



# **STUDENT AND PARENT HANDBOOK**

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**2026-2027**

## **MISSION**

*Designing supportive learning environments that promote academic curiosity, social justice, equity, joy and empathetic practices for all students through the creative arts.*

## **VISION**

*To develop creative, independent thinkers capable of choosing their own path and purpose.*

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# I. CULTURE

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## **Community Agreements (For Students, Parents, and DATA Staff)**

The DATA faculty and administration believe that the following expectations are essential in order to maintain a positive and productive learning environment.

**General Campus Appearance:** Students, as well as all DATA community members, are responsible for the appearance of the school campus. We all need to pick up after ourselves in the classrooms, academic labs, hallways, snack bar, front lobby, and areas outside the building. We have a beautiful campus, and we are all responsible for keeping it clean and safe. Students who choose to engage in vandalizing our school in any way show a lack of respect and pride. This is a serious issue and students who are involved in vandalism will face serious consequences.

**General Learning Environment:** We strive to create a positive and productive community that fosters respect, curiosity, and empathy for self and others. In order to guide our words and actions, we ask all community members to adhere to the following expectations.

- Cell Phones/Electronic Devices - Cell phones/Electronic Devices may not be seen or heard in the classroom unless directed by the teacher. All 7th-9th grade students will need to keep their cell phones locked in a Yondr pouch provided by the school.
- Profanity - Both direct and indirect profanity will not be tolerated.
- Disrespect - Students will demonstrate respect toward self and others including staff, visitors, and the school environment at all times.
- Back and Forth - Students will comply with staff requests, in alignment with school wide norms, values, behaviors and expectations.

**General Campus Behavior:** How we conduct ourselves says a great deal about who we are as individuals and as a school. All DATA community members are expected to conduct themselves appropriately in terms of language, dress and general behavior.

It is human nature to show affection toward those we care about; and as a school, we do not discourage appropriate displays of affection. However, excessive public displays of affection that prevent students from arriving to class on time, create an uncomfortable environment for those around them, and/or are deemed inappropriate by faculty and staff is subject to disciplinary action.

## **Communication Agreements (For Students, Parents, and DATA Staff)**

In order to ensure the success of each student, we need effective and respectful communication between parents, students, and DATA staff. We agree, to the best of our ability, to the following

- Everyone agrees to respond to emails/phone messages within 48 hours.
- Teachers agree to contact parents and students in a timely manner when concerns (academic, behavioral, attendance) arise.
- Parents agree to contact the school when a student is absent, tardy, or leaving school early for the day.
- Parents are welcome to contact administration with any concerns, questions, comments, and/or input.
- We will be using School Messenger to send out grade level and school wide communications. This may be via email or text message. It is imperative that we have your correct, updated phone number and email to ensure you are receiving school communications.
- DATA will send out information on how to get access to School Messenger and get you set up for the year.
- If and when you run in to any issues with School Messenger, please contact [devin.mcguire@datacharter.org](mailto:devin.mcguire@datacharter.org)

## **Advisors and Advisory House Program**

Students often feel disconnected and have few personalized relationships with the adults who educate them. Student advisories offer a way to overcome the anonymity many students feel. Our advisory program is based on the belief that students need the opportunity to develop trusting relationships with adult educators, and that doing so benefits students in a variety of ways.

Advisory meets every day, Tuesday through Friday for 45 minutes. All students in grades 7–12 will participate in a House Advisory system. Every student and staff member will belong to one of five mixed-grade Houses, each with its own unique name, colors, values, and symbol inspired by New Mexico. These Houses are designed to foster cross-grade mentorship, build school pride, and encourage friendly competition through academics, attendance, behavior, and community involvement.

Each House will contain 4-5 small Advisory groups of about 12–15 students, led by a dedicated staff advisor. These groups are intentionally mixed-grade, allowing older students to mentor younger peers, while everyone benefits from consistent support, social-emotional learning, and academic check-ins. We believe this model creates a stronger sense of belonging, leadership, and connection across grade levels. While we strive to keep students with the same advisor each year, due to a variety of reasons, a student's advisor may change from year to year.

We know students thrive when they are known, supported, and part of something bigger than themselves. This system helps us create a positive, inclusive culture where every student has a role, a voice, and a team they can count on.

Each semester we hold mandatory, scheduled parent-student-advisor conferences. During these meetings, the student reports out on academic performance and advisors share feedback given from teachers as well as any school wide updates and upcoming events. Working with teachers, parents and students, we can better monitor and support students towards graduation and future success.

## **Student Organizations and Clubs**

Sports: DATA participates in the Albuquerque Charter School League and fields teams in co-ed soccer, co-ed flag football, boys and girls basketball, track and field, and volleyball.

Clubs: There are a variety of clubs at DATA and they usually meet before school, at lunch, or after school.. Current options are DnD Club, Art club, Fitness Club, DSA, and Gaming Club. Club Development is really driven by student choice and we encourage any student who has an idea for a club or activity to contact a Division Head or their advisor.

Events: DATA also hosts spirit week, theater performances, Fall Festival, fall and spring dances, prom, Field Day, 24-hour LAN parties at school, and a variety of other fun activities.

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## **II. CONTACT INFORMATION**

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### **How to Get in Touch with Administrators or Staff:**

| SCHOOL INFORMATION |                                                              |
|--------------------|--------------------------------------------------------------|
| Address            | 1011 Lamberton Place NE, Albuquerque, NM, 87107              |
| Phone Number       | 505-341-0888                                                 |
| Fax Number         | 505-341-0658                                                 |
| Web Site           | <a href="http://www.datacharter.org">www.datacharter.org</a> |

| DATA DIRECTORY<br>505-341-0888 |           |        |                                                                                |
|--------------------------------|-----------|--------|--------------------------------------------------------------------------------|
| Holly Gurule                   | Director  | ext244 | <a href="mailto:holly.gurule@datacharter.org">holly.gurule@datacharter.org</a> |
| Aaron Romero                   | Principal | ext221 | <a href="mailto:aaron.romero@datacharter.org">aaron.romero@datacharter.org</a> |

|                          |                                                                   |               |                                                                                        |
|--------------------------|-------------------------------------------------------------------|---------------|----------------------------------------------------------------------------------------|
| <b>Kristin Reeder</b>    | <b>Assistant Principal</b>                                        | <b>ext211</b> | <a href="mailto:Kristin.Reeder@datacharter.org">Kristin.Reeder@datacharter.org</a>     |
| <b>Martha Gasca</b>      | <b>Campus Security</b>                                            | <b>Ext253</b> | <a href="mailto:Martha.Gasca@datacharter.org">Martha.Gasca@datacharter.org</a>         |
|                          | <b>Attendance</b>                                                 | <b>Ext225</b> | <a href="mailto:attendance@datacharter.org">attendance@datacharter.org</a>             |
| <b>Jessica Castillo</b>  | <b>Front Desk</b>                                                 | <b>Ext210</b> | <a href="mailto:Jessica.Castillo@datacharter.org">Jessica.Castillo@datacharter.org</a> |
| <b>Mia Valdez</b>        | <b>Registrar</b>                                                  | <b>Ext216</b> | <a href="mailto:Mia.Valdez@datacharter.org">Mia.Valdez@datacharter.org</a>             |
| <b>Aubree Boivin</b>     | <b>Counselor (10-12)</b>                                          | <b>Ext229</b> | <a href="mailto:Aubree.Boivin@datacharter.org">Aubree.Boivin@datacharter.org</a>       |
| <b>Cindy Valenzuela</b>  | <b>Counselor (7-9)</b>                                            | <b>Ext228</b> | <a href="mailto:Cindy.Valenzuela@datacharter.org">Cindy.Valenzuela@datacharter.org</a> |
| <b>Laura Martinez</b>    | <b>Social Worker</b>                                              | <b>Ext251</b> | <a href="mailto:Laura.Martinez@datacharter.org">Laura.Martinez@datacharter.org</a>     |
|                          | <b>Nurse</b>                                                      | <b>Ext246</b> |                                                                                        |
| <b>Special Education</b> | <b>J. Martinez<br/>E. Arrey<br/>A. Browning<br/>C. Grindstaff</b> | <b>Ext212</b> | <a href="mailto:Datasped@datacharter.org">Datasped@datacharter.org</a>                 |

If you would like to contact a teacher for any reason, please click [HERE](#) for their emails.

### III. ACADEMICS

#### Dual Credit/Advanced Placement/CEC

DATA offers a number of dual credit opportunities for students in grades 10-12. Dual credit courses are college level courses students may take through CNM, UNM, and the Institute of American Indian Art (IAIA). DATA offers on campus dual credit courses through our elective programs and students are also allowed to sign up for courses taught by college professors at these institutions.

