting disruptive behavior or where the behavior was of such a serious nature that prolonged absence from school was deemed appropriate and necessary to protect other students. A student that has been expelled is not allowed at any MAS school functions.

The Superintendent upon recommendation or his or her own discretion shall determine if expulsion is necessary. In the case that the Superintendent determines that expulsion is warranted, then he or she shall make a recommendation to the MAS Board that the subject

student be expelled. The parent/guardian and the student may appear before the Board to contest the proposed expulsion. In making its decision on the proposed expulsion, the MAS Board will consider all related documentation and other information brought to its attention.

5.7e Exclusion

Exclusion means the permanent expulsion of a student from MAS. An excluded student may never return. Exclusion is considered to be the most severe disciplinary action that may be taken by MAS. The Superintendent upon recommendation of an MAS employee or upon his or her own discretion may determine that a student be excluded. The parent/guardian and the student may appear before the Board to contest the proposed exclusion. In making its decision on the proposed expulsion, the MAS Board will consider all related documentation and other information brought to its attention.

5.8 Discipline of Handicapped or Disabled Students

Handicapped, disabled students or special needs students will be disciplined as provided in a separate policy. A copy of that policy is available at the Administration Office.

5.9 Regular Serious Disruptions

5.10a Referrals

Where a student is seriously disruptive on a regular basis and the Superintendent believes that this is in part due to family or the student's family environment, the Superintendent may request assistance from available community resources like the Tribal Human Services Department and other Tribal programs that provide services to youth or families, BIA-Social Services, the Indian Health Service (I.H.S.) the Tribal Children's Court, and BIA-Law Enforcement.

5.10 Threats of Mass Violence or Killings by Students

5.10a General

MAS must balance the rights of students to freedom of speech and the risk of harm to students and staff. In view of the many incidents of mass violence or killings around the nation in recent years, threats of the same cannot be ignored as harmless talk. Threats of violence toward other students, MAS employees, or MAS facilities, *whether made in jest or with the intention of carrying the same to fruition*, are strictly prohibited. A student's statement that he or she plans to bring a weapon to school (for whatever purpose or for no purpose at all) will be considered to be a threat and a violation of this policy.

5.10b Reporting Threats

All MAS students are encouraged to immediately report evidence of such threats to their Building Principal or to the Superintendent. Where a report is made, the Building Principal shall investigate such report and inform the Superintendent of the same where there is reason to believe that the threat had been made.

The Superintendent shall document all reports of such threats. The Superintendent will document if threats are not sufficiently credible as to warrant further investigation, a referral to

law enforcement, or disciplinary action; such documentation shall include a written explanation of the circumstances leading the Superintendent to that conclusion.

5.10c Law Enforcement

Where the Superintendent finds that a report of a threat is credible and there is reason to believe that the responsible student is serious about the threat and has taken steps toward carrying the same to fruition, then he or she will contact law enforcement immediately. The student may be placed in law enforcement custody, at the discretion of law enforcement. The student will be prohibited from returning to MAS until law enforcement has conducted an investigation and/or criminal sanctions have been imposed or the student is acquitted.

Where a student makes a threat of mass violence or killing but it does not appear that the student intended to move forward, then the student's parent/guardian will be notified immediately. Law enforcement may be contacted at the discretion of the Superintendent.

5.10d Violation

In addition to criminal sanctions, where a student is found to have violated this policy by the Board, the student shall be expelled for the remainder of the school year. In addition, depending on the severity of the threat and/or other circumstances, the student may be subject to permanent exclusion from MAS.

5.10e Return to School

Whether the threat was serious or not, as a condition of the student's return to school after an expulsion, the MAS Board will consider and may require that the parent/guardian and student agree, in writing:

- To provide a documented opinion by a licensed professional that the student does not represent a threat of harm to him- or her-self or to others, and, for a period to be determined by the Superintendent, that the parent/guardian provide regular documented updates of such opinion;
- That, for a period to be determined by the Superintendent, the parent/guardian check the student for weapons at home and accompany the student to the Administration Office upon arrival at school at the beginning of each school day, at which time the student shall be searched for weapons or other contraband by an MAS employee;
- That, for a period to be determined by the Superintendent, the student be prohibited from leaving campus during the school day, and that during any non-class time, the student remain in a monitored, segregated environment;
- That, for a period to be determined by the Superintendent, the student be transported home from school by the parent at the end of the school day;
- That for a period to be determined by the Superintendent, the student shall not be permitted to participate in any extracurricular activities, or school functions except classroom instruction during the school day; and
- That, for a period to be determined by the Superintendent, the student will not be permitted to enter or be present on MAS property except during the regular school day, and that the parent/guardian will enforce such prohibition by appropriate means.

5.11 Sexual Harassment & Assault

Sexual harassment is handled in a separate policy. A copy of this policy can be found in Appendix 3.

Where there is an allegation of sexual assault by a student, law enforcement will be called immediately and MAS will follow those procedures established at Section 17.3 of this Handbook.

5.12 Public Displays of Affection

Being overly affectionate in school creates an environment that is not conducive to concentration and learning. Therefore, students should refrain from inappropriate public displays of affection on campus or at school-related events and activities. The expression of feelings of affection toward others is a personal concern between two individuals and not of others surrounding them.

Students are expected to show good taste and conduct themselves respectfully at all times. Inappropriate public displays of affection will not be tolerated. The appropriateness of a public display of affection will be determined by the Building Principal on a case by case basis. The Building Principal shall consider the nature of the behavior, whether others would find the behavior to be intimate in nature, and whether such behavior is or could be disruptive to others. An inappropriate display of affection will result in a warning and a parent meeting. Suspension may be warranted if the behavior continues after the parent meeting.

5.13 Matrix for Discipline

See Appendix __. The Matrix for Discipline shall serve as a guide for staff when issuing discipline. Staff must provide written justification for any deviation from the Matrix.

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Section 6

Student Dress Code

6.1 General

MAS believes that student appearance can but should not interfere or distract from the educational process. Student appearance affects the self-image of students. In addition, MAS students represent MAS and the Mescalero Apache Tribe to visitors, the community, other schools, and outsiders. Therefore, students' dress should be neat, clean, and appropriate.

6.2 Clothing & Non-Clothing Items

The following clothing and non-clothing items are not allowed:

- Sexually provocative or clothing that does not provide reasonable coverage of the body. This includes: see-through clothing, skirts whose hem stops more than three (3) inches above the top of the kneecap, mini shorts that do not extend more than ten (10) inches from the waist, tank tops, muscle shirts, over the shoulder or low cut blouses, tops that do not reach the waistband of pants or skirts, clothing worn in such a way that underclothing is exposed, shredded or holey jeans.
- Clothing and tattoos that display phrases, names, graphics, or slogans that promote the use of alcohol, drugs or tobacco, are sexually suggestive, or are obscene, vulgar, romanticize death, or are abusive in nature.
- Clothing and tattoos that identify a person as a gang affiliate, promotes gang membership, or contains gang references. The Superintendent shall have the sole authority to declare whether or not clothing and/or tattoos identifies, promotes or refers to gang membership or affiliation or is otherwise inappropriate. Inappropriate tattoos must be covered.
- Clothing that "sags" or which is worn with the waistband more than four (4) inches below the top of the hip bone, belts that extend more than eight (8) inches beyond the buckle.
- Sunglasses without a prescription.
- Jewelry that can be used as weapon or which can inflict injury.
- Hats, caps, hoods and hairnets. Bandanas are allowed only where full traditional regalia is also worn and the bandana is being worn for traditional purposes.
- Exposed body piercing(s) other than pierced ears, except where there is proof that the piercings are required for legitimate religious purposes.

