



# MEXICAYOTL ACADEMY, Inc.

## STUDENT HANDBOOK

*Revised April 3, 2021, Nog., AZ*

Since opening our doors in 1998, Mexicayotl Academy has distinguished itself by providing a quality dual-language and unique intercultural curriculum. By embracing the values of the world we want to create, students grow into the leaders and role models of tomorrow. The importance of high academic achievement, culture and the values of respect, responsibility, self-determination, social justice and innovation form the foundation for each new generation that walks through our doors on their way to improving the future.

Students at Mexicayotl Academy are an integral part of creating a school community that emphasizes critical thinking and self-discipline in a stimulating and safe bi-literate environment that optimizes learning. Motivated students and families share Mexicayotl Academy's goal of achieving academic success for early college preparation by seeking the unique opportunities our school community offers:

- A rigorous academic program
- Aligned to Arizona College and Career Ready standards
- A bi-literate program
- An Intercultural focus
- Experienced teachers
- Emphasis on life-long learning
- Character and leadership development
- A small Student-Teacher ratio

**Our Mission:** To learn because of who we are; to learn to be critical thinker through application, and to see the result in the full spectrum of "Interculturalism".

\* \* \* \* \*

The pages of our Student Handbook are filled with important information regarding our school policies and procedures. Parents and students should review the contents together. Should you have questions, please call the school office to speak with an administrator. Open and clear communication between the school and home is critical to the success of our educational program.

Nogales: (520) 287-6790  
2059 N. Grand Ave.

Tucson: (520) 624-4018  
667 N. 7<sup>th</sup> Ave.

[www.mexicayotlacademy.com](http://www.mexicayotlacademy.com)

### **STATEMENT OF DIVERSITY**

Mexicayotl Academy admits students of any race, color, or national and ethnic origin to all the rights, privileges, programs, and activities generally accorded or made available to students at the school. It does not discriminate on the basis of race, color, or national and ethnic origin in administration of its educational policies, admission policies,

and other school-administered programs.

## HOURS OF OPERATION

School office hours are from 7:30 a.m. to 5:00 p.m. Monday through Friday. Students must be in line at 8:20 a.m. Students arriving after this time must check in at the front office and will be considered late. No exceptions will be made.

Instruction begins promptly at 8:30 a.m. and ends at 3:15 p.m. for students in Kindergarten through the 5<sup>th</sup> grade. All students are released at 1:15 p.m. on Wednesdays.

Students shall not arrive on campus earlier than 7:30 a.m. or remain on campus later than 3:15 p.m. (kindergarten – 5<sup>th</sup> grade) unless they are enrolled in the after school program. ***Students (Kindergarten – 5<sup>th</sup> grade) not enrolled in the after school program who are picked up after 3:15 p.m. will be charged a fee of \$1.00 for every minute they require supervision.***

## POLICIES

### ATTENDANCE

Attendance is essential for proper academic performance and success. Poor attendance behavior causes loss of retention of material learned, inhibits academic performance, and in some cases, violates the state truancy law. “Chronic absenteeism (missing 10% of the academic year) has a long lasting negative impact on students. It can leave third graders unable to read proficiently, sixth graders struggling with coursework and high school students off track for graduation. Missing just three or more days of school a month can put a student behind by the equivalent of two full years of learning” ([www.attendanceworks.org](http://www.attendanceworks.org)).

It is the responsibility of the parent/guardian to ensure daily school attendance. Students with ten (10) consecutive and unexcused absences, pursuant to A.R.S. 15- 901(A)(1), will be automatically withdrawn from school and a notification letter of the action taken will be sent home.

Pursuant to Arizona law, excused absences are identified by the Department of Education as an absence due to illness, doctor appointment, bereavement, family emergencies, and out of school suspensions. A.R.S. § 15-901(A)(1), *Arizona Department of Education, School Finance Manual G, Defining Excused Absences, June 2018.*

### Tardies

Instruction begins at 8:00 a.m. A student is considered tardy at 8:01 a.m. or later. Based on the daily instructional minutes required per grade, **late arrivals will be considered a partial day absence at the following times:**

Grade	Arrival	Sign-Out	Early Release Day Arrival	Early Release Day Sign-Out	Half-Day Arrival (11:30 a.m.)	Half-Day Sign Out (11:30 a.m.)
Kinder	at or after 11:13 a.m.	leave before 11:13 a.m.	at or after 10:06 a.m.	leave before 10:05 a.m.	at or after 9:26 a.m.	leave before 9:25 a.m.
1st-2nd	between 9:21-10:50 a.m.	between 10:50 a.m. -12:39 p.m.	between 9:01 a.m.-10:10 a.m.	between 10:10 a.m.-11:39 a.m.	between 8:38 a.m.-9:25 a.m.	between 9:25 a.m.-10:12 a.m.
3rd-4th	between 9:22 a.m.-10:52 a.m.	between 10:53 a.m.-12:53 a.m.	between 8:58 a.m.-10:05 a.m.	between 10:05 a.m.-11:12 a.m.	between 8:38 a.m.-9:25 a.m.	between 9:25 a.m.-10:12 a.m.

5th-6th	between 9:25 a.m.-10:57 a.m.	between 10:58 a.m.-12:30 a.m.	between 9:02 a.m.-10:12 a.m.	between 10:13 a.m.-11:23 a.m.	between 8:38 a.m.-9:25 a.m.	between 9:25 a.m.-10:12 a.m.
7th-8th	between 9:40 a.m.-11:27 a.m.	between 11:28 a.m.-1:35 p.m.	between 9:02 a.m.-10:12 a.m.	between 10:13 a.m.-11:23 a.m.	between 8:38 a.m.-9:25 a.m.	between 9:25 a.m.-10:12 a.m.

For purposes of student recognition and internal controls, three (3) unexcused tardies within a nine-week period, will disqualify students from Perfect Attendance and other recognitions where attendance is factored for the specific quarter and the year. If and when a child is tardy, it is the responsibility of the parent to notify the school office.

- **Tardy 1:** The tardy will be documented and the student's level consequence will be applied.
- **Tardy 2:** The tardy will be documented and the student's level consequence will be applied.
- **Tardy 3:** The tardy will be documented and the student's level consequence will be applied. Three tardies in a class in a nine-week period will result in the student's disqualification for perfect attendance recognition.

### **Excused Tardies**

Tardies are considered excused for any situation that is out of the parent/guardian or caretaker's control.

- transportation/vehicle trouble
- weather conditions
- natural disasters
- family emergency

### **Unexcused Tardies**

An unexcused tardy is defined as any arrival after 8:00 a.m. for reasons other than those listed as excused.

### **Absences**

- **Absence 1:** The Attendance Clerk will document the absence and contact the parent/legal guardian to inform them of the absence. The absence (excused or unexcused) will disqualify the student for perfect attendance recognition for that specific quarter, semester and year.
- **Absence 2:** The Attendance Clerk will document the absence and contact the parent/legal guardian to inform them of the absence. The student will remain disqualified for perfect attendance recognition.
- **Absence 3:** The Attendance Clerk will document the absence and notify the parents/legal guardian of the student's potential to lose 10% of their grade upon the fourth (4<sup>th</sup>) absence. The student will remain disqualified for perfect attendance recognition.
- **Absence 4:** The Attendance Clerk will document the absence and notify the parents/legal guardian of the student's loss of 10% of their grade unless the absence is due to a verifiable extenuating circumstances such as, but not limited to H1N1 flu, active treatment of lice, serious injury or death in the immediate family. The student will remain disqualified for perfect attendance recognition.