For general information regarding CNM dual credit, please use the link below:

<https://www.cnm.edu/depts/student-recruitment-and-outreach/dual-credit>

Any student who takes a dual credit course, whether through DATA or at the institution, will enroll with that institution and earn college credit. Students must be in good academic and behavioral standing at DATA and will need approval by the high school counselor. Students must meet any prerequisites set forth by the college in order to be eligible to take the course. This may include taking a college entrance exam and achieving required proficiency scores. When the student is admitted to the institution, all information concerning the student and their progress is protected by FERPA which means parents will need to sign a dual credit agreement acknowledging that they may not have access to student records unless the student provides the institution with written consent.

Taking a college course is a wonderful experience and allows students to earn free college credit, but it also requires a great deal of responsibility on the part of the student. Grades earned will be a part of their high school and college transcript and be used to determine qualification for future college scholarships. Students who fail dual credit courses jeopardize their chances of taking further dual credit courses and thus it is imperative students engage, perform, and complete all required assignments.

Advanced Placement (AP) courses follow the AP College Board curricula. Faculty who teach AP courses are required to meet all College Board standards associated with the designated course. Students who complete the coursework are encouraged to take the appropriate AP exam in May. If a student receives a score of 3 or higher, they can report that to the college they will attend and earn college credit in accordance with their college's policies.

DATA also partners with the Career Enrichment Center (CEC) located near Albuquerque High School. Students may take courses offered at CEC while remaining enrolled at DATA. You can learn more about CEC and course offerings by using the link below: <https://cec.aps.edu/cec/welcome-to-cec>

#### STATE TESTING

The New Mexico Public Education Department requires all students in public school to take the following state tests. These are mandatory tests and DATA is held accountable for ensuring all students participate. Scores are used to determine public school standings which can be viewed on NMVistas: <https://www.nmvistas.org/> As an APS charter school, these scores are also used to measure our academic progress and goals stated in our charter. State testing may take place on Mondays so as not to disrupt the typical school week.

- 7th and 8th Graders - iMSSA and MSSA *Measures of Student Success and Achievement*
- 8th and 11th Graders - NM-ASR *Assessment of Science Readiness*
- 10th and 11th Graders - PSAT *Pre Scholastic Aptitude Test*
- 11th Graders - SAT *Scholastic Aptitude Test*

## **Field Trips**

All rules that apply to student behavior on campus and in the classroom apply to any student attending a school-sponsored activity on or off campus. Any student participating in an act that is a violation of our school policies will be subject to the disciplinary action stated in that policy. The school trip supervisor has the authority to ban a specific student from future school trips and may choose to do so, based on previous behavior.

Permission forms for all school events will be signed at the beginning of the school year during orientation. This allows students to participate in any and all field trips organized by DATA staff and personnel. Notification of details and dates of field trips will be provided to parents and students at least one week prior to the event.

## **Grade Level Courses and Credits**

|                              | <b>Core Classes * is required by all<br/>Core Class ** is required for the<br/>graduation class of 2029 and<br/>beyond</b>                                                    | <b>Elective Classes (* is required)<br/>Must earn 8 elective credits (in addition to required electives) to<br/>graduate; 2 of these credits must be Dual Credit</b> |
|------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>7th and 8th<br/>Grade</b> | <b><u>Humanities:</u></b><br>English<br>Social Studies<br><br><b><u>Stem:</u></b><br>Math<br>Science                                                                          | CTE Explorations (4 x 9-week exploration topics)<br>CTE Workshop<br>PE<br><br>*MS students can only earn HS credit for Health and Algebra I                          |
| <b>Freshman</b>              | <b><u>Humanities:</u></b><br>NM History or NM Culture &<br>Community* (.5)<br>Ethnic & Cultural Studies** (.5)<br>English 9* (1)<br><br><b><u>Stem:</u></b><br>Algebra I* (1) | Cybernetics (STEM)<br>PE*<br>Health*<br>Level 1 Elective Courses                                                                                                     |
| <b>Sophomore</b>             | <b><u>Humanities:</u></b><br>World History/Geography* (1)<br>English 10* (1)<br><br><b><u>Stem:</u></b><br>Biology* (1)<br>Geometry* (1)                                      | Level 1 Elective Courses<br>Level 2 Elective Courses (must have taken Level 1 equivalent)                                                                            |
| <b>Junior</b>                | <b><u>Humanities:</u></b><br>US History/Geography* (1)<br>English 11* (1)<br><br><b><u>Stem:</u></b><br>Science* (1)<br>Algebra 2* (1)                                        | Level 2 Elective Courses (must have taken Level 1 equivalent)<br>Level 3 Elective Courses (must have taken Level 2 equivalent)<br>Dual Credit or AP Course*          |

|               |                                                                                                                                             |                                                                                            |
|---------------|---------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| <b>Senior</b> | <u><b>Humanities:</b></u><br>Government* (.5)<br>Economics* (.5)<br>English 12* (1)<br><br><u><b>Stem:</b></u><br>Science* (1)<br>Math* (1) | Level 3 Elective Courses (must have taken Level 2 equivalent)<br>Dual Credit or AP Course* |
|---------------|---------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|

Grade Level Classification is determined by the total number of credits earned at the start of the school year.

**Grade 9 Freshman: 0 - 5.75 credits**  
**Grade 10 Sophomore: 6 - 11.75 credits**  
**Grade 11 Junior: 12-17.75 credits**  
**Grade 12 Senior: 18+ credits.**

## **Grades and Report Cards and Progress Reports**

Traditionally, student success has been defined by grades. While we understand that this is still a component of determining academic success, we also believe the development of social emotional skills and competencies are just as important and not always measured by a grading scale. Therefore, DATA will begin to incorporate these competencies as defined in our school values. These competencies are known as our Profile of a Graduate

- Accountability (Academic Operative) - *I take ownership of my learning. Graduates will reflect on their own learning and use critical thinking to solve interdisciplinary problems, recognize patterns, and transfer knowledge across disciplines.*
- Creativity (Creative Investigator) - *I use curiosity and imagination to create. Graduates will use divergent thinking, ask authentic questions, gather and analyze data, and embrace ambiguity as a pathway to discovery and creative expression.*
- Empathy (Empathetic Individual) - *I value individuals and honor their stories. Graduates will recognize emotions in themselves and others, challenge their assumptions, and use reflective practices to understand cultural contexts and respond with empathy and respect.*
- Communication (Adept Communicator) - *I listen actively and express myself with purpose. Graduates will mediate conflict, select appropriate communication forms, incorporate feedback, self-advocate, and collaborate with diverse audiences.*
- Empowerment (Resilient Change Agent) - *I own who I am and who I am becoming. Graduates will identify goals, embrace responsible risk-taking, grow from setback, seek feedback, and connect learning to personal relevance and community impact.*

| <u><b>Percentage Grades</b></u> | <u><b>Letter Grade</b></u> |
|---------------------------------|----------------------------|
| <b>100-90</b>                   | <b>A</b>                   |
| <b>89-80</b>                    | <b>B</b>                   |
| <b>79-70</b>                    | <b>C</b>                   |
| <b>69-60</b>                    | <b>D</b>                   |
| <b>59-40</b>                    | <b>F</b>                   |

## **GRADE POINT AVERAGE (GPA)**

A student's grades determine the grade point average. The GPA is calculated based on the following:

- A = 4 points
- B = 3 points

- C = 2 points
- D = 1 point
- F = 0 points

A normal class load for a student is 8 classes. Each core class is worth half a credit each semester and each Elective course is worth one credit each semester.. A student must receive a passing grade A, B, C, or D to receive credit for the course.

Any failure of a required course will result in the student having to retake the course to earn the necessary credit for graduation. Students will need to pay \$150 per half credit to take the course on Edgenuity for credit recovery purposes. If students want to advance their credits, the same scale above applies.

It should also be noted that student absences eliminate the ability to participate in class activities and discussion and may be reflected in the student's grade.

## **Graduation Requirements and Commencement**

For information on graduation requirements, please use this link from the New Mexico Public Education Department (PED): <https://webnew.ped.state.nm.us/bureaus/college-career-readiness/graduation/>

In addition, starting with the 2025-2026 cohort, students will be required to complete the following in order to graduate;

- Take a Dual Credit or AP course both their Junior and Senior year (2 total to graduate)
- Participate regularly in DATA's advisory program
- Complete a Capstone project in grades 8, 10, and 12

Meetings will be held to cover all of the necessary details to prepare for graduation. As a result, attendance is required for all prospective graduates. Seniors must complete all required credits by the end of the year deadlines; and any senior who does not wish to participate in the commencement ceremony privilege should notify the receptionist as soon as possible.

## **Homework**

*High School Homework Guidelines:*

Homework is defined as any course-related work or activity that is required to be done outside of class time. Homework is considered an important instructional tool and should be a part of the educational experience that supports students' efforts toward reaching proficiency related to the content standards.

