



**RFK**  
Charter School

# **Middle School**

## **Student Handbook**

### **2021-2022 School Year**

**This Parent and Student Information Handbook becomes an agreement between the administration, teachers, staff, parents, and students that will govern the well-being and successful achievement of the goals in educating our students.**

*“And today, as never before in the free world responsibility is the greatest right of citizenship and service is the greatest of freedom’s privileges.”*

~Robert F. Kennedy

**RFK Charter Middle School**

1021 Isleta Blvd SW, Albuquerque, NM 87105

505-253-0400

Fax 505-242-7444

*“Home of the Cobras”*

2021-2022

**Our Vision**

*To empower students to be resilient, contributing participants in our changing global society*

**Our Mission**

*Using experiential learning, a mastery approach, and individualized supports as the foundation, RFK Middle School will prepare, inspire and cultivate a diverse community of learners to be confident in their ability to be successful.*

**Goals**

- *Provide a balance of educational, developmental, and service opportunities designed to assist students to be successful in pursuing their lifelong learning goals.*
- *Maintain and communicate expectations for all students to learn at high levels*
- *Establish a program that gives the individualized attention that varied learning styles demand, and that includes every student in the process of developing an individualized learning plan*
- *Involve the students’ families and the resources of the entire community in the education process*

Name \_\_\_\_\_ ID # \_\_\_\_\_

SEMESTER ONE				SEMESTER TWO			
Period	Class	Teacher	Room	Period	Class	Teacher	Room

Please review and discuss the material in this handbook with your child.

\_\_\_\_\_  
Student

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent/Guardian

\_\_\_\_\_  
Date

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## RFK CHARTER SCHOOL CALENDAR

### 2021 - 2022 RFK Calendar

August 2	First Day of School
August 5 - 6	Family/Parent/Student Conferences
September 6	Labor Day/No School
September 21	Professional Development/No School
October 5 - 6	Family/Parent/Student Conferences
October 7 - 8	Fall Break/No School
November 11	Veterans Day/No School
November 24 - 26	Thanksgiving Break/No School
December 16 - 17	Family/Parent/Student Conferences
Dec. 20 – Dec. 31	Winter Break/No School
January 3 - 4	PD for Staff/No School
January 5	First Day of Second Semester
January 17	MLK Jr. Day/No School
February 21	Presidents' Day/No School
March 17 - 18	Family/Parent/Student Conferences
Mar. 21 - 25	Spring Break/No School
April 15 - 18	Vernal Holiday/No School
May 30	Memorial Day
May 31	Last Day of School
June 1 – 2	Family/Parent/Student Conferences

## 2021-2022 RFK SCHOOL CALENDAR FOR STUDENTS & FAMILIES

(Please pull out and hang in a space to reference, as necessary.)

August 2	First day of school
August 5 - 6	Family/Parent/Student Conferences
September 6	Labor Day/No School
September 21	Professional Development/No School
October 5 - 6	Family/Parent/Student Conferences
October 7 - 8	Fall Break/No School
November 11	Veterans Day/No School
November 24 - 26	Thanksgiving Break/No School
December 16 - 17	Family/Parent/Student Conferences
Dec. 20 – Dec. 31	Winter Break/No School
January 3 - 4	PD for Staff/No School
January 5	First Day of Second Semester
January 17	MLK Jr. Day/No School
February 21	Presidents' Day/No School
March 17 - 18	Family/Parent/Student Conferences
Mar. 21 - 25	Spring Break/No School
April 15 - 18	Vernal Holiday/No School
May 30	Memorial Day
May 31	Last Day of School
June 1 – 2	Family/Parent/Student Conferences

## **WHEN IS THE HANDBOOK IN FORCE?**

This Parent and Student Handbook states guidelines for student rights and responsibilities. It does not create any contractual rights, and the school district has the discretion to modify the provisions of this handbook at any time.

The provisions of the Parent and Student Handbook are in force:

- During regular school hours and/or on school property
- During transportation of students
- At times and places where appropriate school administrators and staff have jurisdiction, including but not limited to, school-sponsored events, field trips, athletic functions and other school-related activities
- On the way to or from school or a school-related event

Additional sanctions may apply above and beyond the minimum mandatory consequences of this policy for violations which occur when this handbook is in force (i.e.; on school property, during school time, or at school events).

The principal, any school official or designated chaperone is authorized to take administrative action when a student's misconduct away from school during a school activity may have a detrimental effect on the other students, staff or on the orderly educational process.

The Director, Principal and Deans have the responsibility to take discretionary action any time the educational process is threatened with disruption. Nothing in the following is intended to prevent a staff member, teacher, principal or other administrator from using his/her best judgement with respect to a particular situation.

## **HOW TO ENROLL AT RFK CHARTER SCHOOL**

RFK is open to students from anywhere in the state of NM in grades 6-8. The school will advertise an open enrollment period within the school community so that all interested students may have an equal opportunity to apply for admission; and it will include a deadline for accepting applications. All applications will be randomly drawn through a fair and impartial lottery system, if more applications have been submitted than the school can accommodate.

### **LOTTERY SYSTEM**

All students interested in enrolling in the school are given a number. Numbers are drawn until all student seats in the school have been filled. The remaining numbers are drawn to place the rest of the students onto a waiting list. As openings occur, students are enrolled in order of their placement on the waiting list. Students remain on the waiting list until they are enrolled, and new students can be added to the end of the waiting list.

Call our main office number (505) 243-1118 (HS) or (505) 253-0400 (MS) and ask for an application to be mailed to you or visit us online at [RFKCharterSchool.com](http://RFKCharterSchool.com). You may also come by our office at (MS) 1021 Isleta SW or 4300 Blake SW between 8am and 2:30 pm to pick up an application.

If the school is currently full, you will be notified about the next lottery date and contacted by phone if your name is drawn.

## **RFK CHARTER MIDDLE SCHOOL GENERAL INFORMATION**

**Attendance:** The staff and administration believe that attendance is a cooperative effort between the parent/guardian and the school. When the student is absent for any reason, we ask the parent/guardian to contact the RFK Middle School Office as soon as possible at 505-253-0400 or 505-243-1118. Students leaving school during the day while classes are in session must be signed out in the office. For safety reasons, parents/guardian will be asked for picture identification when signing out their child. If someone other than the parent/guardian is picking up the student, he/she must be on the list of authorized persons or emergency contacts for the student. It is important to know that students will not be allowed to leave if the information isn't accurate. We do apologize for any inconvenience; however, the safety and wellbeing of our students is our top priority. If students walk home, they will not be allowed to leave with anyone after school unless they listed on their contacts or emergency contacts. If there are questions, please contact the office at (505) 253-0400.

**Late Arrivals:** Students arriving late to school must sign in when they arrive at school and will receive a pass to class. Students will not be admitted to class without a pass and may be considered absent.