6.3 Shoes

Students shall wear shoes at all times.

6.4 Authority & Violations

The Superintendent has the sole authority to determine whether there is a violation of this section.

In the case of a violation for clothing:

- A first violation shall result in clothing being turned inside out or changed, whichever is appropriate.
- A second violation and any violation thereafter shall result in three (3) days of ISS.

In the case of a violation for inappropriate non-clothing items or lack of shoes:

- A first violation shall result in student handing over the offending item(s).
- The second violation shall result in three (3) days of ISS.
- The third violation shall result in confiscation of the item(s) for the remainder of the school year
- Continued violations (more than 3) will be addressed by the Superintendent on a case by case basis as deemed appropriate.

Section 7

Electronic Devices

7.1 General Prohibition & Definition

Electronic devices are not allowed except as provided herein. Electronic devices include cell phones and any device that plays music.

7.2 Exceptions

However, special exceptions may be made for laptops and tablets where the Superintendent finds the use of a laptop or tablet must be used by the student due to that student's special education needs. In such cases, the student may only use such devices under the supervision of a teacher and for classroom note taking, research, and studying purposes.

7.3 Violations

The Superintendent has the sole authority to determine whether there is a violation of this policy.

- A first violation will involve a verbal warning the item being confiscated. The parent/guardian must reclaim the item. If the student refuses to turn over the item to the staff member, then the student will be placed on three (3) days of OSS.
- The second violation will result in three (3) days of ISS.
- The third violation shall result in confiscation of the electronic device for the remainder of the school year.
- Continued violations (more than 3) will result in a recommendation for expulsion.

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Section 8

Internet Use

8.1 General

The internet may be a valuable research and learning tool for MAS students. Students are able to access the internet through MAS computers in the classroom or in the computer lab. In addition, students using laptops and tablets, as limited above, may have access. The purpose of this section is to provide a guide for students using of the internet on the MAS campus.

8.2 Internet Use Contract

Prior to being allowed to access the internet during the school day and/or on the MAS campus, each student and his or her guardian must sign the Internet Use Contract form. The form is included in the Appendix.

8.3 Acceptable Use

Students must:

- Access the internet only for instructional and research purposes;
- Respect the MAS employees responsible for overseeing the computer lab and administering the network; and
- Respect the privacy of other students' accounts.

8.4 Unacceptable Use

Students may not:

- Play games;
- Gamble;
- Make unauthorized downloads;
- Access restricted web sites such as hate, dangerous materials, etc.;
- Access pornographic web sites;
- Chat on-line;
- Use another person's account(s);
- Intentionally seek information on, obtaining copies of, or modifying files, passwords, data or programs belonging to other users;
- Develop or execute programs that could harass other users, infiltrate systems, damage, or alter software components; and
- Make and/or distribute copies of programs without the specific permission of the copyright holder.

In addition, students must comply with the anti-cyber bullying section herein.

8.5 Violations

Students in violations of this section will be subjected to the following discipline:

-

- 1st violation: Warning and suspension of computer privileges for three (3) days
- 2nd violation: One (1) week loss of computer privileges and parent conference
- 3rd violation: In school suspension (ISS)

Section 9

Medication, Illness & Injury

9.1 Prescription Medication

9.1a Responsibility & Authority of MAS

MAS has neither the responsibility nor authority to administer prescription medication at school.

9.1b Documentation & Authorization to Administer

The parent/guardian must ensure that the MAS nurse has the following documentation:

- A signed, dated order by a physician licensed by the State of New Mexico with specific directions and times for administration of the medication.
- A completed Authorization to Administer Medication Form, signed by the parent or guardian, requesting that the medication be given during the school day.

9.1c Storage & Labelling

Prescribed medication shall be stored in a secure location in the MAS nurse's office. It is the parent's/guardian's responsibility to ensure that the medication is given to the MAS nurse.

The medication must be in a container appropriately labeled by the pharmacist or physician and deposited with the MAS nurse.

9.1d Responsibility to Report

It is the student's responsibility to go to the MAS nurse to receive the medication at the appropriate time. It is the parent's responsibility to assure that his/her child is reporting for the medication at the appropriate time.

9.1e Administration by MAS Nurse or Parent

The school nurse may assist the student in taking the prescribed medication if directed to do so by the student's physician.

If appropriate prior arrangements are made, the parent may administer medication to his/her child at School.

9.1f Limited Exception for High School Students

An MAS High School student may bring one prescribed pill to MAS and carry it on his or her person to be taken at the appropriate time provided that the above documentation is provided beforehand.

9.1g Federal & Tribal Laws Apply

MAS prohibits any medication that is illegal under federal or Tribal law whether such medication 1) has been prescribed by a licensed physician or not; or 2) is legal under state law or not.

9.2 Non-Prescription Medications

9.2a Students in Pre-Kindergarten through 8th Grade

Students in pre-Kindergarten through 8th grade are required to have a doctor's order and parent authorization when non-prescription medications are needed during school hours.

9.2b Students in Grades 9-12

Students in grades 9-12 may keep non-prescription medication with them under the following conditions:

- The school nurse must have a signed authorization from the parent or guardian identifying the medication and the reason for taking it.
- The student should keep enough medication for one day only.

9.3 Minor Illnesses & Medication Administration by the MAS Nurse

The MAS nurse may administer a single dose of the following appropriate medications for minor illnesses before contacting the child's parent/guardian:

- Antacids: Roloids, Tums, etc.;
- Cough medications: cough syrup, lozenges, etc.; and
- Topical first aid cream/spray or anti-bacterial ointment (such as triple antibiotic, polymixin-bacitracin, or bacitracin; polymixin-bacitracin are preferable because of potential for neomycin allergy).

9.4 Injuries & Illnesses

9.4a Minor Injury & Illness

If a student suffers a minor injury or illness while attending a school sponsored trip/activity, then it shall be the responsibility of any MAS employee present to notify the MAS nurse or Building Principal immediately to arrange for appropriate care or transportation to MAS for the student.

A student who suffers from a minor injury or illness on MAS property shall be sent to the MAS nurse. The MAS nurse will send a student to the Superintendent's office if in the MAS nurse's estimation, the student should be sent home. If a student is sent home, the teacher will be notified. Students are discharged to go home only from the Superintendent's office and with a parent's/guardian's knowledge.

9.4b Major Injury & Illness

If a student suffers a major injury or illness during the school day or while attending a school sponsored trip/activity:

- It shall be the responsibility of any MAS employee(s) present to seek help by first calling 911.
- The employee(s) must take action to keep the student as stable and as comfortable as possible until emergency services arrive.

- Then, the employee(s) must contact the Building Principal and Superintendent immediately.
- The Superintendent must call the student's parent/guardian as soon as possible.
- If the parent/guardian cannot be reached, then the Superintendent must contact other emergency contacts listed on the student's enrollment card.
- MAS is not responsible for subsequent treatment, but may provide transportation of students to receive said treatment where other emergency transportation is not available.