However, homework should not be a substitute for classroom instruction, nor should it be used for disciplinary purposes or as a measure of rigor. Instead, homework is a continuation of school assignments that will reinforce the content and skills learned in the classroom.

The effective use of homework should not require an unnecessary commitment of time on the part of the student or the student's family. The amount of homework assigned to the students should relate to the grade level and to the level of academic demand of the course (ie: Dual Credit or Advanced Placement).

Parents should contact teachers directly if there are any questions about the homework or needing access to homework materials.

DATA is committed to using research-based information to support student learning related to homework. To this end, homework must be given for a specific purpose and commented on by the teacher. Though DATA does not regulate the type of feedback teachers should provide, teachers are expected to offer specific feedback to students in a timely manner.

*Homework Support Tips for Parents*

- Establish routines related to study times and study habits.
- Provide a suitable environment and study area.
- Reduce distractions.
- Provide encouragement.
- Communicate with the teacher if difficulties arise.

*Homework Success Tips for Students*

- Keep track of all homework assignments (online and/or with a planner).
- Follow routines related to study times and study habits.
- Establish an environment for learning (keep distractions to a minimum).



- Believe you can do the work.
- Ask for assistance if necessary; utilize your teachers to support your learning both in and outside of regular class time.
- Produce high-quality work at all times.
- Complete all assignments on time.
- Work independently unless the assignment specifies otherwise.

#### *Communication about Homework*

Students, teachers, and parents have various communication channels available to them regarding homework. The following channels of communication can be used to locate homework assignments and/or share homework expectations and concerns:

- Teachers' DATA Google Classrooms
- Email between teachers, students, and parents
- Verbal communication/meetings/conferences between teacher, student, and parent(s)
- Open House/Orientation

#### *Asynchronous Days*

DATA has built Asynchronous days into the school calendar. Students are expected to log in to their Advisory Google Classroom by 8:30am for attendance. Teachers will plan around these days so that students can use them for working on assignments, projects, reading, etc. They will be expected to complete that work before returning to school.

### **Next Step Plans**

Students in grades 8-12 are required to have a Next Step Plan. Next Step Plans will be updated in advisory, and the required parent input and approval will be obtained during parent/advisor conferences. For information on Next Step Plan requirements, please use this link from the New Mexico Public Education Department (PED):

<https://web.ped.nm.gov/bureaus/college-and-career-readiness-bureau/counselors-and-advisors/next-step-plan/>

### **Schedule Changes**

We build student schedules based on their selections during the registration process. All schedule change requests must be made within the first two weeks of school and are handled by Admins or Counselors on a limited basis.

### **Transcripts and Transfer of Transcripts**

A transcript lists courses taken, grades earned, and credit assigned; and it is maintained while a student is enrolled in high school. This record provides a means of tracking graduation requirements, determining grade point averages, and assigning rank in the graduating class.

DATA will accept credits and courses in progress from other schools that are accredited by the state of New Mexico or other recognized accrediting entities.

To request a copy of a transcript from DATA (official or unofficial) students need to contact the registrar office ([mia.valdez@datacharter.org](mailto:mia.valdez@datacharter.org)). Official transcripts will be mailed to the address listed on the request form, and unofficial transcripts will be printed within 24 hours of the request and held for student pick up.

### **Valedictorian and Salutatorian**

Calculation of GPA and eligibility for top rankings in the senior class are based on the following factors:

1. The student has passed all requirements for graduation, and
2. The student has been enrolled in DATA for four consecutive semesters.

In case of a tie, the students involved will share the title of Valedictorian and/or Salutatorian.

### **Academic Integrity**

The core of academic integrity is the understanding that students are responsible for their own work. The following is a list, although not inclusive, of examples of academic dishonesty:

1. Turning in any assignment that isn't your own work/words.
2. Copying another student's homework and turning it in as your own.
3. Assistance (ie: notes, another student, AI, etc.) on a quiz, test, or exam is at the teacher's discretion.
4. Plagiarism (including AI generated work).
5. Texting or using a phone during tests or exams.

Any student engaging in academic dishonesty will be asked to meet with their teacher, parents, and administration to determine

consequences and future support.

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## IV. POLICIES/PROCEDURES

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### **Closed Campus**

DATA is a closed campus. No student may leave campus without prior notification (written or called in) by a parent or guardian. Please see the section on early checkout procedures (page 11-12 \_\_) for more details. Seniors will be granted off-campus privileges in August of their senior year based on the number of credits earned at that point (students must have 18 or more credits to be considered a senior). Failure to follow all student expectations may result in loss of this privilege for the individual. Parents may request a closed campus for their individual student.

### **Parking**

Transportation of students to and from school is the sole responsibility of parents, guardians, or designees. Parents and visitors may park in the front (south) side of the building. Student parking is allowed in the student lot on the north side of the campus. Parking in the student lot will require a campus parking permit, which is displayed on the front windshield. A New Mexico driver's license/ provisional, proof of insurance, car registration will be required to purchase a permit. The cost of the permit is \$30.00 and is good for one school year. If the permit is lost or transferred to another student, which is prohibited, the replacement cost will be \$30.00. The student parking lot is monitored during the regular school day; however, DATA cannot guarantee that losses will not occur, nor will DATA be responsible for damages to or loss of personal items or vehicles. Students are not permitted to park in the neighboring business parking lots, and these businesses may tow vehicles at their discretion.

### **Inclement Weather Days**

DATA follows the Albuquerque Public Schools (APS) closures on days like these. Simply watch or listen to the news or check online; and if APS closes or is delayed for the day (not just their East Mountain schools), DATA will be closed/delayed as well.

### **Student Property**

The school assumes no responsibility for student property; so whenever possible, students should secure their property appropriately.

### **Visiting the Campus**

All visitors must enter through the south entrance of the school. Visitors will be asked to sign in at the front desk and sign out when they leave campus. They will also be given a Visitor Pass if they remain on campus.

Tours can be arranged for interested families and community members by calling the main school number, 505-341-0888 (ext. 210).

### **Volunteers**

DATA recognizes that good schools develop when parents, community members, and educators work together. Parent/community volunteerism and direct involvement in the school is a principal means of promoting cooperation and understanding; and this partnership forms a strong foundation for student success.

#### *Parent Involvement*

You agree that your involvement in the school will benefit the education of your student. We have many opportunities for parent involvement and strongly encourage you to volunteer your time and talent whenever you can. Volunteers are also welcome to contribute their time, assistance and talents to class, grade level, and school wide events.. If you are interested, please contact us.

### **Attendance, Tardies, and Early Departure**

*Attendance is essential for a student to succeed and graduate on time. Please see the following statistics.*

#### *Attendance Statistics: 13 Years of School (K-12)*

- 2 Days Missed per Month = 20 Days Missed Per Year = 4 Weeks Missed Per Year = 1.5 years Missed Overall\*
- 1 Day Missed per Week = 40 Days Missed Per Year = 8 Weeks Missed Per Year = 2.5 Years Missed Overall\*

### *Defining Attendance according to the NM Attendance for Success Act*

The following applies to suspensions, excused and unexcused absences

- *Absent*: Not in attendance for a class or school day for any reason, excused or not.
- *Chronically Absent/Chronic Absenteeism*: Absent 10% or more of classes/days for any reason when enrolled more than 10 days\*
- *Excessively Absent/Excessive Absenteeism*: A student identified as needing intensive support and unresponsive to school-based interventions\*
- *Chronic Absence Rate*: Percentage of students in school or district enrolled for at least 10 days who have missed 10% or more since the school year beginning (aggregate and disaggregated by subgroups required by ESSA).

### *Reporting an Absence*

A student who will be absent must have a parent/guardian call or email with as much advance notice as possible, and excuse the absence; otherwise, the absence will be counted as unexcused. Some information may be requested in order to verify that the call is indeed from the parent.

- Call 341-0888 x225
- Email [attendance@datacharter.org](mailto:attendance@datacharter.org)

The New Mexico Public Education Department requires each school to have an attendance plan to address and support students/families who struggle with consistent attendance. Information regarding the NM Attendance for Success Act can be accessed through the link below.

\*NM Attendance for Success Act [HERE](#)

### *DATA Tiers of Support*

Attendance is reported daily to the state. DATA will implement the following levels of support in the case of nonconsecutive absences.

1. After 3 absences in any class per quarter (9 weeks), teachers will contact parents/administration and students will be required to attend teacher office hours for that class or classes.
2. After 5 absences in any class per quarter (9 weeks), additional student support will be provided through counseling and Advisors should follow up with student and parents.
3. After 7 absences in any class per quarter (9 weeks), students will be put on an attendance improvement plan.
4. After 10 absences in any class per quarter (9 weeks), DATA will send an official written report to parents and establish a meeting with parents, the student, administration, and the Attendance Team to establish non-punitive consequences and identify appropriate supports.
5. According to the NM Attendance for Success Act, if attendance doesn't improve, DATA will be required to contact CYFD while continuing to support the student.