**Classroom Regulations:** Students will follow the rules of the individual teacher as well as all school policies. Inappropriate behavior includes any action that would disrupt the educational process. If a student does not follow the rules after repeated warnings and parent contact, the student may be referred to administration. During a "crisis" situation, a student will be removed from class, parent/guardian may be notified of their student's inappropriate behavior.

**Closed Campus:** Students are not permitted to leave campus during the school day. Once on campus, students must remain on campus.

**Communication:** When necessary, letters, emails, texts and flyers will be sent home via electronic device or with student.

**Field Trips:** A school letter will be sent home notifying parents of field trip. All students participating in field trips sponsored by RFK Middle School must have a parental permission form on file prior to the date of the trip. As part of your child's registration packet, a permission slip was signed for all RFK Middle School sponsored field trips. Students will not be permitted to attend field trips without the original signed permission slip. Hand written notes, texts, or emails are not acceptable. Students are responsible for turning in work assigned prior to a field trip. Every student is responsible for obtaining completing assignments or lessons missed because of a field trip. Assigned work must be turned in prior to the trip or immediately after. Every student must be in appropriate attire or dress code or be sent home and not attend the field trip.

**Student Deliveries:** RFK Middle School does not accept deliveries of flowers, candy, balloons, stuffed animals, etc., to students at any time during the school year.

**Student Records:** Any parent/guardian requesting school records must request this information in person in the Main Office. A picture ID is required, and a request form must be completed by the parent/guardian prior to the release of information. This procedure is in compliance with the Family Education Rights and Privacy Act of 1974 and serves the purpose of protecting the rights of both parents and students. RFK should be given 24 hours notice to copy documents.

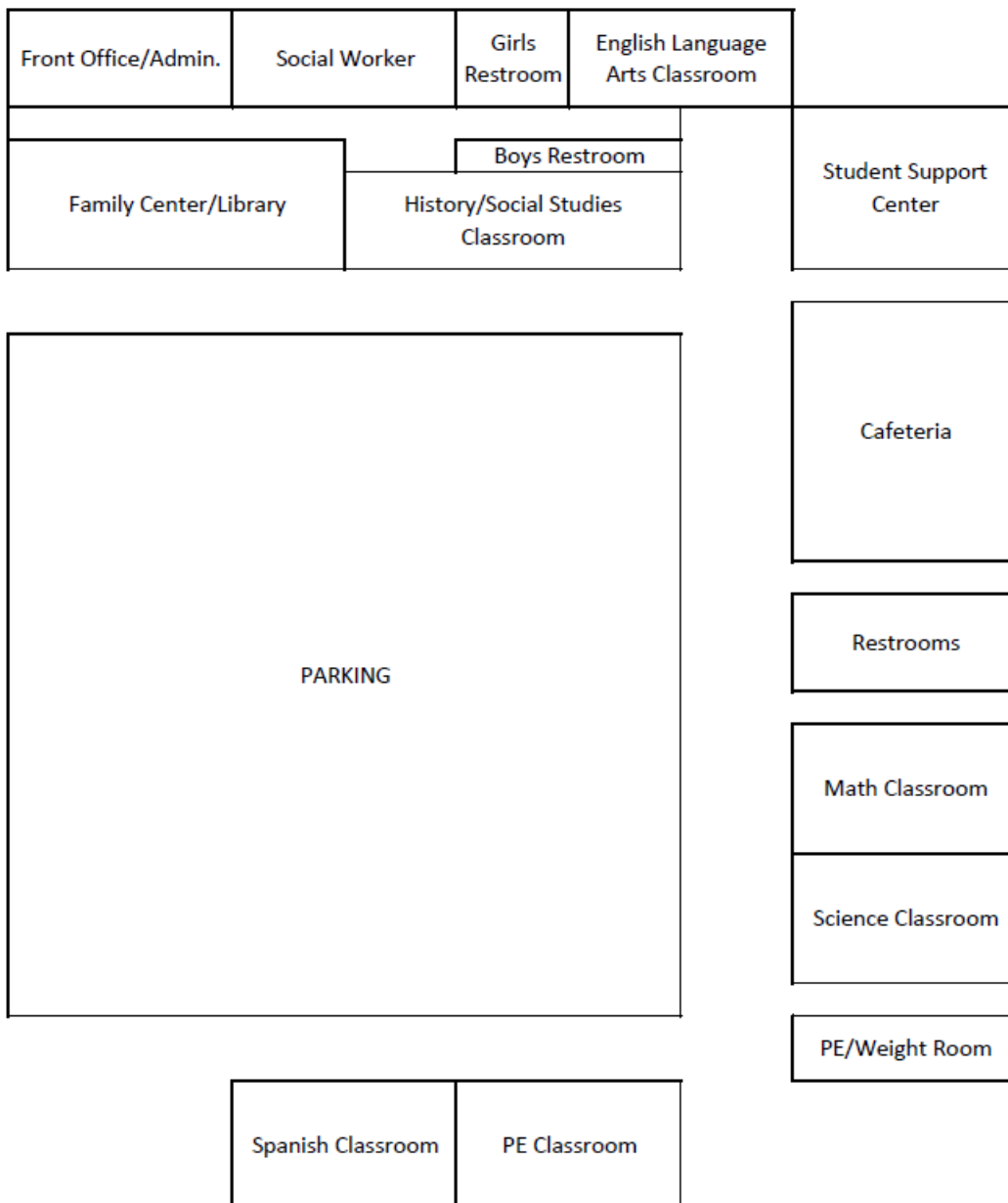
**Vehicles:** Students are allowed to bring bicycles to school. The student is responsible for providing a lock and locking the bicycle securely. **Bicycles cannot be ridden on the school campus and must be walked on and off campus. Student bicycles are not allowed to be ridden/ramped on campus. Skateboards, roller blades, pop out skate shoes, and scooters are not allowed on campus at any time.**

**Visitors on Campus: ALL visitors are to check in at the Main Office.** Parents and other visitors must show picture ID to obtain and wear a Visitor's Pass before entering a classroom. Passes can be picked up at the front desk. If you wish to see a teacher, administrator, or counselor, please call and schedule an appointment. Students are not permitted to bring other students, friends and/or relatives as guest to visit RFK.