### **Excused Absences**

For a full-day absence to be excused, the student's parent/guardian must call the school office by the end of the business day (4:30 p.m.) on each day of the absence. Voicemail is available to leave a message.

You will be asked to provide the following information:

- Student name
- Grade
- Date(s) of absence
- Reason for absence

Failure to contact the school office before 4:30 p.m. on the day of the absence, will result in an unexcused absence.

Excused absences include the following:

- illness and or doctor's appointments
- death in the immediate family
- family emergency
- pre-arranged absence
- observance of a religious holiday
- school sponsored field trips/explorations
- nurse visits for an extended period of time
- hospitalization
- administrative reasons (ie. school suspensions)

### **Unexcused Absences**

Failure to report an absence by the end of the business day (4:30 p.m.) on the day of the absence(s), will result in an unexcused absence.

### **Partial Day Absences**

Advance notice is required by the parent/guardian to excuse any absence related to an early dismissal or early arrival. The phone number for the school office is (520) 624-4018 (Tucson), (520) 287-6790 (Nogales).

1. Early sign out/late arrival- parents/guardians must call the school office in advance, no later than the 9:00 am. A student excused to leave early must be signed at the school office by a parent/guardian or authorized emergency contact.
2. Returning to the building- Students that arrive late, must report to the school office, when returning to the building. The administrative assistant will provide students with an admit pass to enter class.
3. Leaving due to illness or injury- Students who are ill or injured can only be excused by the Administrator. The administrative assistant will notify parents to authorize the early sign out.

### **Excessive absences**

Students will lose 10% of their grade in each class after their 3<sup>rd</sup> unexcused absence in a quarter. To excuse an absence, a pediatrician's excuse on official letterhead that includes the doctor's name, a working telephone number, date of the visit and specify the total days the student is excused from school must be provided. **Students who are absent 10% or more of the total school days may be retained in their current grade.**

### **HEALTH REQUIREMENTS**

#### **Immunizations:**

All enrolled students must provide proof of immunization or a signed waiver before attending school.

Pursuant A.R.S. 15-872:

B. A pupil shall not be allowed to attend school without submitting documentary proof to the school administrator unless the pupil is exempted from immunization pursuant to section 15-873.

D. On enrollment, the school administrator shall suspend that pupil if the administrator does not have documentary proof and the pupil is not exempted from immunization pursuant to section 15-873.

E. Notwithstanding subsections B and D of this section, a pupil may be admitted to or allowed to attend a school if the pupil has received at least one dose of each of the required immunizations prescribed pursuant to section 36-672 and has established a schedule for the completion of required immunizations. The parent, guardian or person in loco parentis of a pupil shall present to the school administrator documentary proof of the immunizations received and a schedule prepared by the pupil's physician or registered nurse practitioner or a health agency for completion of additional required immunizations.

G. Unless proof of an exemption from immunization pursuant to section 15-873 is provided, a pupil who is admitted or allowed to continue to attend and who fails to comply with the immunization schedule within the time intervals specified by the schedule shall be suspended from school attendance until documentary proof of the administration of another dose of each appropriate immunizing agent is provided to the school administrator.

H. The provisions of subsections B, D and E of this section do not apply to homeless pupils until the fifth calendar day after enrollment.

Pursuant A.R.S. 15-873:

A. Documentary proof is not required for a pupil to be admitted to school if one of the following occurs:

1. The parent or guardian of the pupil submits a signed statement to the school administrator stating that the parent or guardian has received information about immunizations provided by the department of health services and understands the risks and benefits of immunizations and the potential risks of non immunization and that due to personal beliefs, the parent or guardian does not consent to the immunization of the pupil.

2. The school administrator receives written certification that is signed by the parent or guardian and by a physician or a registered nurse practitioner, that states that one or more of the required immunizations may be detrimental to the pupil's health and that indicates the specific nature and probable duration of the medical condition or circumstance that precludes immunization.

B. An exemption pursuant to subsection A, paragraph 2 is only valid during the duration of the circumstance or condition that precludes immunization.

C. Pupils who lack documentary proof of immunization shall not attend school during outbreak periods of communicable immunization-preventable diseases as determined by the department of health services or local health department. The department of health services or local health department shall transmit notice of this determination to the school administrator responsible for the exclusion of the pupils.

#### **ADMINISTERING MEDICINES TO STUDENTS**

Mexicayotl Academy's school staff is prohibited from providing or administering any medication to any student that is not over the counter and approved of in the Emergency Release Form. Students needing occasional medications are to take these medications at home. Under certain circumstances, when it is necessary for a student to take medicine during school hours, Mexicayotl Academy will cooperate with the family physician and the parents if the following requirements are met:

There must be a written order from the physician stating the name of the medicine, the dosage, and the time it is to be administered.

- There must be written permission from the parent to allow the school or the student to administer the medicine. Appropriate forms are available from the school office.
- The medicine must come to the school office in the prescription container or, if it is over-the-counter medication, in the original container with all warnings and directions intact.

The District reserves the right, in accordance with procedures established by the Director, to circumscribe or disallow the use or administration of any medication on school premises if the threat of abuse or misuse of the medicine may pose a risk of harm to a member or members of the student population.

*Legal Reference: A.R.S. 15-344*

#### **EXCEPTIONS TO ADMINISTERING MEDICINES TO STUDENTS**

##### **HB 2229 Asthma Rescue Medication Bill**

Allows for a pupil who has written parental consent to possess and self-administer handheld inhaler devices for breathing disorders and establishes an exemption from civil liability for school districts and employees who, in good faith, make decisions or take actions to implement these provisions.

##### **PROVISIONS**

- Allows for the possession and self-administration of prescription medication for breathing disorders by the pupil who has been prescribed the medication by a licensed physician or licensed health care professional if the pupil's name is on the handheld inhaler device or medical container.

- Exempts school districts and employees from civil liability for all decision made and actions taken in good faith to implement these provisions.
- Requires parents to prove annual written documentation authorizing the pupil to possess and self-administer a handheld inhaler.
- Makes technical and conforming changes.

**SB 1309 Pupils with Anaphylaxis Carry and Self-Administer Emergency Medications**

Requires school districts to adopt and enforce policies and procedures to allow pupils who have been diagnosed with anaphylaxis to carry and self-administer emergency medications while at school and school sponsored activities. Additionally, school districts and employees are immune from civil liability for all decisions made and actions taken in good faith to implement these provisions.

**PROVISIONS**

- Pupils who have been diagnosed with anaphylaxis, by a specified licensed health care provider, can carry and self-administer emergency medications, including auto-injectable epinephrine, while at school and school sponsored activities. Pupil must notify the school nurse or the designated school staff person of the use of the medication as soon as practicable.
- The pupil’s name on the prescription label on the medication container or on the medication device and annual written permission from the parent or guardian of the pupil is sufficient proof that the pupil is entitled to the possession and self-administration of the medication.
- Exempts school districts and employees from civil liability for all decisions made and actions taken in good faith to implement these provisions, except in cases of wanton or willful neglect.
- Makes technical and conforming changes.

**SCHOOL BREAKFAST AND LUNCH**

After filling out the National School Lunch Program (NSLP) application and submitting it to the NSLP clerk for review, students may qualify for free, reduced or paid meals. Students must pay for their meals every Friday. Students with an outstanding meal balance will be served a bread and cheese sandwich and will not participate in any school ceremony, celebration or receive school records or school information until the balance owed is paid.