*Exceptions to the above Tiers of Support will be made for the following with prior notice provided to Administration*

- Religious/Cultural Commitments
- Pregnant or Parenting Commitments
- Family Emergencies
- Prolonged Illnesses
- Doctor's appointments
- Death in the family
- Diagnostic testing
- College visit

### *Tardies*

1. Any student arriving after the start of 1<sup>st</sup> period, 8:00 a.m., is considered tardy.
2. Students arriving late will receive a tardy pass from the Front Desk.

### *Early Departures*

These requirements apply to all students, regardless of age.

1. No early dismissal is allowed after 3:10pm.
2. If a student needs to leave during the day for any reason, a parent must call the Front Desk (ext. 210) and/or email [attendance@datacharter.org](mailto:attendance@datacharter.org) to excuse the student.

3. If the student is responsible for their own transportation, they must have parent permission through the Front Desk (by phone or email) and they must sign out at the front desk before they leave.
4. If the parent/guardian is driving, he/she must show a picture ID and sign the student out.
5. If a parent cannot be present, an adult designated by the parent, who is listed on the student's electronic file, can present his/her picture ID and sign the student in and out.
6. If a student returns before the end of the school day, they must sign back in at the front desk.

## **DATA Anti-Distracted Policy: Grades 7–12**

New Mexico State Law Synopsis: SB11 requires NMPED to encourage school districts and charter schools to adopt anti-distracted policies to promote academic success and positive social development for students by providing reimbursement for the acquisition of specialized equipment necessary to implement and adopt anti-distracted policy. (Click here for the entire law) [HERE](#)

### **Purpose & Commitment**

At Digital Arts and Technology Academy (DATA), we are committed to creating a safe, positive, and productive learning environment for all students. In response to the U.S. Surgeon General's advisory, Dr. Vivek Murthy's call for warning labels on social media platforms for adolescents, and the rising number of classroom disruptions, reduced student focus, and incidents involving inappropriate or threatening communication, we are implementing a school-wide policy to restrict personal electronic device usage during the school day.

The purpose of this policy is to promote an academic environment that is focused, respectful, and free from digital distractions. This policy is designed to support student engagement, foster responsible technology use, and protect instructional time.

If explicitly required by a student's IEP, Medical Plan, or 504 plan, the student shall be allowed to access their personal electronic device for medically or educationally necessary purposes described and required for administration of the IEP, Medical Plan or 504 plan.

Personal Electronic Devices are considered and include, but are not limited to: cell phones, smartphones, smartwatches, tablets, laptops, earbuds, and gaming devices. While all of these are classified as wireless electronic devices, Digital Arts and Technology Academy (DATA) will only require cell phones and smartphones to be secured in Yondr pouches during the school day. However, if any of the above personal electronic devices cause distractions, disruptions to learning, or are used in violation of the DATA Technology Acceptable Use Policy, their use may be restricted on a case-by-case basis at the discretion of school administration.

### **Policy Overview**

#### **Grades 7–9: Yondr Pouch Requirement**

- Students in grades 7 through 9 are required to secure their personal cell phone/smartphone in a school-issued Yondr pouch upon arrival at school.
  - Devices must remain sealed in the Yondr pouch and in the student's possession throughout the school day.
  - Students will unlock their Yondr pouch at designated stations at the end of the school day.
  - If a Yondr pouch is damaged or lost, the student will be responsible for the replacement cost of \$30.00, and may face disciplinary consequences.
  - Any attempt to bypass or tamper with the pouch will result in immediate disciplinary action, including parent contact and potential loss of device privileges.
- Grades 10–12: Backpack/Cubby Storage
  - Students in grades 10 through 12 must store their phones and electronic devices in their backpacks, or designated cubbies during class time unless the teacher explicitly authorizes device use for instructional purposes.
  - Devices should remain silent and out of sight at all times during instructional periods and during advisory.
  - Unauthorized use of a device during class time will result in the following steps:
    - First offense: Warning and teacher confiscation until the end of the class.
    - Second offense: Confiscation and return at the end of the day, parent notification.
    - Repeated offenses: Administrative referral and potential requirement to use a Yondr pouch.

#### **General Expectations (All Grades)**

- Permitted use and times: Electronic device use may be permitted before school and after school for grades 7-9. Electronic device use for grades 10-12 is also permitted during lunch and passing periods unless otherwise specified.
- Prohibited use: *Recording, photographing, or live-streaming without permission is strictly prohibited at all*

*times*. Students who use their electronic device for any of the above will face disciplinary action.

- Earbuds and headphones: May not be worn during class or passing periods unless permitted for instructional use.
- School-issued devices: Are to be used only for educational purposes under the direction of staff and must adhere to the school's Acceptable Use Policy.

#### Exceptions

- Students with documented medical or accessibility needs requiring device access during the school day may receive individualized accommodations through the administration or special education team.
- Teachers may grant permission for supervised academic use of devices as part of an approved lesson.

#### Enforcement

- This policy will be enforced consistently by all staff.
- Non-compliance may result in parent conferences, accountability project, loss of privileges, or other disciplinary action according to the discretion of DATA administration.
- Ongoing violations of the anti-distraction policy could result in confiscation of the item and require the parent to pick it up.
- The school is not responsible for lost, stolen, or damaged personal property and devices of any kind.

#### Parent/Guardian Communication

- Parents/guardians who need to contact their student in grades 7-9 during school hours should call the front desk receptionist at 505-341-0888 and dial 0.
- Parents/guardians who need to contact their student in grades 10-12 during school hours may contact your student directly providing it does not cause a disruption during class. Alternatively, parents may call the front desk receptionist at 505-341-0888 and dial 0.
- Students in grades 7-9 needing to contact home during the school day may check in with the receptionist using the front desk phone.
- Students in grades 10-12 needing to contact home during the school day may use their own phone providing it is not during class time/advisory or request to use the front lobby phone.

## **Dress and Appearance**

Students at DATA are encouraged to express themselves through what they wear. However, they are also expected to show respect for others in what they wear and avoid unreasonable distraction to others based on their clothing. No clothing that is offensive or promotes sex, alcohol, violence, drugs, prejudice, hate speech or uses profane language will be allowed in the school. The school administration reserves the right to determine if a student's clothing violates this policy.

Students whose appearance is determined to be in violation of this policy will be asked to change or, if available, given clothing to wear for the remainder of the day. Repeated offenses will result in a parent meeting with administration to determine consequences and future support.

## **Disruption of the Educational Process**

DATA rules and regulations are aligned with the school's values. They are designed to articulate clear standards of conduct and a range of reasonable and fair consequences for violations. Individual teachers and administrators play an active role in addressing all infractions.

DATA does not allow the disruption or obstruction of teaching, administrative, or disciplinary proceedings, public functions, or other DATA activities. This may also include bringing items to school that are not used for educational purposes, such as cell phones, personal laptops or tablets, and gaming devices. Understand that each student is treated with respect and will be given an opportunity to discuss any infractions with the administration.

## **Technology Acceptable Use Policy**

1. Each student will use school-provided computer resources with internet access with parent permission and under the supervision of DATA staff.
2. Each student will responsibly follow school guidelines for the acceptable use of school-provided networked information, resources, electronic systems, Edgenuity, and the internet as part of planned curriculum learning activities.
3. Each student will use school-provided networked information resources and electronic systems responsibly as part of planned curriculum learning activities.