**Robert F. Kennedy Charter Middle School Map**

1021 Isleta Blvd., SW, Albuquerque, NM 87105





## **Bell Schedule 2021-2022**

<b>Check-In/Breakfast</b>	<b>7:45 – 8:15AM</b>
<b>Period 1 (Advisory)</b>	<b>8:15 – 8:45AM (30 mins)</b>
<b>Period 2</b>	<b>8:50 – 9:40AM (50 mins)</b>
<b>Period 3</b>	<b>9:45 – 10:35AM (50mins)</b>
<b>Period 4</b>	<b>10:40 – 11:30PM (50mins)</b>
<b>LUNCH</b>	<b>11:35 – 12:05PM (30mins)</b>
<b>Period 5</b>	<b>12:10 – 1:00PM (50mins)</b>
<b>Period 6</b>	<b>1:05 – 1:55PM (50mins)</b>
<b>Period 7</b>	<b>2:00 – 2:50PM (50 mins)</b>

**Drop Off Time**            **7:45 – 8:15AM**

**Pick-up Time**            **2:50 PM**

**Supervision of students cannot be provided before 7:45AM and after 3:15PM unless students have a specific appointment or activity with a teacher or staff member. Students are not to be on campus or inside the building before 7:45AM or after 3:15PM.**

### **Abbreviated Bell Schedule/2hr. Delay – Weather Delay**

<b>Period 1 (Advisory)</b>	<b>10:15 – 10:45AM (30 mins)</b>
<b>Period 2</b>	<b>10:50 – 11:20AM (30 mins)</b>
<b>Period 3</b>	<b>11:25 – 11:55AM (30mins)</b>
<b>LUNCH</b>	<b>12:00 – 12:30PM (30mins)</b>
<b>Period 4</b>	<b>12:35– 1:05PM (30mins)</b>
<b>Period 5</b>	<b>1:10 – 1:40PM (30mins)</b>
<b>Period 6</b>	<b>1:45 – 2:15PM (30mins)</b>
<b>Period 7</b>	<b>2:20 – 2:50PM (30mins)</b>



## STUDENT RIGHTS AND RESPONSIBILITIES

### Students have a right to:

#### **Educational Opportunity**

- A free public-school education shall be available to every school-aged person, and each student who enrolls has a corresponding responsibility not to deny this right to any other student.
- At no time will a student or students be denied a fair and free education because of their ethnic identity, color, spoken language, gender identity, sexual orientation, political belief, religion, culture, a mental or physical disability, hairstyle or cultural or religious headaddresses.
- RFK affords all students equal educational opportunities as well as equal opportunities to participate in extracurricular activities.
- Policy prohibits discrimination and harassment based on ethnic identity, religion, race, color, national origin, sex, sexual orientation, mental or physical disability, marital status and pregnancy in any program or activity of or sponsored by the school.
- RFK Staff will be required annually to complete an online anti-racism, racial awareness, and sensitivity training or professional development approved by PED that addresses race, racism, and racialized aggression and demonstrates how to create and foster an equitable and culturally responsive learning environment for students of color.
- Racialized aggression/s involving students or school personnel are strictly prohibited on any RFK campus or during an RFK event and will be dealt with in an appropriate manner.
- Families, students and staff wishing to report a racially charged incident or racialized aggression will need to call RFK Hotline at 505-243-1118.

#### **Expression and Association**

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

#### **Publications**

- Students shall be allowed to distribute political leaflets, newspapers and other literature on school premises, at specified times and places.
- Student publications are subject to prior restraint and censorship.

#### **Organizations and Clubs**

- Students may form clubs or organizations for any legal purpose.
- These organizations must be open to all students on an equal basis and must operate within procedural guidelines established by the student government, acting in concert with the principal

#### **Student Dress**

- Student dress and grooming is to reflect high standards of personal conduct so that each student's attire promotes a positive, safe and healthy atmosphere within the school.
- Students are expected to adhere to the RFK dress code policy (see page 22).

## Privacy

- Questioning a student- if police authorities or security personnel of the school desire to question a student on school premises regarding any alleged act of misconduct by the student, the school authorities shall attempt to contact the parents.
- The parent/guardian may be permitted to be present for questioning.

## Search of Person or Vehicle

- **Vehicle Searches-** Search of a student's vehicle while parked on school property may be conducted only by a certified school employee, or if school security personnel have reasonable suspicion that a crime or breach of the disciplinary code is being committed by the student.
- **Physical Searches-** Search of a student's person or property may be conducted only where there is individualized reasonable suspicion that the student being searched has committed a crime or a breach of the disciplinary code.
  - *Minimally Intrusive Searches-* Searches such as emptying of pockets, searches of student backpacks and purses, removal of hats, socks and shoes may be conducted by any certified school employee.
  - *More Intrusive Searches-* Searches such as pat-downs and frisks may only be conducted by an authorized person of the same sex as the student being searched.
  - *Most Intrusive Searches-* May involve Law enforcement or other authorized school staff or personnel of same sex.

## Controversial Issues

- Students shall have the right to encounter diverse points of views.
- 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.

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## WHAT TO DO IF YOU BELIEVE THAT YOUR RIGHTS HAVE BEEN VIOLATED

### Reports

- Any report will be addressed in accordance with the appropriate procedures as specified in IDEA, Section 504, ADA, Title VI, of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Age Discrimination Act of 1975, First Amendment, XIV Amendment, New Mexico Human Rights Act, or with the State Board Regulation 6 NMAC 1.4 and any amendments made to these regulations, which are incorporated within this policy statement.

### Violation of Student Rights

- Students who believe that their rights have been violated should report their concerns to their parents, school administrator, or other appropriate school personnel, **or call the RFK Incident Hotline at 505-243-1118.**

### Denial of Rights

- Free public school education is a right guaranteed to every student.
- The courts have defined the basis on which the denial of that right is justified.
- That right may be denied in response to behaviors that threaten the safety and security of the school population, are illegal, or have the potential to disrupt the educational process.

- It is the intent of the Governance Council that every reasonable effort be made to provide continuation of options for student, even in the case of suspension or expulsion.
- Special education students must have a free, appropriate, alternative program provided during any long-term suspension or expulsion.

### **Grievance Procedure**

- It is the intent of the Governance Council that students and their parents be informed of the regulations regarding disciplinary and appeal procedures affecting students within the school.
- Faculty, parents and students shall attempt resolution of problems affecting students and the educational process by informal means.
- If any student or parent believes that the conditions of the school or decisions made by its staff are not fair or reasonable, a conference shall be afforded with the principal or designee to discuss the matter.
- If the student or parent is not satisfied, the student or parent shall be afforded the opportunity to confer with the Governance Council.

### **Hearing Procedure**

- The school prescribes a formal hearing procedure for students recommended for long-term suspension or expulsion.
- The student may, at his/her own expense, choose to be represented by an attorney during any due process hearing.
- If a hearing is requested or required, school authorities shall prepare and serve the parents/legal guardians with a written notice of the hearing.
- The hearing shall be scheduled no sooner than five (5) and no later than ten (10) school days from the date of receipt of notice by the parents.
- The school will provide copies of documents and a list of witnesses at least two (2) working days in advance of the hearing.
- The parent/guardian may choose to waive the student's right to a hearing and accept the disciplinary consequences recommended by the school.
- Expulsion hearings cannot be waived.