<i>Reduced:</i>	<i>\$.30 breakfast</i>	<i>Paid:</i>	<i>\$2.25 breakfast</i>
	<i>\$.40 lunch</i>		<i>\$3.25 lunch</i>

Students are welcome to bring their own healthy and nutritious lunch. Due to USDA regulations, sugary drinks and snacks or junk food are not allowed at school. The school will confiscate and dispose of all lunches and or snacks that do not meet the nutritional value requirements. For a complete list of accepted foods please consult the following link: <https://foodplanner.healthiergeneration.org/calculator/>

**BIRTHDAY RECOGNITIONS**

Birthdays will be recognized according to the best interest of the instructional time for each site. Specific guidelines and procedures will be determined by the Principal. These guidelines ensure students’ academic time is maximized and remains a priority.

**STUDENT PERFORMANCE AND EVALUATION**

Parents will receive a Progress Report in October and March and a Report Card in January and May with cumulative data on their children’s performance and progress in each subject for each quarter.

Parents are encouraged to monitor their child’s weekly performance and progress by logging in to PowerSchool using their child’s assigned private log-on information every first day of the week.

Mexicayotl Academy has high academic performance expectations of each student. Mastery for all subjects is established at 80%. Students not performing at grade level in any subject will have a grade of BELOW reflected in their progress report and/or report card until the student has reached grade level performance. Only students who

meet Mexicayotl Academy's class requirements, academic benchmarks and the Arizona Department of Education's requirements will be promoted to the next grade at the end of the academic year.

### GRADING SCALE

Exceeds:	(E)	90 - 100%
Meets:	(M)	80 - 89%
Approaches:	(Ap)	70 - 79%
Below:	(Be)	60 - 0%

### GRADES

Mastery for all subjects is established at 80%. Students not performing at grade level will have a grade of BELOW reflected in their progress report and/or report card until the student has reached grade level performance. Only students who meet Mexicayotl Academy's class requirements, academic benchmarks and the AZ Dept. of Education's requirements will be promoted to the next grade at the end of the year.

*Grades for the previous week are posted in PowerSchool by 8:00 AM of the first day of the week.*

### Grade Weight Scale for Language Arts 1 and Language Arts 2:

Category	K	Level I	Level II	Level III	Level IV
Classwork	15%	10%	30%	30%	30%
Homework	15%	15%			
Class Tests	15%	15%	15%	15%	15%
Accelerated Reading (AR)	10%	15%	10%	10%	10%
Benchmark Tests (DRA/STAR)	20%	20%	20%	20%	20%
Writing Finals	10%	10%	10%	10%	10%
Self-discipline	5%	5%	5%	5%	5%
Attendance	10%	10%	10%	10%	10%

### Grade Weight Scale for Math:

Category	K	Level I	Level II	Level III	Level IV
Class work & homework combined total: Earned based on the quality/learning demonstrated.	30%	30%	20%	20%	20%
Class Tests	50%	50%	60%	60%	60%
Benchmark Test (STAR)	10%	10%	10%	10%	10%
Attendance	10%	10%	10%	10%	10%

### Grade Weight Scale for Science:

Category	K	Level I	Level II	Level III	Level IV
Class work and homework Earned based on the quality/learning demonstrated	20%	20%	20%	25%	25%
Class Tests	40%	40%	40%	25%	25%
Lab Reports	None	None	None	25%	25%
Quarter Finals	20%	20%	20%	10%	10%
Self-discipline	10%	10%	10%	5%	5%
Attendance	10%	10%	10%	10%	10%

### **Grade Weight Scale for Specials:**

1. Classwork 30%
  - a. *For PE/Enlaces this percent is assigned to the skill demonstrated in the performance of the class' daily or weekly activities*
  - b. Portfolio development (if applicable)
2. Homework 10%
3. Class Tests 40%
4. Self-discipline 10%
5. Attendance 10%

### **PROMOTIONS/RETENTIONS**

Promotion is based on meeting the Arizona Department of Education's requirements, earning an 80% class average and meeting the **attendance policy** and the following **academic benchmarks**:

<b>Grades:</b>	<b>K</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>
DRA in L1	8	20 Inst.	30 Inst.	40 Inst.	50 Interv.	60 Interv.	70 Interv.	80 Interv.	80 Adv.
*DRA in L2	8 Inst.	18 Inst.	28 Inst.	38 Inst.	40 Indep	60 Interv.	70 Interv.	80 Interv.	80 Adv.
Final STAR Reading	.9	1.9	2.9	3.9	4.9	5.9	6.9	7.9	8.9
Final STAR Math	1.5	2.5	3.5	5.0	6.0	8.0	9.0	10.0	11.0
Exit Portfolio (average of assignments)	X	X	X	X	X	80%	80%	80%	80%
Exit Portfolio Presentation	X	X	X	X	X	80%	80%	80%	80%

\*Students who enter the Mexicayotl Academy, Inc. educational system after Kindergarten will be required to meet the established benchmarks for their grade.

### **HOMEWORK**

Homework is defined as the time students spend outside the classroom in assigned learning activities. Mexicayotl Academy believes the purpose of homework should be to practice, reinforce, or apply acquired skills and knowledge.

Homework contributes toward building responsibility, self-discipline and lifelong learning habits. Homework serves to develop regular study skills and the ability to complete assignments independently. Homework should provide students with the opportunity to apply the information they have learned, complete unfinished class assignments, and develop independence. It is the student's responsibility to complete and turn homework in on time that meets the required expectations.

It is the intention of Mexicayotl Academy's teaching staff to assign relevant, challenging and meaningful homework assignments that reinforce classroom learning objectives. Actual time required to complete assignments will vary with each student's study habits, and academic skills. If your child is spending an inordinate amount of time doing homework, you should contact your child's teachers.

Parents play a supportive role through monitoring completion of assignments, encouraging students' efforts and providing an environment conducive for learning.



Teachers keep an updated web-based grade book where every parent and student can check their academic performance on a weekly basis. We encourage parents/legal guardians to log in weekly and schedule teacher meetings to address any concern.

**Homework Time Expectations:**

Kindergarten: 1 hour seat time  
First Grade: 1 hour and 15 minutes seat time  
Second Grade: 1 hour and 30 minutes seat time  
Third Grade: 1 hour and 45 minutes seat time  
Fourth Grade: 2 hours seat time  
Fifth Grade: 2 hours and 15 minutes seat time

**Daily Reading Time as part of the homework time**

20 minutes  
30 minutes  
40 minutes  
50 minutes  
1 hour  
1 hour

*\*Students will periodically be expected to complete special projects throughout the year that may require additional time. These projects will be given a reasonable amount of time in which to complete these projects.*

**PHYSICAL EDUCATION**

Physical Education is an integral part of the educational program. All students are required to participate in the class unless a doctor's excuse is presented. If on a particular day a student cannot participate due to an illness or injury, the parent must send a signed note to the Health Clerk. A daily note will be satisfactory for up to three (3) consecutive days per quarter, after which a doctor's statement/excuse will be required. The pediatrician's excuse must be provided on official letterhead and include the doctor's name, a working telephone number, date of the visit and specify the total days the student is excused from participating in the PE class. On days that a student is excused from PE, he/she will be required to stay in from recess to allow him/her the physical rest needed to get well.