4. Each student will be assigned his own username and password for access to DATA systems. Students are required to safeguard this information and NOT to give that information to another student for any reason
5. Each student will utilize only the username and password that has been assigned to him every time he logs in to a computer at DATA. Forgotten passwords will be reset for the student on a limited basis. Repeated incidents with forgotten passwords may necessitate disciplinary action by the Administration.
6. Students' personal information (such as addresses, telephone numbers, parents' names and home or work addresses/telephone numbers) will not be published by the students or the Digital Arts and Technology Academy.
7. Students who receive information or messages which make them uncomfortable are to report the occurrence immediately to their teacher, an administrator and/or to their parents/guardians.
8. Students understand that they are never to agree to meet with people they encounter online without the prior permission of their parents/guardians.
9. Students will not attempt to access the private or personal materials, information, or files of others without prior authorization of the owner of the material and/or the IT department. Students may view approved published web pages, but must appropriately cite information obtained from them.
10. Students will not vandalize damage, alter, delete or disable the work (intellectual property) of another individual or organization.
11. Students will not access, manipulate, alter or attempt to damage, disable, delete or destroy technology or computer files. Students can access, view, and copy only material for which they have permission.
12. Students will not manipulate, alter, vandalize or damage any technology hardware/equipment at DATA (including, but not limited to computers, keyboards, mice, mouse pads, monitors, tables and chairs).
13. Students will not use school provided internet access for illegal, commercial or non-school related purposes (including, but not limited to checking e-mail, bank accounts, instant messaging, online/flash games, visiting social networking sites, etc.)
14. Students will not access or attempt to access, create, print or distribute harassing, pornographic, obscene, racist, sexually explicit or threatening material, imagery or language, or anything else that DATA staff deems inappropriate.
15. Students will not attempt to disable, bypass or circumvent any software/hardware security protocols, security software, or devices, to gain access to restricted files, programs, or restricted Internet content.
16. This includes, but is not limited to
17. Using proxies to bypass firewalls or security software.
18. Obtaining and / or utilizing login names and passwords not assigned to the student.
19. Utilizing a computer that is already logged on to someone else's account, unless prior permission has been granted.
20. Concealing (screen-switching) illegal internet access or activities from teachers and staff.
21. Utilizing security flaws in any programs or operating systems in use at DATA.
22. Attempting to access servers or computers that the student is not authorized to access.
23. Attempting to "browse" networked locations, shares, and/or computers, unless specifically asked and authorized to do so (i.e. browsing to a specific class shared folder to upload/download files for that class is acceptable).
24. Students will not install any hardware, programs, files, or media content onto DATA computers from the internet, program media, removable storage devices, or portable media players without permission from the IT/Network Administrator.

25. Any Staff member may ask a student to relinquish control / step away from a computer workstation to be secured until an IT representative can be contacted, if the staff member suspects any violation of the Technology Use Policy is occurring.

Students will treat online platforms provided by DATA, such as Google Classroom, their provided email, and any chat forum therein with the care and respect of any interaction with other students or faculty both on and off school premises. Students will not send inappropriate messages to other students or staff, nor use online tools to display inappropriate imagery or content deemed unacceptable by staff. Failure to adhere to these standards will result in disciplinary action.

Failure to comply with the *Technology Acceptable Use Policy* will result in a parent meeting with administration to determine consequences and future support.

## **Policy on Tribal Regalia and Cultural Expression at School Events (In Compliance with New Mexico Senate Bill 163)**

### **Purpose**

Digital Arts and Technology Academy (DATA) affirms the rights of Native American students to express their heritage and culture at graduation ceremonies and other public school events. In accordance with Senate Bill 163 (SB 163), students are explicitly protected in their right to wear tribal regalia, protective hairstyles, or other culturally or religiously significant attire or items without interference or penalty.

### **Policy Statement**

- Students may wear traditional clothing, beadwork, feathers, jewelry, protective hairstyles, headdresses, or other items of cultural or religious significance during graduation and all public school events.
- DATA will not restrict, prohibit, or penalize students for exercising this right.
- All event dress codes and school policies must be interpreted in a way that honors SB 163 and supports student cultural expression.

### **Procedures**

- Graduation and event planning will include clear communication that tribal regalia and culturally/religiously significant items are welcome.
- If questions arise about an item, students and families may explain its cultural or religious significance; the presumption will always favor the student's right to wear the item.
- Staff will receive guidance to ensure respectful, consistent application of this policy.

### **Enforcement**

- Students will not face exclusion, discipline, or loss of honors for wearing regalia or cultural/religious items.
- Concerns or reports of non-compliance may be directed to the school administration for immediate resolution.

### **Review**

This policy will be reviewed annually to ensure it continues to uphold the intent of SB 163 and the values of respect, inclusivity, and cultural recognition.

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## **V. STUDENT SUPPORT**

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### **CONFIDENTIALITY & INFORMED CONSENT**

Information divulged by a student to a counselor is confidential except in the following cases:

1. The student is considering harming themselves or others
2. A major crime has been committed or the student is engaging in illegal activity at school
3. There is a report or evidence of child abuse or neglect

There may be circumstances when it is necessary to release information regarding a student. State law requires that any suspicion or evidence of child abuse or neglect, elder abuse, or knowledge of a minor engaging in dangerous or illegal behavior

must be reported to the appropriate child protection agencies and/or legal authorities. Furthermore, if a student poses a serious danger to themselves, or a substantial danger to others, any individual, including school personnel, with knowledge, evidence, or suspicion of said danger is required by law to intervene by informing family members, identified victims, and the proper authorities to provide for the safety of the student and others.

## **Counseling**

The school counselors and social worker will provide individual and small group counseling; teach skill development in personal, career, and academic areas; participate in consultation and conferencing; provide large group guidance and psycho-social education; and provide case management and referral to outside agencies. The counselor also forms partnerships and alliances with post-secondary institutions on behalf of the students. The primary areas of concentration for the counseling department are: 1) Mental Health/Social Development, 2) Career Development, 3) Academic Development.

## **Immunizations**

Students must be in compliance with state law regarding immunizations in order to attend DATA. Students without current immunization records will not be admitted to DATA.

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# **VI. PARENT RESOURCES**

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## **Food Services**

We will continue using Rhubarb and Elliot for our school lunch program and follow the same criteria for purchasing lunches, based on full price, free or reduced price status. Students may also bring food from home.

Click <https://www.rhubarbandelliott.com/data> for the Hot Lunch Ordering Form

Families need to fill out the free and reduced lunch form and return to the school so we can adjust the classification in the system. DATA does not receive the funding necessary to provide a Free and Reduced Lunch Program. However, we do work with families and students and provide a free lunch option. Students are not allowed to order food from meal delivery services (Uber Eats, DoorDash, GrubHub, etc.)

DATA has designated eating areas, including the front lobby, the main hall, and two north halls where there is tile. Except in the main hall, there is no food in the carpeted areas of the building or in the classrooms, either during class or during lunch, unless food is a part of the lesson for the day or there is a scheduled working lunch.

## **Synergy**

Beginning with the 2026-2027 school year, DATA is using Synergy as our Student Information System. For any questions or concerns about accessing or using Synergy, please contact [devin.mcguire@datacharter.org](mailto:devin.mcguire@datacharter.org).

## **Calendar and Daily Schedule**

Click [HERE](#) for the Calendar

Click [HERE](#) for the Daily Schedule

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# **VII. DISCIPLINE POLICY**

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All disciplinary action is subject to the discretion of the Administration.

## **Restorative Practices**

The idea of restorative practices is based on the concept of relationships and understanding that students are most successful in a school setting and not in in-school suspension, out-of-school suspension, or alternative suspension programs. Rather than relying solely on punitive consequences, we first use strategies that build better relationships with students. There is still a place for traditional consequences to be upheld. However, this approach allows us to select from a menu of ideas when working with the student or family to determine the best method for changing behaviors.

The use of restorative practices emphasizes trying to understand the why and the mindset of the student rather than focusing on punitive consequences.



DATA will implement restorative justice practices, which means as we work with our students, we act on these core values.

- RESPECT every person
- Build RELATIONSHIPS with those around you
- Take RESPONSIBILITY for your choices and actions
- REPAIR situations quickly and honestly
- REINTEGRATE into the community.

When students commit infractions, administration meets with students to reflect on their actions, and how those actions impacted themselves, others and the learning environment. As a part of the discipline process, students may be required to:

- Complete an Accountability project(s)
- Complete Campus Beautification project(s)
- Commit to a Structured Day(s)
- Commit to an Abbreviated Day
- Change their Schedule/Learning Setting to include online learning
- Suspension

If further issues arise, additional consequences and disciplinary measures will be implemented. This may include a behavior contract and/or referral to our school Wellness Team for social and emotional support. If administration deems the violation as egregious, consequences may include immediate dismissal, expulsion, and/or referral to legal authorities.