### **Hearing Authority and Transcript**

- The Hearing Authority is the appointed Hearing Officer or designee of the school Council.
- A student may waive his or her right to a long-term suspension hearing.
- A transcript of the proceeding shall be recorded and kept at the school for a period of one year, after which the recording will be destroyed, except in cases of expulsion where records are kept for longer periods.

### **Burden of Proof**

- The hearing is not a legal proceeding, and formal rules of evidence shall not govern the conduct of the hearing.
- The burden of proving that the student violated a provision of this Student/Parent Handbook is on the school authorities.
- The student or his/her counsel shall have the right to call witnesses on his/her behalf and to question witnesses against him/her.
- The school authorities shall have the right to call witnesses and to question any witnesses who testify.

## Decision of Hearing Authority

- The Hearing Authority shall decide first upon the innocence or guilt of the student with respect to the charges brought and second upon the disciplinary action, if any, that should be taken.
- The Hearing Authority may request additional evidence from the parties.
- The student shall have the right to comment upon the evidence orally and/or in writing.
- The Hearing Authority shall serve its written decision on the parties stating its findings, conclusions and implementations, within five (5) school days after hearing the evidence.
- The Hearing Authority's decision shall take effect immediately upon notification of the parent/guardian and shall continue in force during any subsequent review.

## Appeal to the Governance Council

- The parent/ guardian may appeal the decision of the Hearing Authority to the school Governance Council by serving a written Notice of Appeal to the Council President or designee within five (5) days after the decision has been served.
- The Council President or designee shall then review a summary of the transcript within ten (10) calendar days.
- No new information will be considered in the appeal.
- After reviewing all materials presented at the hearing, he/she shall render a decision, which affirms, overrules, or modifies the decision of the Hearing Authority.
- The severity of any sanction previously imposed may not be increased.

## RFK CODE OF CONDUCT/DISCIPLINE POLICY

The expectation at RFK is that students uphold the values of respect and responsibility in their everyday interactions. We encourage students to embrace our mission of caring about and belonging to a safe school community. Disciplinary measures shall be aimed toward assisting each student in the development of self-control, social responsibility, and the acceptance of appropriate consequences for his or her actions. **Robert F. Kennedy and all its employees will not discriminate or participate in any negative action towards a student based on the student's ethnic identity, spoken language, religion, color, gender identity, sexual orientation, political belief, culture, a mental or physical disability or because of the student's use of hairstyles or cultural or religious headdresses. Racialized aggression, defined as any aggressive act that can be characterized, categorized or that appears as such to be racial in nature, is prohibited.**

Education is a right guaranteed to the student, but not an absolute right. The School is a community, and the rules and regulations of a school are the laws of that community. The right to a public education may be denied, temporarily or permanently, in response to behaviors which: threaten the safety and security of the school population; are illegal; disrupt the educational process; or have the potential to disrupt the educational process. **At no time will a student or students be denied a fair and free education because of their ethnic identity, color, sex, sexual orientation, political belief, religion, culture, a mental or physical disability, hairstyle or cultural or religious headdresses.**

A student's right to an education may not be denied without due process. Separately, special education students must have an alternative program provided during any long-term suspension or expulsion.

Not with standing a school's right to deny a student the right to an education under these circumstances, it is the intent of the RFK Governance Council that every reasonable effort be made in favor of the student's education in disciplinary actions and as such RFK has defined an array of responses to address behaviors that are not appropriate or are prohibited. These are outlined in Part B Responses.

## **A. PROHIBITED CONDUCT**

The following are types of behavior that disrupt the educational process and are prohibited. This list is not all-inclusive; other acts of misconduct not specified herein are also subject to discretionary action by appropriate school personnel.

### **Arson**

Maliciously, willfully and/or neglectfully starting, by any means, a fire or causing an explosion on school property or at any school-related activity.

Category I – Deliberately or with reckless disregard, starting a fire with resulting expense under \$100.00

Category II – Deliberately or with reckless disregard, starting a fire resulting in damage over \$100.00 to property or resulting in injury to a person.

### **Assault/Bullying**

Threatening physical harm to another, causing a present fear of imminent danger to the person; included are threats, gestures and verbal assaults.

### **Assault Aggravated**

Intending or performing assault and battery with a weapon, instrument or any means of force likely to produce bodily injury. This category includes sexual assault and /or offenses.

### **Battery Aggravated**

Employing hostile contact with any kind of weapon or causing great bodily harm.

### **Battery/Fighting**

Employing hostile contact in which at least one party has contributed to a situation by verbal action and/or bodily harm.

### **Bomb Threat**

Falsely and maliciously stating to another that a bomb or other explosive has been placed in such a position that people or property are likely to be injured or destroyed.

### **False Alarm**

Interfering with the proper functioning of a fire alarm system or giving a false alarm, whether by means of a fire alarm or otherwise.

### **Controlled Substance, Possession\***

Possessing any substance capable of producing a change in behavior or altering a state of mind or feeling, or possessing a substance that looks like, but is not, a controlled substance, whether or not such a “look-alike” substance is capable of producing a change in behavior or altering a state of mind.

### **Controlled Substance, Sale or Distribution**

Selling or distributing a substance capable of producing a change in behavior or altering a state of mind or feeling; including a “look-alike”, or an item sold as a controlled substance.

### **Controlled Substance, Use**

Absorbing a substance capable of producing a change in behavior or altering a state of mind or feeling, including a “look-alike”, or an item sold as a controlled substance.

### **Defiance or School Personnel/Authorities**

Refusing to comply with any reasonable demand or request by any school official or sponsor at places and times where school personnel have jurisdiction.

### **Extortion**

Using intimidation or the threat of violence to obtain money, information or anything else of value from another person.

### **Firearm, Possession\***

Possession of a firearm, as defined at 18 United States Code 921. In summary, a firearm is any weapon, which will propel a projectile by type action of an explosive.

### **Gang Activities**

RFK recognizes that the presence and activities of gangs in the public schools is a serious threat and disruption to the educational process. RFK is a neutral environment so that students can feel safe. Gang activities create an atmosphere of intimidation in the entire school community. Both the immediate consequences of gang activity and the secondary effects are disruptive and obstructive to the process of education and school activities. Gangs and gang activities are prohibited at RFK and all school functions.

As a first step, the RFK Director / Dean of Students authorizes actions which are preventive in nature which will be interpreted as proactive steps to discourage the formation of gangs and involvement of students in gang activities. An integral part of these steps is the education of all staff regarding “gang” issues. Annually, the school will train all staff and assist with implementing and reviewing the dress code and discipline code with respect to gang behaviors.