**SPORTS, PHYSICAL EXTRACURRICULAR AND CURRICULAR ACTIVITIES**

**General**

The purpose of sports, physical extracurricular and curricular activities is for educational and character development, and recreational. The school encourages participation in sports and physical extracurricular activities by as many students as possible and mandates participation for physical curricular activities. These activities should always be conducted with the best interest of the participants as the first consideration.

Approval of membership in any leagues, associations, conferences, and any new agreements with other schools for a series of games or events shall be subject to approval by the Board.

The following rules shall be observed for participation by individual students:

- For each type of activity in which the student engages, the parents or guardian must give written consent.
- The student must be determined by a physician to be physically fit to participate in any physical activity.
- Proof of insurance is required.

**HEALTH AND SAFETY OF PARTICIPANTS**

The health and safety of participants in physical activities must receive careful consideration. Participants must be provided access to water at all times during sessions, games or other activities.

The Director shall require that regulations for health and safety of participants in activities be developed, implemented, and enforced. Such regulations may, at the discretion of the Director, be incorporated into this policy as an administrative regulation.

*Legal Reference:*

*A.R.S. 15-341*

**EXPLORATIONS**

In and out of town explorations are planned throughout the year for academic enrichment and purposes. Parents may be asked to assist in paying for these academic explorations. Parents will receive advance notice of all such explorations. A permission form must be signed by a student's parent/guardian in order for the student to participate

in the exploration. Students without signed permission forms will remain at the school. Participating students should bring a bag lunch unless otherwise noted.

Occasionally, parents will be invited to serve as chaperones on class explorations. No parent should feel obligated to serve in this capacity. The primary responsibility of a chaperone is to ensure appropriate supervision for students. Parental chaperones are asked to take this responsibility seriously and to remain vigilant and attentive to the students' needs throughout the exploration. Babies and children who are not enrolled in the class may not accompany the chaperones.

### **AFTER SCHOOL PROGRAM**

When possible, the after school program is offered to students who require academic support and enrichment for those students at grade level. The program takes place from 3:15 – 5:00. Students are held to the same performance and behavior expectations as during the school day. Students must demonstrate a positive attitude towards learning and make respectful and responsible choices at all times. Students who violate school rules or expectations will be removed from the program and parents will have to make arrangements to have their child picked-up at the regular dismissal time.

### **TEXTBOOKS AND SUPPLIES**

Math textbooks require a \$35.00 deposit for students in grades 4th-8th, deposit is reimbursed upon return of textbook in acceptable conditions free of irreparable damages. All instructional materials in grades K – 8<sup>th</sup> remain school property. Parents are required to reimburse the school for lost or damaged school property. Parents are asked to furnish some of their child's school supplies. Classroom supply lists for each grade are available in the office. An annual science lab donation of \$20.00 per family is appreciated.

### **CLOSED CAMPUS**

Students will remain on school grounds during the determined school hours of 7:30 - 3:15 p.m., and any after school activity unless the teacher has arranged a pre-approved off-campus exploration. Any student, who leaves campus without the proper sign out procedure being followed will face disciplinary action.

### **DISCIPLINE**

Each staff member at Mexicayotl Academy is responsible for maintaining discipline and promoting the development of every student's respectful and responsible interaction with their school environment and everybody in it. Parental support is essential in helping maintain appropriate conduct in the school. Students' behavior should reflect consideration and respect for themselves and the rights, feelings, and property of others. Unacceptable student behavior will be subject to disciplinary action.

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### **DISRUPTIVE CONDUCT**

A student shall not engage, or attempt to engage, in any conduct that is reasonably likely to disrupt, or that does disrupt any school function, process or activity. Boyfriend/girlfriend relationships are considered disruptive conduct. Demonstrations of disrespectful/negative attitudes are also considered to disrupt the learning environment. Cumulative negative body language to include but not limited to facial expressions, hand and/or body gestures, and vocalizations are considered disruptive.

### **VIOLATION OF FEDERAL, STATE, OR LOCAL LAW**

A student shall not violate any federal, state, or local law.

### **VIOLATION OF SCHOOL POLICIES AND RULES**

A student shall not violate any Governing Board policy, Administrative regulation, or School rule.

### **DEFIANCE OF AUTHORITY; TRUTHFULNESS**

A student shall obey the reasonable orders of teachers, administrators, and other District employees and shall respond to requests for information from these persons in a truthful manner. A student shall not speak to or refer to

teachers, administrators or other District employees in a vulgar or profane manner.

**ALCOHOL; DRUGS; DRUG PARAPHERNALIA**

Student shall not possess, offer to sell, use, transfer, or be under the influence of alcohol, drugs, or medication (except medication prescribed by the student’s pediatrician or family doctor and used in accordance with the prescription and Governing Board policies). For the purpose of this policy, drugs include any narcotic or dangerous drug, vapor-releasing toxic substance, marijuana, or other substance enumerated In A.R.S 13-3401, as well as any imitation controlled substance listed in A.R.S 13-3451. And any other controlled substance as defined in Schedules I through V of §202 of the Controlled Substances Act (21 U.S.C § 812) and as further defined by regulation in 21 CFR § 1300.11-1300.15. Drug also means anabolic steroid. The term medication means patent or proprietary medicines as defined In A.R.S. 32-901(39). Medication also means substances that are available legally by prescription only. A student shall not possess, offer to sell, transfer, or use drug paraphernalia as defined by A.R.S. 13-3415.

**VANDALISM; LITTERING; DESTRUCTION OF PROPERTY**

A student shall not damage, destroy, or deface any school property belonging to any other person, and shall not litter on school property or any off-campus school event/activity.

**POSSESSION OF WEAPONS OR DANGEROUS ITEMS**

A student shall not possess or use firearms, weapons, explosives, fireworks, or any other instrument capable of harming any person or property, or reasonably susceptible of creating the impression of such harm. A student shall not possess toys resembling any weapon of any kind.

**THREATS; ASSAULTS; FIGHTING**

A student should not verbally or physically threaten, abuse, assault, or engage in a fight with any student, school employee, or any other person.

**BULLYING**

A student shall not engage in any form of bullying (physical, mental, verbal, cybernetic, emotional) with peers or any school official. Gossiping will be regarded as a form of bullying.

**DEFAMATION; GOSSIP**

A student shall not use defamatory words or phrases, or distribute defamatory materials about any school staff, students or school families. Defamatory words or materials are for any purpose those that are false and expose a person to hatred, contempt, ridicule, disgust, or an equivalent reaction or are false and create a tendency to impugn a person’s occupation, business, or office. The use of defamatory words or phrases and/or materials refers to all verbal, written or use of social media.

**OBSCENITY; VULGARITY**

A student should not use obscene or vulgar language or gestures or distribute obscene or vulgar materials. Obscene language or gestures are those that an average person, applying contemporary standards of the school, would find; taken as a whole, appeal to prurient interests and lack serious literary, artistic, political, or scientific value. The standard to be used is that of the school community, in recognition of the fact that students are, as a group, younger and more sensitive than the general adult population. Vulgar language, materials or gestures include language, materials or gestures that depict sexual and/or excretory activities in a patently offensive manner. These areas also involve state law. For minor offenses, school officials may need to notify police authorities. For serious offenses, school officials are required to notify appropriate police authorities.

~Arizona law makes it illegal to insult, abuse or assault a teacher or other school employees while they are engaged in the execution of any official duties.