9.4c Emergency Parental Permission Slip

Every parent/guardian, as a condition of registration, shall complete and sign an emergency parental permission slip and emergency contact information.

9.5 Accidents & Emergency/Disaster Plan

Accidents, emergencies and disasters shall be handled in the manner prescribed in MAS policies and the MAS Emergency/Disaster Plan. A copy of the Plan may be obtained from the Administration Office.

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Section 10

Athletics

10.1 General

MAS recognizes the value of student participation in school athletics. In addition to learning to live an active and healthy lifestyle, students learn discipline, teamwork, integrity, and respect. MAS encourages students to participate.

The following rules are intended to ensure that the MAS athletic program is fair, efficient and in compliance with any applicable New Mexico Athletic Association (NMAA) rules.

10.2 Selection of Sport & Changing Sports

A student has two (2) weeks from the beginning of school to select a sport in which to participate. After two (2) weeks have passed, no changes are allowed. Students that are cut from a team but continue to wish to play a sport will be placed on other team at the discretion of the Athletic Director (AD).

If a student quits a sport for a reason other than injury, ineligibility or circumstances beyond his/her control, then that student will not be allowed to participate in another sport until the season is over. That student must "check out" with the coach of the sport he or she is quitting before he or she can participate in another sport.

10.3 Coach Discretion to Establish Team Rules

Each coach shall establish his/her own rules. The third violation of those rules will result in the athlete's suspension from the next athletic event.

10.4 "Lettering"

To letter in any MAS sport, a student must:

- Play in at least 25% of games, meets, or matches;
- Complete the entire season; and
- Compete in District, Regional, and State playoffs (as far as your team progresses).

10.5 Transportation to Events

Transportation to and from athletic events shall be governed by the rules applicable to field trips and other off-campus activities.

10.6 Physical Fitness

To participate in MAS athletics, each student must be physically fit. Fitness will be based on a physical examination of the student occurring after April 1st of the prior school year. The physical examination must be verified in writing by a licensed medical or osteopathic physician, physician's assistant, chiropractor, or nurse practitioner to the extent authorized by his or her licensing authority. Such verification shall be considered valid for the following school year. This requirement applies to cheer/drill participants as well.

10.7 Scholarship

In order to be eligible to play, a student shall have a 2.0 grade point average with no more than one (1) failing grade, either cumulatively or for the nine week grading period immediately preceding participation. All class work counted for eligibility must be acceptable for graduation. Honor class points may be considered. The cumulative provision rules listed in NMAA rules shall apply. A student's class schedule must include at least 51% courses that will be counted towards his or her graduation and in regular attendance during the current as well as the previous grading period. A student enrolled in on campus courses for less than 51% of the school day may have his or her eligibility determined by semester grades only.

10.8 Athletic Code of Ethics

Each student wishing to participate in MAS athletics must read, sign, and agree to the Athletic Code of Ethics. The Code can be found in Appendix.

10.9 Eligibility on Day of Event

In order to play on the day of a sports event, students must be in school on that day and attend all of classes unless the student has the approval of the Superintendent. Students in In School Suspension (ISS) or Out of School Suspension (OSS) on the day of the event will not be allowed to participate.

10.10 Drug Testing

Students must agree to drug testing and otherwise follow those procedures established in the next Section.

10.11 Interscholastic Sports

Any student wishing to participate in an interscholastic school athletic team (those that require compliance with the NMAA rules and regulations) must meet the following eligibility requirements in addition to those listed elsewhere in this section:

10.11a Consent & Release of Information

For a student to participate, MAS must receive a consent, signed by the student's parent/guardian, allowing MAS to release the student's information to the NMAA when needed to determine eligibility.

10.11b Age

A student becoming nineteen (19) years of age after August 31st of the current school year is eligible for the entire school year. A student who is nineteen (19) years of age or older prior to September 1st is ineligible.

10.11c Waivers

Students that successfully obtain waivers for any of the above NMAA eligibility requirements shall be allowed to play interscholastic sports.

Section 11

Drug/Alcohol Abuse

11.1 General

MAS recognizes that drug/alcohol abuse is a treatable problem, which may affect any group or age. While the responsibility of dealing with drug/alcohol abuse is that of the parent/guardian, MAS believes that it shares in that responsibility. Drug/alcohol abuse often interferes with school behavior, student learning, and the fullest possible development of each student. This Section seeks to address the problem in a number of ways.

11.2 Preventive Education

Preventive education shall be stressed in the curriculum at various grade levels in ways that are age appropriate. The curriculum shall be reviewed and modified, as needed, on a regular basis.

11.3 Student Assistance Team (SAT)

The Building Principal in each building is required to establish a student assistance team (SAT). This team must be composed of classroom teachers, administrators, and when possible the School nurse and School counselor. The SAT will be charged with those duties listed below. The SAT may be asked to report on the frequency of drug testing, referrals to treatment programs, and other matters that may indicate whether this Section is effectively meeting the needs of MAS.

11.4 Confidentiality of Test Results

Any results obtained in accordance with this Section shall be kept strictly confidential. Additionally, test results will not be shared with law enforcement under any circumstances.

11.5 Student Athlete Testing

11.5a Special Concerns for Student Athletes

Students that participate in sports and use illegal drugs pose a threat to their own health and safety as well as to that of other students. The purpose of this policy is threefold: (1) to provide for the health and safety of all student athletes; (2) to undermine the effects of peer pressure by providing a legitimate reason for student athletes to refuse to use illegal drugs; and (3) to encourage student athletes who use drugs to participate in drug treatment programs. These rules are designed to create a safe, drug free, environment for student athletes and assist them in getting help when needed. Furthermore, these rules are meant to ensure compliance with NMAA rules.

11.5b Students to be Tested & Selection

All students in grades 6-12 who wish to participate in the MAS in-season and/or off-season athletic program must declare that intention at the time of registration for school each year. Students participating in the athletic program are subject to random drug testing for as long as they participate in the program. Students who request to declare the intent to participate in the athletic program after enrollment must have an acceptable reason for not doing so at the appropriate time and must be approved by the coach(es) of the sport(s) in question, the Athletic Director (AD), and the Superintendent.

At least 5% and not more than 25% of student athletes shall be randomly selected to be tested for drug use at each test which shall be conducted up to eighteen (18) times per year. The percentage may be different for each test. The Superintendent and AD shall determine the percentage of students to be tested and the date of each test.

Students who are selected to be tested during one test period will be eligible for future tests and, if selected, may be tested in consecutive tests.

11.5c Drugs to for which Students Will Be Tested

The drug test administered will test for:

- Drugs which an individual may not buy, possess, use, sell, or distribute under federal, New Mexico or Tribal laws. Such drugs include, but are not limited to: marijuana, cocaine, opiates, amphetamines, methaqualone, benzodiazepines, phencyclidine (PCP), methadone, barbiturates, and propoxyphene;
- All prescription drugs that were obtained without authorization;
- All prescription and over-the-counter drugs that are being used in an abusive manner; and
- Performance-enhancing drugs.

11.5d Alcohol Testing

Tests for alcohol use may be by means of a breathalyzer or saliva test.

11.5e Consent

Each student participating in the athletic program and his or her parent(s) or guardian(s) shall review this Section and sign and return the Athletic Drug Testing Consent form. A copy of the form appears in the Appendix. The form must be signed and in the possession of the coach, athletic director, or principal prior to a student athlete participating in any in-season or off-season practice.