*Please Note: In all cases, communication of any illegal act or action by a student may be forwarded to the appropriate authority or law enforcement agency.*

| <b>Process Minor Behaviors:</b><br><i>(must have at least 3 interventions before it is referred to Admin)</i>                                                                                                                                                                     | <b>Restorative Practices at DATA</b>                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                        | <b>Process for Major Behaviors</b><br><i>All Major Behaviors managed by admin involve an accountability restorative process when appropriate.</i>                                                                                                                                                                                                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                   | <b>Minor Behaviors</b><br>Managed by Teacher                                                                                                                                                                                                     | <b>Major Behaviors</b><br>Managed by Administration                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                     |
| 1. Reteach Behavior and apply an appropriate intervention (refer below)<br>2. Log Behavior and Intervention in SIS<br>3. Call/Email home about behavior & intervention, cc admin and/or counseling/sped if needed.<br><br>*Call/Email needs to beat the student home! (cc: Admin) | Breaking Classroom Norms<br>Cheating/Plagiarism<br>Disrespect<br>Disruptive<br>Inappropriate Language<br>Minor Defiance<br>Minor Misuse of Electronics<br>Minor Physical Contact<br>Other (at Teacher Discretion)<br>PDA<br>Unprepared for Class | Bullying<br>Dishonesty<br>Firearms and other Weapons<br>Gambling<br>Gang-Related<br>Harassment<br>Intimidation, Violent threats<br>Obscenity<br>Physical Aggression, Fighting, Assault<br>Recording w/o Permission<br>Safety Concerns<br>Severe Defiance<br>Stealing<br>Vaping, Tobacco, Drugs & Alcohol<br>Verbal Abuse<br>Violation of Electronics/Technology Policy | 1. Refer student to Admin<br>2. Let Counseling and SpEd case manager know if applicable<br>3. Student has Reflective conversations with Admin<br>4. Additional Consequences: Accountability Project, Campus Beautification, Structured Day, Healthy Futures, Suspension, or other alternative<br>5. Repair the relationship (through a conversation with those involved and/or the AP Presentation) |
| <b>Interventions for Minor Behaviors (For more info/support click <a href="#">HERE</a>)</b>                                                                                                                                                                                       |                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                        | <b>Automatic Suspension:</b> <ul style="list-style-type: none"> <li>• Fighting/Posturing</li> <li>• Weapons</li> <li>• Drugs &amp; Alcohol</li> <li>• Hateful/Aggressive Speech</li> <li>• Repeated behaviors</li> </ul>                                                                                                                                                                            |
|                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                     |
| <ul style="list-style-type: none"> <li>• Private Conversation</li> <li>• Community Service</li> <li>• Natural Interventions</li> <li>• Reflection/Journaling</li> <li>• Apology Notes</li> <li>• Check-in/Check-out</li> <li>• Alternate Seating</li> </ul>                       | <ul style="list-style-type: none"> <li>• Peer Partner</li> <li>• Chunk Assignment</li> <li>• Re-teach, Model, Practice</li> <li>• Peer Talk</li> <li>• Stress Object</li> <li>• Use of headphones</li> <li>• Stop Walk Talk</li> </ul>           | <ul style="list-style-type: none"> <li>• Proximity</li> <li>• Assign a Job, Task</li> <li>• Non-Verbal Cues</li> <li>• Set Limits</li> <li>• Restorative Circles</li> <li>• Mediation</li> <li>• Take a break</li> </ul>                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                     |

## Arson

The willful and/or neglectful starting of a fire by any means or causing an explosion on school property or at any school related event, is strictly prohibited.

1. First Offense: Meeting with administrator, parent and student. Dismissal for the semester; student and/or parent will be required to make restitution. Authorities may or may not be notified at the discretion of the principal.
2. Second Offense: Meeting with administrator, parent and student. Expulsion, student and/or parent will be required to make restitution and legal authorities will be notified.

## Bomb Threats and False Alarms

Informing another person that a bomb or other explosive has been placed in a position where persons or property are likely to be injured or destroyed is illegal and strictly prohibited. It is also illegal to interfere with the functioning of a fire alarm or give a false alarm by any means.

1. First Offense: Meeting with administrator, parent and student; dismissal for the semester and referral to legal authorities.
2. Second Offense: Meeting with administrator, parent and student; expulsion and referral to legal authorities.

## **Bullying, Intimidation, Harassment, and Hazing Policy**

DATA defines bullying as any unwanted aggressive behavior(s) by another youth or group of youths. It involves an observed or perceived power imbalance and is repeated multiple times or is highly likely to be repeated. Bullying may inflict harm or distress on the victim including physical, psychological, social, or educational harm. Common types of bullying include:

- Physical such as hitting, kicking, and tripping.
- Verbal including name-calling and teasing.
- Relational or social such as spreading rumors and leaving out of the group.
- Damage to victim's property.

Bullying can also occur through technology, called electronic bullying or cyberbullying. A young person can be a perpetrator, a victim, or both (also known as a "bully/victim").

The New Mexico Human Rights Act (NMHRA) applies to public education, ensuring protection from discrimination based on protected characteristics like race, religion, and gender identity. Recent court decisions, including a New Mexico Supreme Court ruling in 2025, confirm that public schools are considered "public accommodations" under the NMHRA, making them accountable for discriminatory practices.

When students are afraid to attend school/classes they cannot learn. Bullying prevention programs can help to provide a safe environment in which teachers can teach and students can learn. When a student is *bullied*, his or her ability to participate in and benefit from the school's educational programs or activities is adversely affected. The goal of this policy is to ensure that procedures are in place to prevent bullying, limit the prevalence of bullying, and to make consequences salient to everyone involved.

The staff at Digital Arts and Technology Academy believes that providing an educational environment for all students, employees, volunteers, and families, free from harassment, intimidation, or bullying supports a total learning experience that promotes personal growth, healthy interpersonal relationships, wellness, and freedom from discrimination and abuse. Therefore, harassment, intimidation and bullying are forms of dangerous and disrespectful behavior that will not be tolerated.

## **Notice of Prohibition Against Bullying and Anti-Bullying Interventions**

Bullying behavior by any student in the Digital Arts and Technology Academy is strictly prohibited, and such conduct may result in disciplinary action, including suspension and/or expulsion from school.

DATA defines bullying as any unwanted aggressive behavior(s) by another youth or group of youths. It involves an observed or perceived power imbalance and is repeated multiple times or is highly likely to be repeated.

Bullying may inflict harm or distress on the victim including physical, psychological, social, or educational harm. Common types of bullying include:

- Physical such as hitting, kicking, and tripping.
- Verbal including name-calling and teasing.
- Relational or social such as spreading rumors and leaving out of the group.
- Damage to victim's property.

Bullying can also occur through technology, called electronic bullying or cyberbullying. A young person can be a perpetrator, a victim, or both (also known as a "bully/victim"). Bullying includes, but is not limited to, hazing, harassment, intimidation, or menacing acts of a student which may, but need not be, based on the student's race, color, sex, ethnicity, national origin, religion, disability, age, sexual orientation, or gender identity that a reasonable person under the circumstances should know will have the effect of:

1. Placing a student in reasonable fear of physical harm or damage to the student's property; or
2. Physically harming a student or damaging a student's property; or
3. Insulting or demeaning any student or group of students in such a way as to disrupt or interfere with the school's educational mission or the education of any student.

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

The New Mexico Human Rights Act (NMHRA) applies to public education, ensuring protection from discrimination based on protected characteristics like race, religion, and gender identity. Recent court decisions, including a New Mexico Supreme Court ruling in 2025, confirm that public schools are considered "public accommodations" under the NMHRA, making them accountable for discriminatory practices.

DATA's policy protects against discrimination because students do not fit stereotypical views about boys and girls or men and women. Discrimination against someone due to their gender identity is prohibited at DATA. This includes, but may not be limited to, purposefully and repeatedly doing one or both of the following things: misgendering a student or using a name that a student does not prefer.

#### *Reporting Intimidation, Harassment, or Bullying Behavior*

1. Any student who believes he/she/they has been the victim of harassment, intimidation, bullying, or hazing by a student or school personnel, or any person with knowledge or belief of such conduct that may constitute harassment, intimidation, bullying, or hazing toward a student should immediately report the alleged acts.
  2. The report may be made to any staff member. The staff member will assist the student in reporting to DATA administration.
  3. Teachers and other school staff who witness acts of bullying or receive student reports of bullying are *required* to promptly notify administrative staff.
  4. Reports should be done in writing, and a copy of the report will be submitted to the Principal
  5. School administrator or designee is *required* to accept and investigate all reports of intimidation, harassment or bullying.
  6. School administrator or designee is *required* to notify the parent or guardian of a student who commits a verified act of intimidation, harassment, or bullying of the response of the school staff and consequences that may result from further acts of bullying.
  7. Nothing in this policy shall prevent any person from reporting directly to the office of the school Director.
  8. Retaliation against an individual who either orally reports or files a written complaint regarding harassment, intimidation, bullying, or hazing or who participates in or cooperates with an investigation is prohibited.
  9. The right to confidentiality, both of the complainant and the accused, shall be preserved consistent with applicable laws.
  10. If harassment or bullying continues, the perpetrator will be immediately suspended and removed from the school, pending a long-term hearing.
  11. To the extent permitted under the Family Educational Rights and Privacy Act (FERPA) school staff is *required* to notify the parent or guardian of a student who is a target of bullying of the action taken to prevent any further acts of bullying.
  12. If you believe that you or another person has been discriminated against—for example, treated differently, denied an educational opportunity, harassed, bullied, or retaliated against—based on any grounds:
    - a) Tell a teacher or school leader (for example, an administrator or school counseling member) immediately. If you don't get the help you need, you may file a complaint with the school Director. Keep records of your complaint and responses you receive.
    - b) Write down the details about what happened, where and when the incident happened, who was involved, and the names of any witnesses. Do this for every incident of discrimination and keep copies of any related documents or other information.
    - c) If you have contacted the school and it has not taken steps to appropriately address your concerns, you can file a complaint (in English or another language) with Albuquerque Public Schools through the Charter School Office.
- 
1. DATA administration or their designee will appropriately and promptly investigate all reports of harassment, intimidation, bullying, or hazing. In determining whether the alleged conduct constitutes bullying, the totality of the circumstances, the nature of the conduct, the student's history, and the context in which the alleged conduct occurred will be investigated. If possible, the administrator will make every effort to inform the parents/guardians of the victim and the accused of any report of harassment, intimidation, bullying, or hazing *prior* to the investigation taking place.
  2. The investigation shall consist of personal interviews with the complainant, the individual(s) against whom the complaint was filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of other methods or documents deemed relevant by the investigator.