**DRESS AND APPEARANCE**

A student’s dress and appearance shall not present health or safety problems or cause disruption of educational activities. Items of attire with obscene words, slogans, or graphics shall not be worn or displayed. Immodest or indecent attire is not acceptable. Appropriate footwear must be worn. The following clothing and apparel is

prohibited: sleeveless or open-back shirts, short skirts or shorts, tight shirts or bottoms such as leggings or jeggings, high heels, open toed shoes, long fingernails whether natural or synthetic, make-up, jewelry that may pose a safety danger, piercings, tattoos, and whole head dye of any color. Anything that distracts from a child's focus in learning will not be allowed.

Students are expected to attend school with proper hygiene. Clothes must be clean, hair combed (long hair must be in ponytail or braids), teeth brushed, nails clipped.

### **UNIFORM**

***Students are required to wear the school's official uniform polo shirt with the most recent approved logo permanently attached.*** Students who have met or exceeded 100% of the state tests from the previous year will wear an alternate shirt uniform on Wednesdays. At all times, bottoms must be khaki and an appropriate length (pointer-fingertip length or with a 4" inseam). Any other apparel may not cover the uniform. The uniform may not be altered in any way. For the winter season, the uniform remains as stipulated. Jackets, sweaters, and sweatshirts must not contain any inappropriate slogans, images, profanity, or messages with double meanings. Dress must be appropriate so that it does not disrupt the educational process.

Students with a prescription for eyeglasses are required to wear them as part of their uniform and to be admitted to class. Students who do not wear their glasses will be sent home. It is the responsibility of the parent(s) to notify the school if their child's glasses break or if the prescription is no longer effective. The parent(s) must let the school know how the matter will be resolved and by when.

The uniform shirt will be worn during all explorations.

### **CELLULAR PHONES**

A student shall not be permitted to use a cellular phone during school hours. Cellular phones must be checked into the office before the beginning of classes. If a student has a cellular phone in their possession during school hours it will be confiscated and returned only to the parent/guardian on the first offense. On the second offense, the cellular phone will be confiscated for 60 calendar days. On the third offense, the cellular phone will be confiscated for 365 calendar days from the day it was confiscated.

### **ELECTRONIC DEVICES (such as i-pads, cameras, mp3 players, etc.)**

A student shall not disrupt the educational process with the use of any electronic device. All electronic devices must be checked into the office before 8:20 a.m. If a student has an electronic device in their possession during school hours it will be confiscated and returned only to the parent/guardian on the first offense. On the second offense, the electronic device will be confiscated for 60 calendar days. On the third offense, the device will be confiscated for 365 calendar days from the day it was confiscated.

### **CHEATING; PLAGIARISM; FORGERY**

A student shall not use, or attempt to use the identity, signature, academic work, or research of another person and represent that it his or her own. A student shall not share his or her knowledge or work with another student during an examination or at any other time. A student shall not bring into an examination any materials or notes unless approved by the Teacher.

### **GAMBLING**

A student shall not engage in any game or activity that involves the element of risk or chance with the Intention that property will be exchanged based on the outcome of the game or activity.

### **INITIATION AND HAZING**

Unless the activity is properly supervised and has received the express approval of the school principal, a student shall not participate in an initiation. Initiations and hazing that involve actual or threatened verbal, physical, or sexual abuse are absolutely prohibited. Initiations related to any school club, (athletic team, or other group are subject to the above prohibitions, whether or not the conduct occurs on school grounds.

## **EMERGENCY ALARMS AND FIRE CONTROL DEVICES**

A student shall not activate or use any fire alarm or emergency control device unless the student reasonably believes that an emergency exists justifying the use of the device.

## **ARSON**

A student shall not start, attempt to start, or promote the continuation of any fire or explosion. This does not preclude teacher-approved class activities such as an approved and supervised experiment in chemistry.

## **UNAUTHORIZED ENTRY**

A student shall not gain, or attempt to gain, forceful or unauthorized entry to, or occupation of, school building or grounds.

## **MISREPRESENTATION; EXTORTION; THEFT**

A student shall not take, use, or borrow any property by misrepresentation of deception or by express or implied threat. A student shall not take, use, or borrow property belonging to another person without that person's permission to use, or to take the property.

## **TOBACCO AND CIGARETTES**

A student is not permitted to possess or use tobacco or cigarettes on school campus or within a 300-foot radius of the school.

## **TARDINESS**

A student shall not be tardy to class or to any required school activity. The tardy policy will be implemented (*see page 2*).

## **ENDANGERING THE HEALTH AND SAFETY OF OTHERS**

A student shall not engage in conduct that endangers, or reasonably appears to endanger, the health or safety of other students, school employees, or other persons.

## **TRAFFIC AND SCHOOL TRANSPORTATION RULES**

When operating a motor vehicle on campus or at a school event a student shall follow all school and other traffic rules and shall operate the motor vehicle in a safe and prudent manner. A student shall abide by all school rules regulating the student's conduct while in a school bus or other vehicle and shall obey the directives of the school bus drivers.

## **TRUANCY**

This includes an unauthorized absence, as determined by the administration, from any class, study hall, or activity during the school day for which the student is scheduled (i.e. individual and group student ditching). It also includes any after-school special help session or disciplinary session that the student has been directed to attend.

## **DISCIPLINARY ACTIONS**

**LEVEL DISCIPLINE**- Students are expected to follow the grade appropriate behavior procedure established in each classroom/level. Any student who violates any of the established level's discipline expectations will receive an incident report to be signed by the parent(s) by the following school day. Students who fail to submit an incident report signed by the parent/legal guardian by the following day, will be assigned in-school suspension. The school will attempt to contact the parent(s) the same day to receive verification that the parent has received the incident report. After which, the student will be returned to class.

### **CLASSROOM BEHAVIOR PROCEDURE:**

- a. Warning(s)
- b. Incident Report (no more than 3)
- c. Parent-Student-Teacher conference (phone call or in person)

After following the student's classroom behavior procedure and depending on the student's infraction, any of the following disciplinary actions may be applied:

**VERBAL WARNING** - A school official (teacher, coordinator, administrator, or counselor) will talk to the student and try to reach an agreement regarding how the student should behave.

**DISCIPLINE WARNING** - A conference will be held between the teacher and/or any other appropriate school personnel or administrator and student in which a formal disciplinary referral or incident report will be placed in the student's discipline file.

**DOCUMENTED PARENTAL INVOLVEMENT**- Parent(s) or guardian(s) is notified by telephone, incident report, personal contact, letter, or certified letter. A conference may be conducted between the student, parent(s) or legal guardian(s), appropriate school personnel, and any other Individuals concerned. A formal disciplinary referral will be placed in a student's discipline file.

**DETENTION**- An administrator or teacher may elect to offer detention as an alternative or in addition to other disciplinary action.

**DISCIPLINARY PROBATION** - Any student involved in a violation of the Student Discipline Policy may be placed on disciplinary probation. In addition to or in place of suspension from school the student on disciplinary probation may be denied participation in extra-curricular activities. The student will report to a specified staff member who will assist in monitoring the student during the probationary.

**ALTERNATIVE TO SUSPENSION** - An administrator may elect to set up a program, which provides (s), parent(s) or legal guardian(s), with an alternative to suspension.

**WORK ASSIGNMENTS**- An administrator may elect to provide the student with an opportunity to perform supervised activities related to the upkeep and maintenance of school facilities instead of suspension.