11.5f Time of Sample & Refusal

Students who are asked to be tested for drug use will be required to provide a sample within sixty (60) minutes of the time that they are requested to do so. Refusal to provide a sample will be treated as resignation from the athletic program.

11.5g Privacy

All aspects of the drug testing program will be conducted in a manner that will safeguard the personal and privacy rights of the students to the maximum degree possible.

11.5h Procedures

The AD shall accompany the students to the MAS nurse's office where the sample is to be produced under the supervision and presence of the nurse. The nurse shall not observe the student while the sample is being produced, but shall remain within hearing distance in order to guard against tampered samples and to ensure an accurate chain of custody of the sample. If at any time during the sampling procedure the nurse has reason to believe that a student is

tampering with the sample, the school nurse may inform the athletic director and principal who will determine if a new sample should be obtained.

The school nurse shall give each student a form on which the student may list any medications he/she has taken or any other legitimate reasons for having been in contact with illegal drugs or performance-enhancing drugs in the preceding four (4) days.

11.5i Positive Results

Each sample having a positive result will be identified with the respective student's social security number, sealed, and submitted to a licensed professional for testing. Any licensed professional chosen by MAS to conduct the testing shall be required to have detailed written procedures to assure proper chain of custody of the samples, proper control, and scientifically validated testing methods.

The licensed professional will promptly contact the nurse to confirm the positive drug test. The AD and Superintendent will promptly contact the student and the student's parent(s)/guardian(s), if the student is under the age of eighteen (18), and schedule a conference at which time the student or parent/guardian may offer any explanation of the positive result. A parent/guardian may provide any doctor's prescriptions of any drugs that the student was taking that might have affected the outcome of the drug or alcohol test and may request that another test be conducted on the remaining portion of the sample. Any such re-test shall be at the expense of the parent/guardian. The Superintendent reserves the right to determine whether to institute the below consequences in spite of a subsequent negative result.

11.5j Violations & Consequences

Each positive drug test result occurring at any time during grades 6-12 shall count when determining which of the below consequences shall apply.

- **1st Violation:** After confirmation of the first violation, the student shall lose eligibility for six (6) weeks but may practice with the team. When appropriate, MAS will refer a student to a community agency or a professional individual outside MAS for an assessment of potential chemical abuse or misuse.
- **2nd Violation:** After confirmation of the second violation the student shall lose eligibility for a semester. Before being re-gaining eligibility following suspension for a second violation, the student shall show evidence in writing that he or she has sought or has received counseling from a community agency or professional individual such as a drug counselor, medical doctor, psychiatrist, or psychologist.
- **3rd Violation:** After the third or subsequent violations, the student shall lose eligibility for one (1) year in any sport. If after the third or subsequent violations, the student on her/his own volition become a participant in a drug/alcohol abuse rehabilitation program, the student may re-gain eligibility thirty (30) days after completion of said program. The program must provide written confirmation of the student's successful completion of the program.

11.5k Other Violations & Consequences

Where a student is seen using drugs of alcohol by an MAS employee or is criminally convicted of drug/alcohol possession or distribution, whether the student's actions occurred on or off campus, the student will be considered to be in violation of this Section and the same disciplinary rules above apply. If a student is in violation of this Section during an off-season, then the same disciplinary rules above will apply to the next season.

11.6 Student Athlete Voluntary Program

11.6a General

Coaches occupy special roles in the lives of student athletes. Often a student athlete will choose to talk about a personal problem, that the student athlete feels uncomfortable discussing with a parent or another important adult in his or her life, with his or her coach. MAS coaches want to maintain this relationship so that student athletes feel free to talk about problems such as use of or a dependency on drugs. This program allows the athlete to voluntarily come forward and ask for help without automatic loss of eligibility.

11.6b Informing Athletes About & Eligibility under the Volunteer Program

Coaches should inform student athletes at the beginning of the first practice of the season if they have a problem with drugs or alcohol to come see a coach. Coaches will also let student athletes know that there are others they may talk to about their drug use or alcohol problem including the AD, the MAS nurse, or any MAS employee. Student athletes will be given a written copy of this Section.

A student athlete who volunteers for help must continue to participate in the volunteer program until the end of the season. If the season ends before six (6) weeks, then he or she must continue the program until the end of the next season.

11.6c Initial Steps

The coach should first meet with the student athlete to discuss the problem. If the student athlete has approached a different MAS employee about the problem, then the employee should contact the coach about the problem. The coach will arrange for a meeting with the parents, if the student is under the age of eighteen (18), and other involved MAS employees. The coach will attempt to help the student athlete and his or her parent/guardian take the first steps to getting trained professional help for the student athlete. The parent/guardian will select from the approved substance abuse rehabilitation or mental health provider list maintained by the MAS nurse to get an assessment and begin an intervention program. If the student athlete changes his or her mind about obtaining help, then the student athlete will be tested for drugs and/or alcohol before any further participation is allowed. A positive test result will subject the student athlete to the disciplinary action described above.

11.6d Testing under the Volunteer Program & Effect on Eligibility

When a student athlete volunteers for help, a drug and/or alcohol test will be conducted. A positive result does not result in automatic ineligibility. Instead, at this point, testing is meant to assist any substance abuse rehabilitation or mental health provider to complete an assessment

on the extent of the student athlete's problem. The student athlete will remain a part of the team, but will not practice or compete.

The student athlete will not be subject to random drug testing. Instead, the student athlete will be required to submit to at least two (2) tests after the initial screening test. The cost of the initial screening test will be paid by MAS. The cost of additional tests will be paid by the athlete. Testing shall be conducted in the same manner as listed above.

The student athlete must have two (2) successive negative test results in order to practice or compete. However, the athlete may be subject to further non-random drug testing until he or she completes the volunteer program as provided in the next Section. A positive test result will result in the athlete again being unable to practice or compete. The coach will arrange a meeting with the athlete, the parent/guardian and the student athlete's provider to determine whether the student athlete is participating in the volunteer program adequately or if intervention methods must be adjusted. He or she must again have two (2) successive negative test results in order to practice or compete. When he or she completes the volunteer program, he or she will again be subject to random testing.

11.7 Reasonable Suspicion Drug Testing

11.7a General

A student that is under the influence of drugs or alcohol at school or around other students may pose a risk to him- or her-self and other students. The student may also be disruptive to the educational process. Therefore, it is necessary for MAS to take the actions listed below in the case that a student is suspected of being under the influence of drugs or alcohol.

11.7b Reasonable Suspicion & Searches

If an MAS employee has reasonable suspicion that a particular student is currently under the influence of drugs or alcohol, then that student may be required to submit to a drug test. Reasonable suspicion may be established by observing the student's irrational and/or violent behavior, odor as being one associated with certain drugs or alcohol, red eyes, dilated pupils, unsteady walking, etc. The employee will document the circumstances leading to his or her suspicion as soon as possible in a written report and submit the same as soon as possible.

Where there is reasonable suspicion that a student is under the influence, MAS may conduct a search of the student's locker, vehicle and other personal effects for drugs, alcohol, or paraphernalia.

11.7c Refusal

Where a student refuses to submit to reasonable suspicion drug testing, then the student's parent/guardian will be called to transport the student home immediately. The student will be treated as if there was a positive result.