#### **A. The following will apply:**

1. No student on or about school property or at any school activity shall:
2. Wear, possess, use, distribute, display, or sell any clothing, jewelry, emblem, badge, symbol, sign or other items that evidence or reflects membership in, or affiliation with any gang, soliciting membership in, or affiliation with any gang.
3. On the person’s body display symbol or sign that evidences or reflects membership in, or affiliation with any gang.
4. Engage in any act, either verbal or nonverbal, including gestures or handshakes, showing membership or affiliation in any gang.
5. Engage in any act in furtherance of the interests of any gang or gang activity, including but not limited to:
  - Soliciting any person to pay for “protection” or threatening any person explicitly or implicitly, with violence or with any other illegal or prohibited act.
  - Painting, writing, or otherwise inscribing gang-related graffiti, messages, symbols, or signs, on school property.
  - Engaging in violence, extortion, or any other illegal act or other violation of school guidelines.
  - Soliciting any person to engage in physical violence against any other person.

## **B. Application and Enforcement**

In determining, as part of the application and enforcement of this policy, whether acts, conduct, or activities are gang related, school employees are encouraged to exercise discretion and judgment based upon current circumstances in the school, neighborhood, and surrounding areas.

1. The removal of gang-related graffiti shall be priority in maintenance of school property. All such graffiti on school property shall be removed or covered within 24 hours of its first appearance or as soon thereafter as possible, unless additional time is needed to obtain replacements for damaged items.
2. School employees should also encourage private property owners to promptly remove or cover gang-related graffiti in school neighborhoods.
3. School employees are strongly encouraged to work closely with local law enforcement officials in controlling gang-related activities.
4. The school will report instances on gang-related criminal acts or acts of serious disruption to local law enforcement authorities for further action.

## **C. Violation of Guidelines**

Students who violate these guidelines shall be subject to the full range of school disciplinary measures, in addition to applicable criminal and civil penalties.

### **2021-2022 Safe School Plan**

#### **General Disruptive Conduct**

General disruptive conduct is defined as:

Willful conduct which materially and in fact disrupts or interferes with the operation of the public schools and the orderly conduct of any public school activity including individual classes. In addition, it may be conduct which leads an administrative authority reasonably to forecast that such an interruption or interference is likely to occur unless preventive action is taken. For example:

1. Knowingly and deliberately failing to comply with any legal and/or official rule or regulation designed by or provided by a teacher, principal, faculty member or other public school official at any time, whether the rule is designed for the classroom, the campus in general, or any other location or facility involving a school-related activity.
2. Being inappropriately dressed, i.e., being dressed in a manner that is potentially disruptive to the educational process.
3. In appropriate display of affection, i.e., a display of affection that has the potential of disrupting the educational process.
4. Cheating; Gambling
5. Inappropriate use of cell phones and/or other electronic devices that disrupts the class, the campus or school activities.

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

Using language, which is crude, offensive, insulting or irreverent; using coarse words to show contempt or disrespect; swearing.

### **Materials, Obscene**

Displaying material, which is indecent and has the potential of being disruptive.

### **Paraphernalia Possession\***

Possessing any paraphernalia, such as but not limited to rolling paper, pipes or bongs.

### **Plagiarism**

The act of using another person's ideas or words without giving credit to that person.

### **Racialized Aggression**

Racialized aggression, defined as any aggressive act that can be characterized, categorized or that appears as such to be racial in nature.

### **Robbery**

Taking of property of another through means of force or fear.

### **Tardy**

A tardy is recorded when a student arrives late to class for any reason and will be recorded in the student information system, which can be viewed on the Student Parent Portal. Parents may excuse a student's tardy by walking with their student into the front office area and signing their student in with the attendance clerk. Phone calls to excuse tardies are not accepted.

### **Sexual Harassment**

Sexual harassment is a form of gender discrimination as defined in Title IX of the Education Amendments of 1972. Sexual harassment is a violation of federal law. Examples of sexual harassment include but are not limited to the following: Sexual assault, unwanted touching, inappropriate comments or conversation, certain nonverbal behaviors and gestures which threaten or belittle others on the basis of gender.

### **Theft**

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

### **Trespassing/Unauthorized Presence**

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

### **Vandalism**

Deliberately or maliciously destroying, damaging and/or defacing school property or the property of another individual.

### **Weapons Possession\***

Possessing a weapon such as but not limited to:

1. A firearm
2. Any type of gun
3. Any type of knife
4. Any type of club
5. Any type of explosive



6. Spiked wrist band
7. Chains
8. Any other item that may cause or is intended to cause injury or death. This specifically includes “look-alike” guns and knives, such as toys, if the look-alike object is used or intended to be used to intimidate, threaten, or cause fear.

### **Weapon Use**

Use of any weapon or “look-alike” weapon to threaten, intimidate, attack, injure or kill any person.

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

### **RESPONSES TO PROHIBITED CONDUCT/UNACCEPTABLE BEHAVIOR**

The administrative response to the unacceptable behavior is left to the discretion of school officials depending on circumstances, including the seriousness of the offense and the student’s history. RFK will respond to a student’s violation of school rules or disruptive conduct by following school by following school procedures and policies that keeps the student in school, and in serious circumstances, may resort to suspension or expulsion from school.

1. RFK will attempt to fully communicate with appropriate persons, as follows:
  - a. Staff/Student Contact: staff member, defined as any school employee assigned to that school, will contact student
  - b. Student/Parent Contact: Staff member will contact parents by note, by telephone, or in person.
  - c. Administrator/Student Contact: Administrator will contact student in person, by note or by telephone
  - d. Administrator/Parent Contact: Administrator will contact parent by note, by telephone or in person
  - e. Administrator/Student/Parent Conference: Administrator, student and parent will meet to discuss problem and solution(s)
  
2. RFK may employ the following responses to unacceptable behavior:
  - a. Community Service: RFK may require community service, including at the school itself
  - b. Restitution, or community service, will be sought for damage or the theft of personal or school property. This includes: damage to the school facilities (bathrooms, desks, etc.); damage or loss of school textbooks, materials and supplies for which student and parents are responsible; or damage to personal property of school employees or students or school neighborhood residents. Such matters may be referred to the Albuquerque Police Department (APD) for further action.
  - c. Contracts: The student will commit to more positive behavior in the form of a written contract. Student may be assigned community service, lunch detention or with after school tutoring.
  - d. Referrals: Student may be referred to various school personnel or other entities for appropriate interventions/services.

- e. In-School Suspension: Student may be removed from class or activity but remains at school until satisfactory resolution is reached.
  - f. Student may be transferred to another APS or Charter School at the request of the student and parents/guardians, or through mutual agreement of schools, parent and student.
  - g. Detention: The authority of the school to supervise and control the conduct of students includes the authority to impose reasonable periods of detention during the day as disciplinary measure. Reasonable periods of detention may be imposed with the procedures for temporary suspension.
3. In response to serious violations or offenses, RFK will resort to suspension, expulsion, and/or referral for legal action. The due process to which a student is entitled prior to suspension or expulsion is detailed below, in section C.
- a. Short-Term Suspension: Removal of a student from classes and all school-related activities for a period of time ranging from a minimum of a few minutes to a maximum not to exceed ten (10) days.