**SUSPENSION** - An administrator may use suspension as recourse when appropriate. Students shall successfully complete assigned Discipline Guides and/or any other suspension requirement prior to returning to school. Students suspended in or out of school may not participate in any school related activity on or off campus. Students suspended out of school are not admitted on campus until the suspension terms are fulfilled.

**DENIAL OF TRANSPORTATION PRIVILEGES** ~ Students are subject to denial of the privilege of riding a school bus or transportation for violation of the Student Discipline Policy, even if they are not otherwise denied educational participation. The administration will inform the student, parent(s) or legal guardian(s) of the denial of bus or transportation privileges. Such privileges may be restored, following a conference with the parent and student, when there is good reason to believe the conduct in question will not recur.

Any student using school transportation shall observe the following transportation standards. Failure to comply with any of the transportation standards may result in a loss of the transportation privileges as stipulated in Mexicayotl Academy's transportation contract:

1. Observe all school rules while in the vehicle
2. Obey the instructions of the driver and respond appropriately to reasonable requests
3. Occupy and remain in assigned seat until the appropriate stop is reached
4. Wear a seat belt when the vehicle is moving
5. Keep aisles clear
6. Talk quietly and use respectful language at all times
7. Keep hands, arms, legs, head and belongings inside the vehicle and to themselves at all times
8. Be courteous to all transportation companions
9. No food, drinks, alcohol, drugs, tobacco distracting objects and/or weapons in the vehicle
10. All student possessions must remain in the student's lap at all times

11. Do not destroy or deface the vehicle
12. Do not throw objects
13. Maintain orderly and respectful conduct at all times

**TEMPORARY EXCLUSION FROM CLASS** - If a student's conduct in class disrupts the educational process or if the student persists in willful misconduct, a teacher may exclude the student from class for the remainder of the class session that day. In such cases, the teacher shall direct the student to report immediately to the administrator responsible for student discipline. The teacher shall inform the student of the reason or reasons why the student is being excluded from class, and if practicable, and if requested by the student, the teacher shall allow the student to explain his or her version of the events to the teacher. Should the student continue to demonstrate lack of self-discipline, disruptive and/or improper behavior, the maximum occurrence consequence (on the action steps) will be applied.

**Disciplinary action may affect the TARDINESS/ABSENCE policy**- Three unexcused tardies in a nine-week period will result in an unexcused absence. Perfect Attendance Recognition will not be granted to any student tardy for the third time, any student assigned out-of-school suspension, or any student who does not meet the Arizona Department of Education's attendance requirements for daily attendance.

## Action Steps

<b>PROHIBITED CONDUCT</b>	<b>RANGE</b>	<b>FIRST OCCURRENCE</b>	<b>REPEATED OCCURRENCES</b>
<b>Disruptive Conduct</b>	Minimum	Level consequence	Short-term suspension
	Maximum	Long-term suspension or expulsion	Long-term suspension or expulsion
<b>Violation of Federal, State, or local law</b>	Minimum	Short-term suspension	Long-term suspension
	Maximum	Long-term suspension	Recommended expulsion
<b>Violation of school policies and rules</b>	Minimum	Level consequence	Short-term suspension
	Maximum	Long-term suspension	Recommended expulsion
<b>Defiance of Authority</b>	Minimum	Level consequence	Short-term suspension
	Maximum	Long-term suspension	Long-term suspension
<b>Alcohol; drugs; drug paraphernalia</b>	Minimum	Short-term suspension	Long-term suspension
	Maximum	Long-term suspension	Recommended expulsion
<b>Vandalism; littering; destruction of property</b>	Minimum	Level consequence	Short-term suspension
	Maximum	Long-term suspension	Recommended expulsion
<b>Possession of weapons or</b>	Minimum	Short-term suspension	Long-term suspension

<b>dangerous items</b> (including toys simulating weapons)	Maximum	Recommended expulsion	Recommended expulsion
<b>Threats; assaults; fighting; bullying</b>	Minimum	Level consequence	Short-term suspension or law enforcement involvement
	Maximum	Short-term suspension or law enforcement involvement	Long-term suspension or law enforcement involvement
<b>Defamation, Gossip</b>	Minimum	Level consequence	Short-term suspension
	Maximum	Long-term suspension	Recommended expulsion
<b>Obscenity; vulgarity</b>	Minimum	Level consequence	Short-term suspension
	Maximum	Short-term suspension	Recommended long-term suspension
<b>Dress; appearance; Uniform</b>	Minimum	Student is sent home	Short-term suspension
	Maximum	Student is sent home	Short-term suspension
<b>Cellular phones</b>	Minimum	Confiscated and returned to the parent	Confiscated for 60 days
	Maximum	N/A	Confiscated for 365 days
<b>Use of electronic devices</b>	Minimum	Confiscated and returned to the parent	Confiscated for 60 days
	Maximum	N/A	Confiscated for 365 days
<b>Cheating; plagiarism; forgery</b>	Minimum	Level consequence	Long-term suspension
	Maximum	Short-term suspension	Long-term suspension
<b>Gambling</b>	Minimum	Level consequence	Short-term suspension
	Maximum	Short-term suspension	Long-term suspension
<b>Initiation; hazing</b>	Minimum	Level consequence	Long-term suspension
	Maximum	Short-term suspension	Long-term suspension
<b>Emergency alarms; fire control devices</b>	Minimum	Level consequence & fine	Short-term suspension & fine
	Maximum	Short-term suspension & fine	Long-term suspension & fine
<b>Arson</b>	Minimum	Short-term suspension or law enforcement involvement	Long-term suspension or law enforcement involvement
	Maximum	Long-term suspension or law enforcement involvement	Recommended expulsion
<b>Unauthorized entry</b>	Minimum	Level consequence	Short-term suspension



	Maximum	Long-term suspension	Long-term suspension
<b>Misrepresentation; extortion; theft</b>	Minimum	Level consequence	Short-term suspension
	Maximum	Short-term suspension	Long-term suspension
<b>Tobacco; cigarettes</b>	Minimum	Short-term suspension	Long-term suspension
	Maximum	Long-term suspension	Recommended expulsion
<b>Tardiness</b>	Minimum	Level consequence	Loss of 10% of class grade in each class
	Maximum	Loss of 10% of class grade in each class	Loss of 10% of class grade in each class
<b>Endangering health and safety of others</b>	Minimum	Level consequence	Short-term suspension or law enforcement involvement
	Maximum	Short-term suspension or law enforcement involvement	Long-term suspension or law enforcement involvement
<b>Traffic and school transportation rules</b>	Minimum	Written warning	Long-term suspension of privilege
	Maximum	Short-term suspension of privilege	Long-term suspension of privilege
<b>Truancy</b>	Minimum	Short-term suspension	Long-term suspension
	Maximum	Long-term suspension	Long-term suspension

**SEARCH & SEIZURE**

A school principal, assistant principal or district administrator may search a student, items in the student’s possession, or a student-controlled vehicle on school premises under the following conditions: (1) the administrator must have a reasonable belief that the person or property searched possesses or contains an item the possession of which, violates state, federal or local law, or Governing Board policy or an item that constitutes a threat to the health or safety of the student or others, or a danger to property; (2) in conducting a search of a student or a student’s personal property, the administrator must consider the intrusiveness of the proposed search in light of the age and sex of the student and the nature of the suspected infraction; (3) strip searches and body cavity searches by school administrators are absolutely prohibited.