11.7d Procedure

Reasonable suspicion drug testing will be conducted in the same manner as listed above.

11.7e Positive Results

Where a test result is positive:

- On the first instance, the student will be placed on OSS for three (3) days; and prior to his/her reinstatement to classes, the student and parent/guardian must participate in a session with an MAS counselor and the Superintendent.
- On the second instance, the student will be placed on OSS for three (3) school days; and prior to his or her reinstatement to classes, the student and a parent/guardian must: 1) participate in a conference with an MAS counselor the Superintendent; and 2) complete a separate parent/student counseling session with the counselor.
- On the third or further instances, the student will be placed on OSS from classes for up to five (5) days; and the Superintendent will make a recommendation to the MAS Board that either the student be placed in the Alternative Placement Program or expelled for the remainder of the year.

11.8 Possession/Selling/Distributing & Being under the Influence

11.8a Prohibition

The possession, sale, and/or distribution by a student on the MAS campus, other MAS property, including in MAS vehicles, or at field trips or other off-campus activities is strictly prohibited and may subject the student to disciplinary action and/or a referral to BIA-Law Enforcement.

11.8b Detention, Confiscation & Removal of the Student

A student found in possession of, selling, and/or distributing drugs or alcohol on the MAS campus or other MAS property, including in an MAS vehicle, or at a field trip or other activity, will be detained in a location away from other students and law enforcement will be called. Paraphernalia and substances will be confiscated immediately and with extreme care as to avoid contamination soon as possible. The same shall be turned over to law enforcement as soon as possible. After law enforcement responds, the student's parent/guardian will be called and asked to come to MAS or the off-campus location of the student immediately to remove the student. If a parent/guardian cannot transport the child immediately or refuses to do so, then transportation will be arranged by MAS.

11.8c Violations

Where a student is found to be in violation of this Section then:

- 1st violation: The student will be placed on OSS for three (3) days; and prior to his/her reinstatement to classes, the student and parent/guardian must participate in a session with an MAS counselor and the Superintendent.
- 2nd violation: The student will be placed on OSS for three (3) school days; and prior to his or her reinstatement to classes, the student and a parent/guardian must: 1) participate in a conference with an MAS counselor the Superintendent; and 2) complete a separate parent/student counseling session with the counselor.

- 3rd violation: The student will be placed on OSS from classes for up to five (5) days; and the Superintendent will make a recommendation to the MAS Board that either the student be placed in the Alternative Placement Program or expelled for the remainder of the year.

11.9 Drug/Alcohol Abuse Treatment

In all instances involving this Section, MAS will recommend that the student receive appropriate treatment for drug/alcohol abuse. If the student and/or parent/guardian fail to seek treatment and/or the issues persist, then one or more of the following actions may be taken:

- A referral for abuse/neglect may be made to BIA-Social Services;
- A BIA-Law Enforcement officer may be called to MAS where it is determined that the student's behavior may be endangering him- or her-self or other persons or property; and/or
- Where a student is charged with a crime, before readmission, the MAS may require that the parent(s)/guardian(s) provide evidence that the student appeared in court as required and is in compliance with any conditions placed upon him or her as a result of such charge. This includes compliance with any treatment program.

11.10 Suspension under this Section

If a student is suspended under this Section, then that student will not be able to participate in any school activity (i.e. sporting events, dance, etc.) or be present on MAS property until his or her suspension has expired.

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Section 12

Bullying

12.1 General

The MAS Board supports and is committed to a climate conducive to teaching and learning that is safe from threats, harassment, violence, name calling, intimidation, racial discrimination and harassment or any form of bullying behavior. Therefore, bullying is strictly prohibited. Each MAS administrator, employee, substitute and volunteer shall:

- Not permit or tolerate bullying, intimidation and hostile and offensive conduct
- Immediately report such conduct
- Be responsible for immediate intervention.

12.2 Definitions of Bullying

12.2a General

Bullying means any repeated and pervasive written, verbal or electronic expression, physical act or gesture, or a pattern thereof, that is intended to hurt a person(s) body, feelings and/or belongings causing distress upon one or more students in school, on MAS property, in MAS vehicles, at school sponsored activities.

Bullying includes but is not limited to, unwanted teasing, threatening, stalking, and cyber-stalking, theft, public humiliation, intimidation, menacing behavior, hazing, harassment, destruction or unwanted marking of personal property, psychological or intellectual intimidation, name-calling, gossiping and rumoring, spreading falsehoods about a student or students immediate family members, social alienation verbal or written aggression but not limited to any act motivated by race, color, religion, ancestry, national origin, gender, sexual orientation, or mental, physical or sensory handicap or other distinguishing characteristics. Bullying involves an abuse of power by the bully which can be physical (intentionally hurting or threatening to hurt a person's body or personal property) or psychological (intentionally hurting a person's emotional or mental health).

12.2b Cyber-bullying

Cyber-bullying means harassment that occurs via the internet, cell phones or electronic media devices and the communication transmitted is used to intentionally harm others through hostile behavior such as sending text messages and posting derogatory comments and images on electronic media intended to hurt, make fun or embarrass another person. Cyber bullying is not limited to posting rumors or gossip about a person on the internet, through text messaging or other electronic media bringing about hatred in other's minds; or it may go to the extent of personally identifying victims and publishing materials severely defaming and humiliating them.

12.3 Reporting, Investigation, & Action

12.3a Report by a Parent

It is the express policy of the MAS Board to encourage each parent/guardian who feels that his or her student has been or is a victim of bullying to report the same directly to the Building Principal of the Building of the student or the Superintendent.

12.3b Report by a Student

It is the expressed policy of the MAS Board to encourage any student who is a victim of or witnessed bullying to report such claims to any teacher, Building Principal, counselor, or other MAS employee.

12.3c Report by an MAS Employee

Any MAS employee who, as a result of observation or a report has reason to believe that a student is a victim of bullying, whether the conduct is by another student(s) or by an employee of MAS is obligated to report the same to the Building Principal.

12.3d Investigation, Response & Documentation

All reports will be directed to the Building Principal. The Building Principal will investigate the report and determine whether and what action is needed. The parent/guardian will be notified of the report immediately. The Building Principal will complete and sign a Bullying Incident Report. A copy of such report appears in the Appendix. The Building Principal will meet with the parent/guardian and student to review the report. In addition, every effort will be made to inform the parent/guardian of any further instances of bullying or any disciplinary action taken.

12.4 Confidentiality

Every effort will be made to maintain the confidentiality of the alleged victim. Only those individuals with a "need to know" will have access to any information involving a bullying complaint.

12.5 Violations & Consequences

12.5a Discretion of Building Principal

Bullying behavior can take many forms and can vary dramatically in severity and what impact it has on the victim or the school environment. Accordingly, there is no one response to bullying. While conduct that rises to the level of "bullying" as defined above will generally warrant disciplinary action against the perpetrator, whether and to what extent to impose disciplinary action is a matter for the professional discretion of the Building Principal. For example: a bullying offense committed by an elementary child is not necessarily equal to an offense of equal name as might be committed by an upper class student.

12.5b Types of Discipline

While the Building Principal has discretion, MAS believes that it is necessary to detail the types of discipline and to recommend certain discipline for specific bullying situations.