3. The district may take immediate steps to protect the complainant, students, teachers, administrators, or other school personnel pending the completion of an investigation.
4. The investigation shall be completed as soon as possible. The administrator (or investigator) shall make a written report to the school Director upon completion of the investigation. If the complaint involves the Director the report shall be filed directly with Human Resources and if necessary, the New Mexico Public Education Department, Educator Ethics Bureau. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy. A copy of the completed report will be maintained by DATA.

#### *Consequences for Bullying, Intimidation, Harassment and Hazing*

1. Verified acts of these types of behavior shall result in intervention by the building principal or his/her designee that is intended to ensure that the prohibition against them is enforced.
2. Bullying, intimidation, harassment and hazing behavior can take many forms and can vary dramatically in how serious it is, and what impact it has on the targeted individual and other students. Accordingly, there is no one response. While conduct that rises to the level of bullying, intimidation, harassment and hazing 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.
3. Possible disciplinary action may include one or more of the below:
  - a. Referral to the Health/Mental Health Team for screening,
  - b. Restorative Accountability Project
  - c. Mandatory counseling for student and parent,
  - d. Suspension from school,
  - e. Dismissal for the semester,
  - f. Expulsion

#### *Consequences for Knowingly Making False Reports*

False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions. Falsely reporting an incident is considered a disruption to the educational process and will be subject to the same disciplinary actions.

#### *Anti-Bullying Included In Health Education Curriculum*

“Health Education” is the instructional program that provides the opportunity to motivate and assist all students to maintain and improve their health, prevent disease, and reduce health related risk behaviors. It allows students to develop and demonstrate increasingly sophisticated health-related knowledge, attitudes, skills, and practices. It meets the content standards with benchmarks and performance standards as set forth in 6.30.2.19 NMAC. Our curriculum recognizes the importance of bully prevention skills in all grade levels.

#### *Threats of Violence*

1. Threats of violence toward other students, school staff, or facilities generally are prohibited and may result in suspension, expulsion, or law enforcement regardless of whether the student has previously engaged in such conduct.
2. All employees and students are required to report evidence of threats of violence to their Division Head. Such reports shall be investigated by the Division Head or designee. All such reports shall be documented by the Division Head.
3. In cases of threats that may constitute a violation of criminal law, the Division Head, Director or designee shall notify law enforcement authorities.
4. Students who are charged with violation of this policy shall be placed on short-term suspension pending investigation of the charge(s). Those found, through a due-process hearing, to have violated this regulation shall be subject to discipline, including dismissal or expulsion. For Special Education students administrators will consult with the Special Education Coordinator regarding the appropriate process and may include Manifestation Determination.

#### *Definitions*

1. Bullying” means any repeated and pervasive written, verbal or electronic expression, physical act or gesture, or a pattern thereof, that is intended to cause distress upon one or more students in the school, on school grounds, in school vehicles, at a designated bus stop, or at school activities or sanctioned events. Bullying includes, but is not limited to,

hazing, harassment, intimidation or menacing acts of a student which may, but need not be based on another student's race, color, sex, ethnicity, national origin, religion, disability, age, sexual orientation, gender identification, or any other class protected by law.

2. "Intimidation" means influencing the actions of another by the use of threats or violence.
3. "Harassment" means knowingly pursuing a pattern of conduct that is intended to annoy, alarm or terrorize another person.
4. "Disability Harassment" is defined as intimidation or abusive behavior toward a student based on disability that creates a hostile environment by interfering with or denying a student's participation in or receipt of benefits, services, or opportunities in the district.

Harassment and Disability Harassment include but are not limited to:

- Verbal acts, teasing, use of sarcasm, jokes;
  - Name-calling, belittling;
  - Nonverbal behavior such as graphic or written statements;
  - Conduct that is physically threatening, harmful, or humiliating; or
  - Inappropriate physical restraint by adults.
5. "Racial Harassment" consists of physical or verbal conduct relating to an individual's race when the conduct:
    - a. Has the purpose or effect of creating an intimidating, hostile, or offensive academic environment;
    - b. Has the purpose or effect of substantially or unreasonably interfering with an individual's academic performance; or
    - c. Otherwise adversely affects an individual's academic opportunities.
  6. "Sexual Harassment" means any unwelcome sexual advances, requests for sexual favors, or other inappropriate verbal, written, or physical conduct of a sexual nature. Sexual harassment may take place under any of the following circumstances:
    - a. When submission to such conduct is made, explicitly or implicitly, a term or condition of obtaining an education; or
    - b. Submission to or rejection of that conduct or communication by an individual is used to factor in decisions affecting that individual's education; or
    - c. That conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's education, or creating an intimidating, hostile or offensive educational environment.
  7. "Hazing" means committing an act against a student, or coercing a student into committing an act, that creates a risk of harm to a person, in order for that student to be initiated into or affiliated with a student organization, or for any other purpose. Hazing includes but is not limited to:
    - a. Any type of physical brutality such as whipping, beating, striking, branding, shocking, or placing a harmful substance on the body.
    - b. Any type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics or other activity that subject the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
    - c. Any activity involving the consumption of any alcoholic beverage, drug, tobacco product or any other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
    - d. Any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, embarrassment, shame, or humiliation, and adversely affects the mental health or dignity of the student or discourages the student from remaining in school.
    - e. Any activity that causes or requires the student to perform a task that involves a violation of state or federal law, or district policies.

### **Prohibition Against Racially Charged Aggression or Discrimination**

DATA works to create an inclusive, just, safe, and progressive anti-racist culture and environment so that all students can feel as though they are encouraged and capable of learning. Furthermore, we believe all students have the right to feel safe and included regardless of race, ethnicity, home language, disability, sexual orientation, sex/gender, or any other protected class. Therefore, DATA prohibits actions that are explicitly intended to harm other students based on any protected class. *"Racialized aggression is defined as any aggressive act which can be characterized, categorized, or which appears as such to be*

racial in nature." These acts and behaviors are strictly prohibited.

*Racially Charged Aggression or discrimination is defined as:*

1. Any usage of a racial epithet as an attack against someone or to make them feel uncomfortable or unwelcome. This can be verbal, written, or digitally posted.
2. Any written or digitally posted harassment, joke, or expression that targets, excludes, or makes fun of a specific race or ethnicity.
3. The specific targeting of someone because of their race/ethnicity
4. The purposeful subjugation or interference of a program, curriculum, or resource designed to help students or staff become more equitable or racially sensitive.
5. The purposeful exclusion of an individual or group based on their racial/ethnic background or other protected class.

Any instance of discrimination or racially charged aggression will be investigated by the administration. Guardians of both parties, the alleged perpetrator and victim, will be notified of the incident and that it is being, or has been, investigated. The investigation may involve interviews of both parties, students or staff that may be witnesses, written evidence both online or on paper, and other evidence as it becomes pertinent.

*The consequence for these behaviors will be any of the following depending on the severity of the offense.*

1. The student's guardians will be called and there will be a discussion of the offense and its effect on the DATA culture as well as the receiver of the offense (the victim).
2. The student will write or orally express a sincere apology to the school/admin and the victim (if the victim agrees).
3. The student will attend or take part in a racial sensitivity training provided by the school.
4. The student will be suspended for three days on the first offense if clear intent to harm was found.
5. The student will be removed from extracurricular activities.
6. The student may be expelled if the student's behavior continues.

*Crown Act:*

In April 2021 Gov. Michelle Lujan Grisham signed into law the CROWN Act ("Create a Respectful and Open Workplace/World for Natural Hair" Act) which prohibits discrimination, discipline or disparate treatment for New Mexico school students on the basis of their hair style or cultural or religious headdress.

DATA prohibits discrimination on the basis of hair style, protective style, type and texture if that style or texture is commonly associated with a particular race or national origin.