Items discovered, the possession of which violates law or Governing Body policy, or items that constitute a threat to the health or safety of the student or other or a danger to property, may be seized. If the Item seized is one of which by the administrator may be unlawful the administrator shall contact appropriate law enforcement officials for directions regarding disposition of the item.

A teacher or campus security may search a student under the conditions set forth above only when an administrator is not reasonably available to conduct the search. All searches by teachers or campus security must be reported to the school principal as soon as practicable.

Student lockers are owned by Mexicayotl Academy and remain under the joint control of the students and the District. An administrator may search student lockers whenever there is reasonable suspicion that the locker may contain illegal items, or an Item that may constitute a threat to the health or safety of the student or others or a danger to students who are at school sponsored events, or who are traveling to or from school or school sponsored

events, or when the student's conduct affects the operation of the, school shaft be subject to this search and seizure policy.

## **YOUR RIGHTS-DUE PROCESS**

### **AUTHORITY TO SUSPEND-NOTIFYING GOVERNING BOARD ~SUSPENSIONS**

The authority to suspend a student from school is vested In the Superintendent, the associate superintendent, each principal and each assistant principal. Every suspension shall be reported to the Governing Board within five (5) days by either the person imposing the suspension or the Superintendent

### **SHORT-TERM SUSPENSION 10 DAYS OR LESS**

Short-term suspension is a suspension for a period of time less than or equal to ten (10) school days. Before a short-term suspension is imposed, a school administrator authorized to suspend a student from school shall inform the student of the alleged misconduct and describe generally the evidence known at that time to support the allegations of misconduct. This notice may be given to the student orally or in writing. The administrator shall invite the student to discuss the student's version of the situation with the administrator. This is so the student has an opportunity to dispute the allegations of misconduct. The administrator shall then determine if a short-term suspension should be imposed and shall inform the student of his or her decision. If the student is suspended, the student's parent(s) or legal guardian(s) shall be notified of his suspension by mail, telephone or personal contact. *Some offenses carry an automatic 3 or more day suspension determined by the Principal (violence, possession of alcohol, drugs, drug paraphernalia, weapons, dangerous items, defiance of authority, endangerment of self or others' wellbeing).*

### **APPEAL OF SHORT-TERM SUSPENSION**

Student may appeal a short-term suspension on any one or any combination of the grounds set forth In Policy JGD-8.F. If the Assistant Principal imposed a short-term suspension, the appeal shall be to the Principal. If the Principal imposed the short-term suspension, the appeal shall be to the Superintendent's designee, as designated in the previous sentence within two (2) working days of the decision to impose the short-term suspension. The Principal or superintendent's designee shall hear the appeal within two (2) working days of the request. Appeal of the short-term suspension does not operate to delay the Imposition of the short-term suspension.

### **APPEAL PROCEDURE OF SHORT-TERM SUSPENSION**

Appeal procedure is informal and may occur immediately after the decision is made to impose the short-term suspension if all parties are available for the appeal at the time. At the appeal the Principal or Superintendent's designee, the case may be, shall hear evidence supporting the suspension from the administrator who imposed the suspension shall allow the student to discuss his or her version of the situation, and why the student or his or her parent(s) or legal guardian(s) believe the short-term suspension should not be Imposed. The Principal or Superintendent's designee then shall determine if the short-term suspension shall be upheld reversed or modified, and shall notify the student, the student's parent(s) or legal guardian(s) and the administrator who imposed the suspension and the superintendent of his or her decision by mail, telephone, or personal contact. This decision shall be final and is no further appealable.

### **EMERGENCY SUSPENSION**

An emergency suspension occurs when a student is removed from school without prior use of due process procedures. An emergency suspension is allowed if the student's continued presence in school poses a danger to person or property or an ongoing threat of disruption to the academic process. The due process procedures for a short-term suspension must be provided to the student as soon as practicable following the student's removal from school pursuant to an emergency suspension. The student's parent(s) or legal guardian(s) should be notified of the suspension as soon as reasonably possible.

### **LONG-TERM SUSPENSION: 11 DAYS OR MORE**

A long-term suspension is a suspension that exceeds ten (10) school days in duration and may extend through the balance of the school year. If a long-term suspension is imposed in the second semester of the school year, the long-term suspension may extend through the first semester of the following school year. If a student in his or her final semester before graduation receives a long-term suspension, that student will not be allowed to graduate until an additional semester of course work is completed.

## **DECISION TO HOLD LONG-TERM SUSPENSION HEARING**

If a school administrator believes that a long-term suspension may be warranted as a result of alleged misconduct of a student, the administrator, or his or her designee, shall schedule a long-term suspension hearing and shall give notice of the hearing to the student's parent(s) or legal guardian(s), as described In Notice of Long-Term Suspension. The Governing Board or its designee, shall specify the hearing officer for the long-term suspension hearing.

## **YOUR RIGHTS-DUE PROCESS**

### **NOTICE OF LONG-TERM SUSPENSION HEARING**

If a long-term suspension hearing is scheduled, a school administrator will mail or deliver, or cause to be mailed or deliver, notice of the hearing to the student's parent(s) or legal guardian(s), at least five (5) working days prior to the hearing. The notice shall contain:

1. The time, date and place of the hearing;
2. The name of the hearing officer
3. The description of the alleged misconduct, the standards of student conduct allegedly violated, and the proposed discipline;
4. A copy of this Policy and copy of A.R.S. 15-840 and 15-843. A

### **LONG-TERM SUSPENSION HEARING**

The hearing shall be held at the time and place stated in the notice unless all Interested parties agree otherwise. The hearing officer shall conduct the hearing in accordance with the procedures set out in that section of this policy entitled "Central Hearing Procedures for Long Term Suspension and Expulsion Hearing."

### **DECISION OF HEARING OFFICER**

At the conclusion of the hearing, the hearing officer shall determine whether discipline will be imposed, and, if deemed appropriate by the hearing officer, a long-term suspension may be imposed immediately. Written confirmation of the hearing officer's decision shall be mailed or delivered to the student's parent(s) or legal guardian(s) within two (2) school days after the hearing. A copy of the written decision shall be delivered or mailed to the Superintendent. If the decision is to impose a long-term suspension, the written decision shall contain:

1. Student name;
2. Describe the behavior that resulted in the long-term suspension;
3. State the beginning and ending dates of the suspension and the restrictions on the student's presence on campus and at school activities;
4. Inform the student that an appeal is available pursuant to that section of this policy "Appeal of Long-Term Suspension"

### **APPEAL LONG-TERM SUSPENSION**

Except in those cases where the Governing Board functions in the first Instance as the hearing officer, the hearing officer's decision following a long-term suspension hearing may be appealed to the Governing Board. The appeal may be based on any one or any combination of the following grounds:

1. There was not substantial compliance with the Policy
2. The student's legal rights, including the right to receive due process of law, were violated by the hearing or the hearing officer's decision; or
3. The discipline imposed by the hearing officer was unreasonable considering the circumstances present

To appeal, the student's parent(s) or legal guardian(s) must deliver a letter to the Superintendent within five (5) working days after receiving notice of the hearing officer's decision imposing a long-term suspension. The letter must describe in detail all objections to the hearing or the decision rendered at the hearing. The appeal shall be heard at a Governing Board meeting held not less than three (3) nor more than twenty-five (25) days after receipt by the Superintendent of the request for the appeal. The student's parent(s) or legal guardian(s) shall be given no less than two (2) day's notice of the date, time and place of the Governing Board meeting when the appeal will be heard.