12.5c Verbal/Written Bullying

For verbal/written bullying, a:

- 1st violation: The student will be given a written warning. The parent/guardian will be contacted.
- 2nd violation: The student will be placed on three (3) days in school suspension (ISS). The parent/guardian will be contacted.
- 3rd violation: The student will be placed on one (1) day of out of school suspension (OSS). The student will not return until the student and his or her parent/guardian has meet with the Building Principal and a counselor to set a plan for corrective action.

12.5d Cyber Bullying

For cyber bullying, if it is found to have originated in the community and it disrupts the educational process it will be reported to the victim's parents.

MAS will investigate whether cyber bullying is being perpetrated on MAS property. If the investigation results in a finding that it perpetrated on MAS property, then the student will be disciplined as follows:

- The electronic device used will be confiscated; and/or
- Where an MAS computer was used, the student will lose all computer privileges for extra-curricular and non-required use; and
- 1st violation: The student will receive a written warning and the parent/guardian will be contacted.
- 2nd violation: The student will be placed on three (3) days of ISS. If an electronic device was used, it will be confiscated until the end of the year and returned to the student's parent/guardian at the end of the school year. If an MAS computer was used, then the student will lose his or her computer privileges for the remainder of the school year.
- 3rd Violation: The student will be placed on one (1) day of OSS. The student will not be allowed to return until the student and parent/guardian has met with the Building Principal to create a corrective plan of action.

12.5e Bullying Involving Physically Intimidating and/or Menacing Behavior

For bullying that involves intimidation and/or menacing behavior:

- 1st Violation: The student will be given a written warning and his or her parent/guardian will be contacted.
- 2nd Violation: The student will be placed on three (3) days ISS and his or her parent/guardian will be contacted.
- 3rd Violation: The student will be placed on one (1) day of OSS and the student and the parent/guardian must meet with the Building Principal to create a corrective plan of action.

12.6 Counseling

In addition to any discipline instituted by the Building Principal, each student found have bullied another must attend a counseling session with the MAS counselor on the effects of bullying. Also, separate counseling will be offered to the victim.

12.7 Training & Curriculum

12.7a MAS Employees

All MAS employees shall be trained as to this policy at the beginning of the school year. All new employees hired throughout the year, volunteers, and contractors with contact with children will be trained as to this policy. All employees trained on this policy will specifically sign and attest that they have received training and understand the sanctions for violating this policy.

12.7b Students

Training as to this policy will be class provided to MAS students from time to time in a manner that is appropriate for the students' grade and age. In addition, students will be exposed to anti-bullying curriculum, programs and resources.

Section 13

Student Searches

13.1 General

While students may have a reasonable expectation of privacy while at school, MAS has a substantial interest in maintaining security and order in the classroom and on MAS property. Therefore, MAS has the right to and will conduct searches of student property and personal belongings in accordance with the following rules.

13.2 Reasonable Suspicion Searches

13.2a Violations of MAS Handbook or Other Rules

An MAS employee may conduct a search a student's property, personal belongings or vehicle at any time where there is reasonable suspicion that a student has violated this Handbook or other MAS rules. Reasonable suspicion of a violation of this Handbook or other MAS rules may be based on students suddenly becoming quiet and/or leaving an area quickly, the existence of damaged MAS property in the vicinity, the smell of cigarette smoke, etc. Reasonable suspicion requires more than general suspicion, curiosity, rumor, or a hunch. Law enforcement will not initiate or conduct these types of searches.

Such searches shall not be excessively intrusive in light of the age and gender of the student and the nature of the suspected threat or violation. Further, such searches will be limited to finding evidence of the violation that is suspected to having occurred. For example, where it is suspected that a student was smoking. Then, his or her clothing and backpack (where the backpack is in the area of the search) may be searched for cigarettes. Where a reasonable suspicion of other violations arises in the first search, then the search may continue as to a search for more evidence as to the other violations.

13.3 Student Consent

A search may be conducted at any time, regardless of the presence of reasonable suspicion, with the knowing, intelligent and voluntary consent from the student, depending on the age and ability of the student to give consent, or parent/guardian; although consent is not required.

13.4 Drug Dogs & General Searches

From time to time, the Superintendent may request that law enforcement arrange for a trained drug dog to perform a general check student locker, desks, and automobiles on school property. There is no requirement that reasonable suspicion be present in order to perform such checks. The use of a drug dog may give rise to reasonable suspicion/probable cause that there has been a violation of this Handbook or other MAS rules and/or a criminal violation and a search will result from the same.

13.5 Law Enforcement Searches

13.5a Warrant Requirement

Law enforcement will not be allowed to search a student's personal belongings, locker, desk, or automobile unless there exists a valid search warrant or a knowing, intelligent, voluntary consent from the student, depending on the age and ability of the student to give consent, or the parent/guardian have given consent of the student.

13.5b Immediate Threats & Emergency Circumstances

Where the Superintendent has reasonable suspicion to believe that there is an immediate threat to public health or safety or other emergency circumstances, he or she may call law enforcement to perform a warrantless search of a student's locker, desk, or vehicle on MAS property. Reasonable suspicion may be based on threats made by a student, irrational or violent behavior, the unusual shape or appearance of a student's clothing or bags, etc. Also, law enforcement may perform a warrantless search on law enforcement's own initiative where law enforcement has probable cause to believe that an immediate threat or an emergency exists and the search of a student's locker, vehicle on school grounds, or desk is necessary to address the same.

13.5c Role of Superintendent

In all searches authorized by this section, the Superintendent shall accompany law enforcement in conducting such searches.

Section 14

Student Vehicle Policy

14.1 General

MAS recognizes that students have vehicles and that those vehicles are used for transportation to and from school and school events.

14.2 Parking on Campus

All student vehicles parked on MAS campus shall display a permit issued by the MAS High School Building Principal's office. Failure to display the permit may result in the impoundment of the vehicle. In order for a permit to be issued, the student operator must provide the Principal's office with a copy of the registration for the vehicle, proof of liability insurance, and the student operator's driver's license. Vehicles must be parked in area designated by MAS as student parking.

14.3 Traffic Laws & Rules

All traffic laws set forth in the Mescalero Tribal Code, Chapter 12, shall apply on the MAS campus. For special safety reasons, the Mescalero Apache School establishes these additional regulations:

- The speed limit on the MAS campus is established at five (5) miles per hour;
- There shall be no more than three (3) occupants including the operator in the front seat of any vehicle driven on the MAS campus;
- There shall be no passengers allowed to ride in the bed of a pickup on the MAS campus;
- Vehicles are subject to search and seizure at any time; any vehicle found to contain alcohol, drugs, and drug paraphernalia will be impounded at the owner's expense;
- Any student operator cited by BIA-Law Enforcement for traffic violations occurring on the MAS Campus shall automatically have his or her parking permit revoked.

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Section 15

Extracurricular Activities

15.1 General

While MAS believes that classroom instruction is the primary goal of MAS, extracurricular activities can offer opportunities for additional exploring, developing, and widening a student's range of interest and to help the student develop leadership and poise. Participation in extracurricular activities enables students to learn how to better plan and work with others.

15.2 Club & Other Student Group Meetings

Clubs and other student groups may meet during the lunch period, the scheduled activity periods, or after regular school hours.

15.3 New Clubs or Other Student Groups

Superintendent approval is required in order to form a new club or student group. The Superintendent will consider the nature of the club or group and the value of the club or group to the school environment. Clubs or groups that are discriminatory or promote hate or other inappropriate causes will not be allowed.