**A student whose presence poses a danger to persons or property is considered to be a disruption to the educational process and may be removed immediately from class or school-sponsored events. APD, BCSO, and/or APS Police may participate in removal if necessary.**

**A student who has been suspended will generally be given a reasonable period of time to complete missed assignments and examinations.**

- b. Long-Term Suspension: Removal of a student from school and all school-related activities for more than ten (10) days and up to the balance of the semester. A student receiving a long-term suspension will lose credit for the semester.
- c. Expulsion: Removal of a student from RFK for a period exceeding one semester. A student receiving an expulsion will lose credit for the semester in which the expulsion occurs.
- d. Referral for Legal Action: Communication of any illegal act or action by a student will be forwarded to the appropriate authority or law enforcement agency. New Mexico law requires that if any school employee has reasonable cause to believe that a child is or has been in possession of a firearm on school premises; the employee shall immediately report the child's actions to a law enforcement agency and the Children, Youth and Families Department and the director or principal of RFK.

## **PROCEDURES**

1. The school administration must provide written notification to each of a student's teachers and to the student's parents/guardians within one school day of imposing any form of suspension. The school administration must keep on file a copy of the notification for any suspension occurring during a school year.

The Director and/or Principal are responsible for notification compliance and documentation. Copies of suspension notification may be discarded at the beginning of each academic year for prior years' actions, except for any long-term suspensions or expulsions still in effect.

2. Short-Term Suspension: A student facing suspension for fewer than ten (10) days is not entitled to a formal hearing, but is entitled to a rudimentary hearing, as follows:

- a. Before the student is suspended, the student shall be informed of the charges against him or her and, if (s) he denies them, shall be told what evidence supports the charge(s) and be given an opportunity to present his or her version of the facts. The administrative authority is not required to divulge the identity of informants, although (s) he should not withhold such information without good cause. S (he) is required to disclose the substance of all evidence on which (s) he proposes to base a decision in the matter.
- b. If the student denies the charge(s), the school authority may delay the suspension in order to conduct further investigation but is not required to. The discussion with the student may take place and a temporary suspension may be imposed within minutes after the alleged misconduct has occurred.
- c. The administrative authority is not required to allow the student to secure counsel, to confront or cross-examine witnesses supporting the charge(s), or to call witnesses to verify the student's version of the incident, but none of these is prohibited.
- d. The school shall make reasonable efforts to inform the student's parent or guardian of the charges against the student and the possible or actual consequence as soon as practical. If the school has not communicated with the parent/guardian by telephone or in person by the end of the first full day of suspension, the school shall on that day mail a written notice with the required information to the parent/guardian's address of record.

Long-Term Suspension or Expulsion: *See Student Rights and Responsibilities Section.*

## **SPECIAL EDUCATION SERVICES**

The mission of RFK is to work with students and families to identify the strengths, needs and issues impacting student success. Graduation from High School or transition into an alternative graduation or career path will be our primary measure of success. RFK will provide flexible and personalized programs for anyone seeking a high school diploma.

Individual needs of students who have been receiving special education services will be addressed through their Individualized Education Program (IEP). Our dedication to best practices will be demonstrated through an **inclusive model** of education, providing progressive techniques for instruction, curriculum and meeting individual needs of students.

When a student who is eligible for special education services is placed in a regular education classroom, he or she is expected to achieve at the level commensurate with her or his ability and IEP with the assistance of appropriate special education and related services.

### **Special Education Discipline Procedures**

The IEP team must consider, when appropriate, strategies- including positive behavioral interventions, strategies, and supports to address behavioral concerns through the IEP process (614(d)(3)(B)(i).

In response to disciplinary actions by school personnel, the IEP team must, within 10 days, meet to formulate a functional behavioral assessment plan to collect data for developing a behavior intervention plan, or if a behavioral intervention plan already exists, the team must review and revise it (as necessary), to ensure that it addresses the behavior upon which disciplinary action is predicated (615)(c)(3)(D)(vi).

### **Special Education Procedural Safeguards**

#### **NOTIFICATION**

**Parent/guardian will receive prior written notice** before the school proposes or refuse to initiate or change the identification, evaluation, educational placement of your child or the provision of a free appropriate public education to your child. Such notice will:

- Fully explain procedural safeguards.

- Describe and explain the school’s proposed action or refusal to act, including a description of other options considered and rejected and why rejected.
- Describe evaluation procedures, tests, records or reports used for the proposed or refused action.
- Describe any other factors which are relevant to the action proposed or refused by the school.
- Be provided in a language and/or manner that is understandable to the parent or guardian.
- Describe which school personnel will be attending the meeting.

## **WRITTEN CONSENT**

**Parent/guardian must give written consent** prior to the following actions:

- Initiation of an initial individual evaluation
- Initial placement in special education services

**Parent/guardian may revoke consent at any time**

## **ASSESSMENT**

**Parent/guardian may provide an independent educational evaluation** of his/her child if he/she disagrees with the school’s evaluation. However, the school may initiate a hearing to demonstrate that its evaluation is appropriate. If the final decision is that the school’s evaluation is appropriate, the parent/guardian has the right to an independent evaluation at his/her own expense. (The parent should obtain the school’s guidelines before proceeding with an independent evaluation.)

## **RECORDS**

Parent/guardian has the right to:

Review any of his/her child’s educational records within 45 calendar days of the request.

Receive an explanation of the educational records.

Identify a representative to inspect or review records.

Obtain copies of specific documents

Request an amendment of information in the child’s educational records

Confidentiality of records is maintained at all times.

## **PLACEMENT**

Parent/guardian has the right to:

Obtain a Free Appropriate Public Education (FAPE) for his/her child with a disability.

Receive a written description and explanation of the special education placement of the child.

## **RESOLVING DIFFERENCES**

Parent/guardian has the right to:

Request a mediation conference to resolve differences regarding the evaluation, placement and program recommendations for his/her child.

Request an impartial due process hearing even when using mediation to resolve differences.

Appeal an adverse hearing decision to the District Court of Appeal, within thirty (30) days of the date of the Final order or bring a civil action in the State Circuit Court or in the Federal District Court.

Request reasonable attorney's fees and related costs which may be awarded if the parent/guardian is the prevailing party in an administrative hearing or court proceeding.

Request an administrative review by the State Department of Education.

## **MISCELLANEOUS**

Parent/guardian has the right to:

Receive communications in the language or other mode of communication that is understandable to him/her (unless it is clearly not feasible to do so).

Have a surrogate parent assigned to represent a child in decisions regarding educational matter if: (a) No parent/guardian can be identified, (b) No parent/guardian can be located, (c) The child is a ward of the State or court, unless the child resides with a foster parent.