DATA commits to creating more equitable outcomes for students, recognizing that student hair and headdress has a direct relationship to the expression of race, culture and heritage. Preventing discrimination on the basis of hair and headdress is an issue of creating more equitable outcomes for students, breaking down barriers which disproportionately impact Black, Indigenous and other Peoples of Color to see themselves as scholars and learners.

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## **Drugs, Tobacco, Vapes, and Alcohol**

DATA believes we are responsible for students' well-being while they are with us. Therefore, regardless of the reason for substance use, we will investigate any and all reports of possession, using, selling, or being under the influence of alcohol, tobacco, marijuana, or any illegal or prescription drug at school or at school sponsored events.

1. *Possession:* The possession of drugs, drug paraphernalia, or alcohol on campus is illegal and results in a three day suspension.
2. *Suspected Use or Under the Influence:* The use of drugs or alcohol on campus or arriving on campus under the influence of drugs or alcohol is prohibited. Parents will be notified if students are under the influence or suspected to be under the influence of drugs or alcohol. Suspected use, or being under the influence will result in a 3 day suspension.
3. *Sale of drugs or alcohol:* The sale or distribution of drugs or alcohol on campus will result in immediate removal from the school campus and events for the semester. Classes will be completed on Edgenuity. Upon successful completion of coursework, the student will meet with administration to determine reentry for in person learning. A second offense at any time during the student's DATA career will result in immediate dismissal from DATA.
4. *Tobacco and Nicotine:* Students who smoke, vape or use any tobacco product on school property or in sight of school



property will result in participation in an after school cessation program (Healthy Futures) as an alternative to suspension. Multiple incidents may include suspension. For more information on the Healthy Futures program, see <https://med.stanford.edu/tobaccopreventiontoolkit/healthy-futures-nicotine.html>

*Depending on the severity of drug possession, law enforcement may be notified.*

## **Fighting**

Intending or performing physical harm and/or causing present fear of imminent danger to a person, with or without a weapon, are strictly prohibited. This includes fights resulting from verbal action, and/or bodily harm. The consequence for fighting and/or causing physical harm to someone is a minimum three day suspension.

## **Insubordination**

Insubordination is a willful failure to comply with directions or requests from teachers, administrators, and staff. We understand that respectful, effective communication is key in addressing and resolving most situations between staff and students. Our expectation is that all members of our DATA community communicate in this manner. Any student who is dysregulated, unable to have a respectful conversation with a school staff member, and/or unable to return to a classroom setting will be asked to leave campus for the day. Parents will be required to arrange for immediate transport. Repeated offenses will result in a parent meeting with administration to determine consequences and future support.

## **Search of Person or Vehicle**

*Students have the right to request parent notification prior to a search.*

1. Vehicle Searches – Search of a student’s vehicle while parked on school property may be conducted by a school administrator and school security officer, if there is reasonable suspicion that a breach of the disciplinary code is being committed by the student.
2. Physical Searches – Search of a student’s person or property may be conducted when there is reasonable suspicion that a student has committed a breach of the disciplinary code. Searches such as emptying of pockets, searches of student backpacks and purses, removal of hats, socks and shoes may be conducted by a school administrator and school security officer. Searches such as pat downs may only be conducted by an authorized person of the same sex as the student being searched.

## **Theft and Vandalism**

Theft or the unauthorized possession, damage, or misuse of school property, other property on campus or property belonging to any member of the DATA community will result in financial responsibility for loss or damage, as well as the following consequences:

1. First Offense: Meeting with administrator, suspension, student and/or parent will be required to make restitution.
2. Second Offense: Suspension or dismissal. Student and/or parent will be required to make restitution.

*Depending on the severity of theft or vandalism, law enforcement may be notified.*

## **Trespassing and Unauthorized Presence**

Students are not allowed to be on school grounds or in school facilities after school hours unless they are participating in a school-sponsored activity with a DATA staff sponsor present.

## **Weapons**

Possession and/or use of a weapon includes, but is not limited to, firearms, any type of gun, knife, or club, explosives, or other items that may cause or are intended to cause injury or death. This also includes “look-alike” guns and knives.

*Possession and/or use of a weapon of any kind may result in immediate expulsion from DATA.*

## **Liability**

No school employee who in good faith reports any known or suspected violation of the school discipline policy or in good faith attempts to enforce the policy shall be held liable for any civil damages as a result of such report or of the employee's efforts to enforce any part of the policy.

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## VIII. STUDENT RIGHTS

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### **Students have the right to:**

#### *Self Administered Medication*

DATA allows students to carry and self-administer asthma medication and emergency anaphylaxis medication that has been legally prescribed to the student by a licensed health care provider under the following conditions:

1. The health care provider has instructed the student in the correct and responsible use of the medication; the student has demonstrated to the health care provider and the school nurse or other school official the skill level necessary to use the medication and any device that is necessary to administer the medication as prescribed;
2. The health care provider formulates a written treatment plan for managing asthma or anaphylaxis episodes of the student and for medication use by the student during school hours or school-sponsored activities, including transit to or from school or school-sponsored activities; and
3. The student's parent has completed and submitted to the school any written documentation required by the school or the school district, including the treatment plan required in Paragraph (3) of this subsection and other documents related to liability.

The parent of a student who is allowed to carry and self-administer asthma medication and emergency anaphylaxis medication may provide the school with backup medication that shall be kept in a location to which the student has immediate access in the event of an asthma or anaphylaxis emergency.

Authorized school personnel who in good faith provide a person with backup medication as provided in this section shall not be held liable for civil damages as a result of providing the medication.

### **Controversial Issues**

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

### **Educational Opportunity**

1. A free public school education shall be available to every school-aged person, and each student who enrolls has a corresponding responsibility to uphold this right for every other student.
2. DATA affords all students equal educational opportunities.
3. Policy prohibits discrimination and harassment on the basis of ethnic identity, religion, race, color, national origin, sex, sexual orientation, mental or physical disability, marital status, and pregnancy, in any program or activity sponsored by the school.
4. Students and parents may request documentation of qualifications of any teacher or administrator employed by DATA.

### **Expression and Association**

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

### **Grievance Procedures**

A complaint from a parent or student will be subject to a grievance procedure that provides for the prompt and equitable resolution of the dispute. The grievance procedure will follow these steps:

1. The grievant will file a written complaint, stating the specific facts of his/her grievance, and the remedy requested with the administrator on a form that can be obtained from the Human Resources Office.
2. The administrator will make all reasonable efforts to resolve the matter informally at the administrative level most immediate to the complaint.
3. In the event that the complaint cannot be resolved informally, the administrator will convene an informal hearing no later than ten working days after the filing of the complaint. At said hearing, both the grievant and the administrator responsible for the disputed action may present testimony and documents relevant to the complaint. Witnesses may be called and cross-examined. Within ten working days of the hearing, the administrator will provide a written copy of his/her determination to both parties.
4. If, at this point, the grievance has not been satisfactorily resolved, further appeal may be made to the school Director.



## **Organizations and Clubs**

*(Please see more details under I. Culture)*

1. Students may form clubs or organizations for any legal purpose.
2. These organizations must be open to all students on an equal basis and must operate within procedural guidelines established by the principal.

## **Publications**

1. Students shall be allowed to distribute leaflets, newspapers, and other literature on school premises, at specified times and places, if the items have been approved in advance by the administration.
2. Student publications are subject to prior approval and censorship.

## **Special Education, IDEA, and ADA**

### *Special Education and IDEA*

Special Education services are provided at DATA based on each student's individual needs. The school policy is consistent with both the New Mexico State Board of Education's Special Education Regulations (6 NMAX 5.2), the Standards for Excellence (6 NMAC 3.2), and the federal Individuals with Disabilities Education Act (IDEA) regulations at 34 CFR Part 300. If you feel your child qualifies for Special Education services or if you have any questions concerning Special Education, please contact the Director of Special Programs.

### *Americans with Disabilities Act (ADA)*

A DATA administrator will identify the need for physical access to a specific building, office, restroom, program or other area of the site by a specific student, parent, employee, or community member with a disability. This must include:

1. Verification that the person does have a disability preventing access in the current situation.
2. Verification that the person has a legitimate need for access to that area on a continual basis.

The DATA administrator will make every reasonable effort to accommodate the person with a disability by means already available within the site. If on-site accommodations appear inadequate, the administrator will submit a Physical Access Request form to the Director, along with the needs and options for a solution.

1. Suggested solutions such as assistive technology devices, acquisition or modification of equipment or devices, training or job modifications will be handled through the appropriate channels.
2. If there is a need for physical modification, the DATA administrator will complete a cost estimate and provide this information to the Director. If approved, the project will be completed.
3. Records will be maintained by the DATA administrator.