All such clubs or other student groups must have an MAS sponsor who will:

- Maintain a current roster and provide changes in membership to Principal;
- Develop a working budget and place on file with Principal;
- Schedule at least one (1) function per semester. All functions and fundraising activities should be approved, scheduled in advance, and listed on the school calendar; and
- Provide a level of supervision appropriate for the number of students involved.

15.4 Fundraising

15.4a Fundraising Generally

MAS encourages clubs, students and student groups to raise funds for student activities through fundraising events. It is important for clubs, students and student groups to use any monies raised for the purpose stated during the fundraising. This encourages the community to donate or purchase fundraising items or services. It is also important to ensure that monies are handled responsibly to avoid theft or misuse. Therefore, the following rules will apply to fundraising.

Fundraising, whether on or off school premises must be pre-approved. The club's or group's MAS sponsor must submit a written request for approval to the Superintendent at least two (2) weeks prior to the proposed fundraising. The request must detail the activities to be conducted and the proposed uses of any monies raised.

Cash received through fundraising must be handled as required under Section 3.4 of the MAS Employee Policies & Procedures. Checks and other payment instruments must be made

payable to MAS and turned over to the Business Office within forty-eight (48) hours or next business day of receipt of the same. The Business Office may open up a separate account for the club or other student group on an as needed basis. Otherwise, the money will be deposited into the general MAS Account.

15.4b Concession Stand

The MAS Athletic Director will establish a deadline at the beginning of each School Year by which each club and other student group wishing to use the concession stand must submit a request. The deadline will be posted on MAS premises and emailed to all staff members at least two (2) weeks before the deadline. The Athletic Director will develop a standard request form. The Athletic Director will schedule each club or group on a first-come first-serve, alternating basis. A club or group that is scheduled to use the concession stand will not be allowed to use the concession stand again until all other clubs or groups that submitted a request have had a chance to do so.

The club or group using the concession stand is responsible for ensuring that there are enough volunteers to operate the concession stand during the entirety of each event. Volunteers must arrive at least one (1) hour before the scheduled event. At least one adult, either a parent or MAS employee, must be present at all times. No one under the age of fourteen (14) will be allowed to volunteer in the concession stand. The MAS sponsor is responsible for the behavior of all volunteers. The MAS sponsor must ensure that volunteers sign in and out on a log. Cash and checks collected must be kept in a locked box. The box must be under the supervision of an adult volunteer at all times.

The club or group using the concession stand and the club or group MAS sponsor is responsible for:

- Purchasing all food and drink supplies to be sold from the concession stand;
- Providing any heating or other equipment needed; all equipment must be in good working condition;
- Determining and displaying the price of each item sold;
- Ensuring that all volunteers wear plastic gloves when handling non-packaged food, secure long hair, and wear closed-toe shoes;
- Cleaning up the concession stand (wiping off countertops, sweeping and mopping the floor, disposing of trash, etc.) and removing any excess food and drink supplies;
- Locking the concession stand after an event and returning keys to the Athletic Director.

Failure to comply with this Section could result in the club or group losing its ability to use the concession stand for the remainder of the School Year (or if at the end of the School Year, then the following School Year) at the discretion of the Athletic Director.

Section 16

Field Trips

16.1 General

From time to time, students may participate in field trips and off-campus extracurricular activities ("trips/activities"). These trips/activities are invaluable opportunities for teachers, coaches and sponsors to supplement classroom learning. They may give students an opportunity to see how classroom learning can be put to practical use, expand knowledge about a particular subject, or excite interest in a particular career field.

16.2 Limit on Number & Type

MAS believes that trips/activities should not interfere with classroom learning. They will be planned in such a way as to cause minimal loss of time in the classroom. Each grade will be allowed one (1) full day and two (2) half-day field trips. Further, because trips/activities are to supplement classroom learning, they should be age-appropriate and related to classroom curriculum.

16.3 Exception for Vocational/Technical Classes

Vocational/technical classes will be allowed additional days based on the curriculum needs of the students and the MAS budget and with the approval of the Superintendent.

16.4 School-Sponsorship & Absences

16.4a School-Sponsored Trips/Activities & Final Approval

Students will not be marked absent for trips/activities that are "school sponsored." Parents/guardians and students are hereby notified, however, that no activity or trip is to be considered "school sponsored" unless it has received the written "Final Approval" of the Superintendent. The Superintendent will only approve those trips/activities that are in compliance with MAS policy. Parents/guardians or students who are in doubt as to whether an activity or trip is school sponsored are advised to request a copy of the written "Final Approval" for the activity or trip in question from the teacher, coach or sponsor who is planning the activity or trip.

The Superintendent reserves the right to cancel any previously approved trip/activity for student safety and any other reason to protect the interests of MAS.

16.4b Trips Only Indirectly Related to the School Program

In order to use school vehicles, the Superintendent may decide to consider a trip/activity to be "school sponsored" even where the same is only indirectly related to classroom instruction when requested by a recognized student group or organization upon the following additional conditions:

- The group or organization shall be responsible for raising funds sufficient to meet all costs of the activity or trip;
- No classroom time shall be missed as a result of the trip/activity;

- The trip/activity will not expose students or others to unnecessary risk of harm (example: extreme sports competitions, sales of dangerous items such as fireworks as a fundraiser);
- The trip/activity cannot violate any applicable laws or regulations (examples include sports games that do not comply with NMAA rules or an activity in which female students are excluded); and
- The trip/activity must be of some education value and appropriate given the age and maturity of participating students, at the discretion of the Superintendent.

16.5 Board Approval of Out-State-Travel

The MAS Board must approve all out-of-state travel.

16.6 Student Eligibility to Participate

A particular student's ability to participate in a trip or activity will be based upon:

- Attendance;
- Behavior problems, and
- Academics.

The teacher, coach, or sponsor responsible for the trip/activity will consult with the Building Principal where that teacher, coach, or sponsor has reason to be concerned about a student and any of the above factors. The Building Principal will decide whether that student will be allowed to participate on a trip/activity by trip/activity basis.

16.7 Student Behavior on Trips/Activities

Student behavior during trips/activities is subject to the same policies, rules, requirements, and expectations that apply to students on campus.

16.8 Sack Lunches

Where a trip or activity takes place on a regular school day and the students are gone at what would be the lunch period, then the teacher, coach, or sponsor is responsible for coordinating with students and the Cafeteria in order to provide each student with a sack lunch.

16.9 Permission Slips

A permission slip signed by a parent/legal guardian must be signed and returned to the responsible teacher, coach or supervisor prior to the trip/activity for each student. It is each student's responsibility to ensure that a signed permission slip is returned before the trip/activity. Students that fail to return a permission slip will not be allowed to participate in the trip/activity. Instead, those students will report to regularly scheduled classes and/or the Building Principal where that student's classroom teacher is participating in the trip/activity.

16.10 Associated Fees

The teacher, coach or sponsor will do his or her best to keep entrance, registration, and other fees associated with the respective trip/activity at a minimum by budgeting to pay the same or organizing fundraisers. However, for some field trips/activities, parents/guardians may be required to such fees. In such cases, the responsible teacher, coach, or sponsor will provide

written notice to parents/guardians of the need to pay such fees as early as possible. The teacher, coach, or sponsor will collect monies to pay such fees in accordance with MAS policies.