If the Governing Board determines that the student was not afforded his other due process rights or that this Policy was not allowed in all substantial respects, the student shall be given another hearing. If the Governing Board determines that the discipline imposed was unreasonable considering the circumstances present, the Governing Board may, as it deems appropriate, modify the hearing officer's decision by imposing less serious discipline.

The appeal will be heard in executive session unless the student's parent(s) or legal guardian(s) shall present the reasons why they believe a new hearing should be granted or why the hearing officer's decision should be modified. No additional evidence will be received during the appeal unless the Governing Board determines such action to be necessary. The Governing Board's decision is final.

Long-term suspension imposed by a hearing officer shall remain in effect unless and until modified by the Governing board. Appeal of the hearing officer's decision by the student's parent(s) or legal guardian(s) does not operate to delay the position of the long-term suspension.

## **OUR RIGHTS - DUE PROCESS PROCEDURE FOR, SUSPENSION AND EXPULSION OF HANDICAPPED STUDENT**

Students should expect generally to be disciplined pursuant to the same standards of conduct and due process procedures. Handicapped students, however, as defined by Public Law 94-192(20 U.S.C.A. 1401, at seq.) have special ads and a different legal status than non-handicapped students. Handicapped students may be suspended for more than ten (10) days, or may be expelled, only when their conduct that otherwise warrants long-term suspension or expulsion is not caused by, or does not have a direct and substantial relationship to, the student's handicap (hereinafter need to as 'handicap-related"). A separate process therefore has been developed to determine whether or not the student's conduct is handicap-related. (See policy JGO-1 7).

## **EXPULSION**

### **DEFINITION OF EXPULSION-AUTHORITY TO EXPEL**

Expulsion is the permanent withdrawal of the privilege of attending school in this District unless the Governing Board takes this privilege. The authority to expel a student rests exclusively with the Governing Board.

### **NOTIFICATION TO GOVERNING BOARD-INITIAL EXECUTIVE SESSION TO DETERMINE WHETHER TO APPOINT A HEARING OFFICER AND WHETHER TO HOLD EXECUTIVE SESSION**

The Governing Board will be notified of all recommendations for expulsion. The Governing Board will then meet in executive session to decide whether to hold a hearing or to designate a hearing officer to hold a hearing to hear evidence, prepare a record and bring a recommendation to the Governing Board for action. The Governing Board shall also determine whether the expulsion hearing will be held in executive session.

A recommendation for expulsion may occur before, after, or in conjunction with a long-term suspension hearing, if one is to be held.

### **NOTICE OF EXPULSION HEARING**

If the Governing Board determines that an expulsion hearing will be held either before the Governing Board or a hearing officer, it will mail or deliver, or cause to be mailed or delivered, notice of the hearing to the student's parent(s) or legal guardian(s) at least five (5) working days before the hearing the notice shall contain:

1. The time, date and place of the hearing
2. The name of the hearing officer or a statement that the Governing Board will preside at the hearing;
3. A description of the alleged misconduct the standards of student conduct allegedly violated, and the proposed Discipline;
4. A copy of this Policy, and a copy of A.R.S. 15-840 and 15-843;
5. A statement that the student and his or her parent(s) or legal guardian(s) are entitled to various procedural rights as described in this policy
6. A statement that written notice must be given to the Superintendent at least 24 hours before the hearing if the student or his / her parent(s) or legal guardian(s) will have an attorney present;
7. A statement that if a hearing officer rather than the Governing Board presides at the expulsion hearing, the

student's parent(s) or legal guardian(s) may appeal to the Governing Board any recommendation for expulsion or other discipline made by the hearing officer.

### **THE HEARING**

The hearing shall be held at the time and place stated in the notice unless all interested parties agree otherwise. The hearing officer or Governing Board, whichever is applicable, shall conduct the hearing in accordance with the procedures set out in JGD-7.

### **RECOMMENDATION OF HEARING OFFICER**

If the expulsion hearing is before a hearing officer rather than the Governing Board, the hearing officer shall prepare a record of the hearing and recommendation concerning whether the student should be expelled the record of the hearing and the recommendation shall be forwarded to the Governing Board. The student's parent(s) or legal guardian(s) shall be notified of the recommendation and shall be informed that they may appeal to the Governing Board the recommendation made by the hearing officer.

### **YOUR RIGHTS-DUE PROCESS**

#### **DECISION OF GOVERNING BOARD - APPEAL OF HEARING OFFICER'S RECOMMENDATION**

Neither less than three (3) nor more than twenty-five (25) days after receipt of the hearing officer's recommendation a Governing Board meeting shall be scheduled to consider the recommendation. The student's parent(s) or legal guardian(s) shall be given not less than two (2) days' notice of this Governing Board hearing. The Governing Board meeting shall be in executive session unless an open session is requested by the student's parent(s) in accordance with – A.R.S. 15-823

At the meeting, the Governing Board shall:

1. Review the recommendation of the hearing officer
2. Review such portions of the record of the hearing as deemed necessary by the Governing Board to enable it to render a decision
3. Hear any appeal made by the student's parent(s) or legal guardian(s) concerning the recommendation of the hearing and
4. Decide whether the student should be expelled or otherwise disciplined.

#### **HEARING CONDUCTED BY GOVERNING BOARD - DECISION CONCERNING EXPULSION**

In lieu of using a hearing officer, the Governing Board may preside at the expulsion hearing. In such cases, the Governing Board shall render its decision either at the conclusion of the hearing or no more than three (3) days thereafter.

#### **NOTICE OF DECISION TO EXPEL**

If the Governing Board's decision is to expel the student, the Superintendent shall notify the student's parent(s) or legal guardian(s) of the Governing Board's decision. The notice shall:

1. Name the student
2. Inform the student that he or she has been expelled and
3. Inform the student that he or she may apply for readmission after one calendar year but that readmission is at the discretion of the Governing Board.

#### **APPLICATION FOR REENTRY FOLLOWING EXPULSION**

After the lapse of one (1) calendar year, a student who has been expelled may appeal for re-entry to school by making a written application to the Governing Board through the Superintendent. The student's application for re-admittance shall contain information indicating resolution of the problems that resulted in the expulsion. It is the prerogative of the Governing Board to grant or deny re-admittance or to stipulate appropriate conditions for re-admittance.

The Governing Board, in its discretion, may hold a hearing on any application for re-admittance to school. Re-admittance may occur only at the beginning of a grading period.



**STUDENT HANDBOOK ACKNOWLEDGEMENT  
2018 - 2019**

I have received the **Mexicayotl Academy, Inc.** Student Handbook. I agree to support the philosophy and mission of **Mexicayotl Academy, Inc.** with regards to the children, parents, and staff members. I understand the student handbook delineates the expectations, guidelines, policies, discipline and schedule of **Mexicayotl Academy, Inc.** I also agree to be financially responsible for fees, actions, and debt incurred during the current academic year.

\* \* \* \* \*

If you need further clarification on any part of this student handbook please schedule a meeting with the principal. *Si usted necesita clarificación de alguna parte de esta guía estudiantil por favor agende una cita con la directora.*

\_\_\_\_\_  
Parent's/Legal Guardian's Signature

\_\_\_\_\_  
Date

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Child/Children's Name(s) **(Please Print)**