## **STUDENT DRESSCODE**

RFK expects student dress and grooming to reflect high standards of personal conduct. Student's attire ought to promote a positive, safe and healthy atmosphere within the school. Because RFK values respect, safety, health and the educational process, the following are our guidelines for dress and appearance:

1. Head gear or Clothing/jewelry that promotes gang affiliation, alcohol, drugs and/or tobacco is not acceptable.
2. Hats or caps, including knit caps or beanies, shall not to be worn while inside buildings unless there are specific instructional, safety, religious or medical reasons for the student doing so. Spiked jewelry, chains or any accessory that could be considered a weapon are not acceptable.
3. Clothing/jewelry that disrespects a person or persons for any reason is not acceptable.
4. Clothing should be comfortable and appropriate for the school or work activity. No excessively tight or revealing clothes, short shorts, short skirts, tank tops and no heels. Clothing should not reveal a bare midriff or be low-cut.
5. "Sagging", or the wearing of pants below the waist and/or in a manner that allows underwear or bare skin to show, and "bagging", or the wearing of excessively baggy pants with low hanging crotches.
6. Basically, anything that distracts from the learning process and/or offends another person is not acceptable.

### **Appropriate is defined as:**

- Clean
- Modest
- "Outerwear" covers "underwear", so it cannot be seen
- Safe for school activity

The Dress Code is a set of guidelines for teaching young people what is appropriate and acceptable appearance. If a student wears something that requires this guidance, a teacher or staff member will discreetly inform the student, give the student a shirt to wear or ask the student to wear a jacket. The student may also call someone to bring appropriate clothing. Repeated offenses may result in suspension from school.

## **SMOKING POLICY**

RFK has a **NO SMOKING POLICY** and will not tolerate smoking on campus or at RFK activities outside of normal school hours.

## **Tobacco Free Schools (Smoking)**

**According to New Mexico Administrative Code, 6.12.4.8 Tobacco use is prohibited by students, school staff, parents, and school visitors in school buildings, or on school property. It is the responsibility of each school to implement and communicate this policy to students, school staff, parents, school visitors, and the community. It is also the school's responsibility to develop provisions for enforcement of this policy.**

The Robert F Kennedy Charter middle school is dedicated to establishing and maintaining a safe, comfortable, and productive educational and work environment for its students and staff. In view of the serious health risks associated with tobacco, the addictive substance of nicotine, and tobacco smoke for both smokers and non-smokers, the following health policy is adopted.

**Smoking or the use of any tobacco/nicotine/vape products such as but not limited to: Cigarettes, Cigars, E-Cigarettes, Vape Pens, chewing tobacco, and/or any other tobacco/nicotine/vape products, will not be permitted on school property at anytime. Smoking is hazardous to everyone's health.**

## **TEXTBOOK POLICY**

Robert F. Kennedy Charter School shall maintain adequate textbooks within the classroom that allows each student the use of a textbook during school hours. Textbooks are available for students to take home should they request so from the teacher. Students must complete a form with the classroom teacher in order to take the book home, and maybe subject to fines and withholding of transcripts should they fail to return the book by semester end.

## **ELECTRONICS POLICY**

**(i.e. Cell Phones, Pagers and other Wireless Communication Devices, including speakers and/or headphones)**

The possession of a cellular phone, pager, etc., is not in and of itself, a violation of the student conduct and discipline code. The school allows for the possession of cell phones on the education campus, however, cell phones are prohibited during instructional hours, parent meeting, conferences, and/or when a staff member deems inappropriate. The term "use" refers to the device being in visible sight and/or being on and/or used during prohibited times in the location above. When it is determined that the use has occurred in violation of policy, the cell phone will be surrendered to an RFK staff member upon request and the parent will be contacted and a solution will be determined. If a cellular device is used in a criminal act, then criminal penalties may result.

## **FOOD POLICY**

**RFK IS A CLOSED CAMPUS.** Students are not excused to leave for breakfast or lunch; if a student leaves with or without parental permission they cannot return to school until a parent meeting has been scheduled.

Students may bring their own meals to eat during authorized break times, purchase food from the school vending machines and/or the "school store". Breakfast, lunch and afternoon snack is provided free to all RFK students during scheduled breakfast, lunch and snack times. Any food brought on campus must be delivered to the main office and may be subject to inspection. Food delivery services are not permitted on campus (such as, but not limited to: DoorDash, Uber Eats, Grubhub, etc.).

## **ATTENDANCE & TRUANCY POLICY**

**Truancy** is defined by the state as the unexcused absence from school or class that results in the student being deemed absent. A student is considered **truant** when he or she has *accumulated 5 unexcused absences within any twenty day period.*

**Habitual Truancy** is defined by the state as the *accumulation of 10 or more unexcused absences within a school year.*

RFK values excellent attendance and punctuality because these are essential habits for lifelong success. In addition, much of our curriculum and instruction draw on community expertise and is field-based and project-oriented. These teaching practices require daily, in-class participation. Therefore, the following is the RFK Attendance Policy:

1. Students are expected to maintain 95% attendance and punctuality for class, computer lab or any work/volunteer/service learning site or activity. Regularly scheduled classes are offered Mondays through Fridays.
2. The maximum allowable absences at RFK per semester are 10 days. When attendance falls below 89%, or 10 days per semester, an “Attendance Intervention” will begin and may ultimately result in student withdrawal from school. The school is committed to exhausting all possible intervention strategies before this occurs. See “RFK Attendance Policy” located on page 26 (this policy is signed by parent/guardian and student at registration and filed in the student’s school records). The director and advisory teacher will make the final decision.
3. RFK does not distinguish between excused and unexcused absences. An absence is an absence. Because each student is working with an individual plan and schedule, we expect personal appointments to be made outside class time.
4. Students are expected to discuss reasons for lateness or absences with their Home Teacher in advance. At all times, RFK teachers and staff expect open, honest communication with families when a student is absent or late.

### **RFK ATTENDANCE PROCEDURES - SEMESTER**

**DAILY attendance calls home are made by School Messenger, documented into Power School, and the student accountability system.**

**1<sup>st</sup> Absence:** Parents/guardians will be notified **DAILY** of their student’s absence(s) by School Reach; Confirmed or attempted calls home are documented and logged into Power School; copies of log entries will put into Advisory Teachers mail boxes. Advisory Teachers will continue to attempt contacting parents/guardians by phone.

**2<sup>nd</sup> Absence:** Advisory Teachers will continue to attempt contacting parent/guardian by phone.

**3<sup>rd</sup> Absence:** Behavioral Health staff Intervention and 3<sup>rd</sup> Day Absentee Notification Letter - Advisory Teachers may request: a 3<sup>rd</sup> Day Absentee Notification **Letter** be mailed to student’s Parent/Guardian and if applicable to his/her Parole Officer and agencies requiring full-time school enrollment; notify Social Worker to begin intervention procedures or student’s class schedule to be modified to assist student with improving his/her attendance.