16.11 Chaperones

An appropriate number of chaperones shall be obtained for all trips/activities. Where all of the students participating in a trip/activity are of the same gender, there shall be no less than one adult chaperone for every twenty-five (25) students. Where there are students of each gender participating in the trip/activity, then there shall be no less than one adult chaperone for every fifteen (15) students.

Each employee participating in the trip/activity will act as a chaperone. Bus driver(s) shall not be counted as chaperones for the purpose of calculating the chaperon-student ratio.

Individuals proposed to serve as chaperones must be either MAS employees or parents/guardians of students participating in the trip/activity and must be approved by the Superintendent. Parents who serve as chaperones as part of a school sponsored activity or trip shall be familiar with and enforce policies and procedures of MAS and will adhere to the policies and procedures that govern school personnel.

16.12 Use of MAS Vehicles versus Private Vehicles

All individuals, except as provided below, participating in the trip/activity, including parents acting as chaperones, must use MAS vehicles. The teacher, coach, or sponsor will arrange for the appropriate number/type of MAS vehicle(s) to be used.

A student may transport him- or her-self to and from a trip/activity location within the school day in a private vehicle only: 1) with the written permission of the student's parent/legal guardian(s); 2) and upon submission of proof of insurance, which shall be kept on file in the Superintendent's office. Students are prohibited from transporting other students in a private vehicle. No student may transport themselves or other students as part of any overnight trips/activities.

16.13 Emergencies

During a trip/activity, the teacher, coach, or sponsor shall notify the Superintendent in the event of any significant injury to a student, chaperone, or school employee, or of any similar emergency, as soon as practically possible. As part of such notification, the teacher, coach, or sponsor and Superintendent shall make arrangements to notify the parents/guardians of involved students and the spouses or families of involved chaperones or MAS employees.

16.14 Release of Students

A student may be released to the parents/guardians listed in the students' NASIS account prior to the conclusion of the trip/activity with the permission of the Superintendent. A parent/guardian seeking the release of his or her student prior to the conclusion of a trip/activity must obtain prior written approval from the Superintendent. Otherwise, students will not be released from a trip/activity early.

At the conclusion of a trip/activity, the teacher, coach, or sponsor may not release a student to any person other than the student's parent/guardian, unless the parent/guardian has

submitted written and signed authorization to the Superintendent that the student may be released to another identified individual.

16.15 Cancellations Due to Hazardous Road Conditions

If the school day is canceled due to hazardous road conditions, then all trips/activities will be canceled as well. The Superintendent may cancel trips/activities even where the school day is not cancelled where hazardous road conditions exist elsewhere that might affect the safety of students.

Section 17

Miscellaneous

17.1 After School Dances

17.1a Approval & Minimum Requirements

All dances must be approved by the Superintendent two (2) weeks in advance. Security at dances, as well as regular visits from uniformed law enforcement, if available, must be arranged. There must be a 1:10 employee/student ratio at any dance. Principals and sponsors must show that these arrangements have been made three (3) days before the day of the scheduled dance.

17.1b Guests

A student who wishes to bring a guest that is not an MAS student may bring one (1) guest under the age of twenty-one (21) years old. All guests must be approved by the Principal/sponsor at least three (3) days prior to the dance. The student will be responsible for the behavior of his/her guest and will be asked to leave with the guest if any issues arise.

17.1c Students Asked to Leave Early

Any student asked to leave for behavior reasons will not receive a refund of any admission fees paid. The student will be banned from all dances for the remainder of the year subject to review of the Building Principal.

17.2 Visitors

17.2a Authorization

All visitors shall report to the main Administration Office when arriving or leaving MAS property. Notices shall be displayed in each building indicating that all visitors are required to report to the Office to obtain authorization to remain on the school premises. All visitors must wear an appropriate form of identification.

17.2b Limited Disruption

If a visitor is a parent/guardian and wishes to speak with his or her student, then every effort will be made to have the student come to the Administration Office in lieu of having the parent/guardian go to the student's classroom. At the discretion of the respective Building Principal, authorization to visit may require up to twenty-four (24) hours advance notice. Visits may be prohibited at certain times due to standardized testing or other student assessments that are being conducted. If a conflict occurs because of the number of visitors or other circumstances, parent/guardians of students will be given preference. All visitors must comply at all times with MAS rules and regulations.

17.2c Student Visitors

Student visitors from another school district who are on MAS property to participate in an athletic or other event are expected to comply with the rules in this Handbook.

No student who is under suspension, expulsion or other form of discipline from this or any other school district shall be permitted to visit MAS. Such students must have prior approval of the Superintendent before entering and are restricted to the Administration Offices for the duration of their presence in the building.

17.2d Custodial & Non-Custodial Parents

Both custodial and non-custodial parents of an MAS student have the right to visit their student's school unless a court order exists restricting such contact. In the event that a non-custodial parent seeks permission to visit, MAS will make a good faith effort to notify the custodial parent in advance of the visit. Requests for information in regards to child will be shared with both custodial and non-custodial parents alike unless a court order exists restricting such documentation be shared with both parents.

17.2e Disruptive Individuals

Each Building Principal has the authority to exclude any individual, including any parent/guardian, who disrupts or appears likely to become a disruption. Any such individual shall be directed to leave MAS property immediately and law enforcement may be called if necessary.

17.3 Law Enforcement & Referrals

Where it appears that a crime has been committed on school premises, law enforcement will be contacted. Where a student is the alleged perpetrator, then the victim will be separated from the perpetrator until law enforcement arrives. Where it appears that a student may be the victim of abuse and neglect, BIA-Social Services or other child welfare resources will be contacted. In non-emergency cases where a student may be questioned, investigated, or detained/arrested by law enforcement or other resources, the parent or guardian of such student will be notified and consent will be obtained prior to the same. More detail as to dealings with law enforcement and other resources can be found in a separate policy that is available for review at the Administration Office.

17.4 Cafeteria Services

17.4a General

MAS operates a school breakfast/lunch program through participation in the National School Lunch Program. As required for participation in the National School Program:

- School breakfast/lunch be made available to all students;
- Free and reduced-prices breakfast/lunch be provided to students who qualify under federal guidelines (MAS will participate in the Community Eligibility Program (CEP) which will provide breakfast/lunch for all students free of charge until school year 2018-2019); and
- Students may bring their lunches from home.

17.4b Additional Rules

In addition to the rules stated above:

- Adult/visitor breakfast/lunch prices will be posted in the Cafeteria.
- Adults/visitors should be cleared through the Building Principal and are to pay the full price for meals.

The prior approval of the School Board must be obtained by outside organizations or individuals wishing to use the Cafeteria and related facilities. If an outside organization or individual is approved to use the same, an MAS employee will be on duty to observe such use.

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Mescalero Apache Schools Student / Parent Acknowledgement

Each year the MAS Student Policies and Procedures must be reviewed by all students and parents/guardians. It is the responsibility of the same to become thoroughly familiar with the Policies and Procedures.

This acknowledgement page has been developed to comply with appropriate documentation of that task.

By signing below, I acknowledge having reviewed the MAS Student Policies and Procedures.

Name of Student: _____

Student Signature: _____

Parent/Guardian Signature: _____

Date: _____

School Year: _____

*****After reading the Handbook, please print, sign, and date this page. Then return this page to the Administration Office.**