**4<sup>th</sup> Absence:** Behavioral Health staff will schedule a Visit Student/ Parent/Guardian.

**5<sup>th</sup> Absence:** 1<sup>st</sup> Staffing -Student/Parent/Guardian/Administration/Staff/ Behavioral Health staff - Advisory Teacher will: attempt to contact parent/guardian; schedule staffing; notify Administration, Classroom Teacher(s) and Behavioral Health staff of a staffing to discuss what support and/or solutions RFK can provide to help student improve attendance. Student maybe asked to sign an attendance contract.

**6<sup>th</sup> Absence:** Advisory Teacher will attempt to contact parent/guardian.

**7<sup>th</sup> Absence:** 7 Day Absentee Notification - Advisory Teacher may request a 7 Day Absentee Notification Letter be mailed to student’s Parent /Guardian and if applicable to his/her Parole Officer. Letter will state that student is in jeopardy of being withdrawn from enrollment and Parent/Guardian will be asked to contact Advisory Teacher to discuss student’s attendance.

**8<sup>th</sup> Absence:** Advisory Teacher will: attempt to contact parent/guardian.

**9<sup>th</sup> Absence:** 2<sup>nd</sup> Staffing - Student/Parent/Guardian/Administration//Staff/Behavioral Health staff - Advisory Teacher will: attempt to contact parent/guardian; schedule staffing; notify Administration, Classroom Teacher(s) and Behavioral

Health staff of staffing to discuss what support and/or solutions RFK can provide to help student improve attendance to discuss and assess if student truly desires to remain a student at RFK. At this time, we may suggest a schedule change, referral to another school or suggest withdrawing student from RFK. Student will have access to an appeal process.

**10<sup>th</sup> Absence from Class:** 10 Day Absentee Notification and a meeting will be scheduled with Parent /Guardian, Advisory Teacher and Classroom teacher to determine criteria for credit recovery possibility. Student will have access to an appeal process.

**10<sup>th</sup> Absences in All Classes:** 10 Day Absentee Notification (Removal from School Enrollment) - Advisory Teacher will request Parent/Student Support Officer mail Notice of Withdrawal from School Enrollment to Parent/Guardian, if applicable to his/her Parole Officer and agencies requiring full-time school enrollment. Student will have access to an appeal process.

Re-Admit Process: Once a student withdraws or has been withdrawn from enrollment, students must re-apply and will enter through the Lottery Selection Process.

### **SUBSTANCE ABUSE POLICY**

A. If a student is caught in possession of any Alcohol, Marijuana or related substance or paraphernalia, or is caught using the substance at school:

1. For the first offense the student is suspended for 5 days. The student returns to a staffing and will be scheduled to participate in RFCKS Harm Reduction intervention. Failure to attend any scheduled sessions at RFKCS will result in the student being suspended until a parent/guardian meeting can be held.
2. For the second offense, the student must participate in a substance abuse program outside of school and have documentation of his or her participation before returning to school.
3. RFKCS Staff or APD will be called to confiscate and destroy the material
4. For a third offense the student is taken to a hearing for long term suspension.
5. RFKCS Staff or APD will be called to confiscate and destroy the material.
6. RFKCS reserves the right to move to long term suspension for any substance abuse related incident if has been determined by RFKCS staff that other students were put at risk at any time, may result in school change based on teacher recommendation. Parent/Guardian and advisory teachers will be notified of such change.

**Amended November 6, 2017**

### **VIOLENCE POLICY**

#### **B. If a student is threatening violence:**

Definition: Verbal abuse of another student or staff member which may or may not be accompanied by “getting in the face” of another individual, fist clenched, mad-dogging, or “posturing” behavior which is likely to escalate into violence. This includes any threats of violence through social media.

1. Minimum, automatic 3-day suspension.
2. Additional 2 days may be added for claiming a gang, throwing up gang signs and/or mentioning bringing friends or “back-up” to school.

#### **C. If a student is fighting at school:**



1. If a student is in a fight, the student will be suspended. The length of the suspension will be determined by the RFK Administration. The student must also participate in 6 sessions of anger management and show documentation of his or her participation. RFK will offer these interventions in the evening.
2. On the first offense, if a student invites friends on campus to participate, incite or promote the fight, and/or if the circumstances are clearly gang-related, long term suspension may be recommended.
3. If the student is recommended for alternative placement the student must participate in 6 sessions of anger management and show documentation of his or her participation. Student must also petition to be reinstated upon successful completion of alternative placement.
4. If student refuses to participate or does not complete intervention the student will be suspended from school until completion and a re-instatement meeting is held.
5. For the second offense the student is taken to a hearing for long term suspension.

## **BULLYING POLICY**

Robert F. Kennedy Charter School Policy #8.121 Complies with Bullying prevention regulation NMAC 6.12.7 and includes PED requirements for anti-bullying policies identified in NMAC 6.12.7.8 and NMAC 6.302.10 and is aligned with NMSA 1978, Section 32-A-4-3(A), (NMAC 6.11.2.7 (A)) and (NMAC 6.11.2.10)

Robert F. Kennedy Charter School (RFKCS) is committed to providing a safe, positive, productive, nurturing educational environment for all of its students and encourages the promotion of positive interpersonal relations between members of the school community. Aggressive behavior, bullying, harassment, and similar acts toward a student, whether by other students, staff, or third parties is strictly prohibited and will not be tolerated. Gestures, comments, threats, or actions, which cause or threaten to cause bodily harm, emotional distress or personal degradation will not be tolerated.

This policy applies to all activities involving RFKCS. This includes activities on school property and off school property if the student or employee is at any school-sponsored, school-approved or school-related activity or function, such as field trips or athletic events where students are under the school's control, or where an employee is engaged in school business. It also applies to any activity or incident in route between school and the off campus school activity. RFKCS expects students to conduct themselves in an appropriate manner for their respective levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment.

RFKCS believes that standards for student behavior must be set cooperatively through interaction among the students, parents/legal guardians, staff, and community members producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for RFKCS Policy and community property on the part of students, staff, and community members. Since students learn by example, school administrators, faculty, staff, and volunteers will demonstrate appropriate behavior, treat others with civility and respect, and refuse to tolerate bullying or harassment.

This policy shall apply to the following definitions of bullying. Please note that these definitions are provided for guidance only. If a student or other individual believes there has been aggressive behavior by a student or adult that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment, regardless of whether it fits a particular definition, s/he should report it and allow the administration to determine the appropriate course of action.

## Definitions

**"Bullying"** is defined as willfully and repeatedly exercising power or control over another by systematically and chronically inflicting physical hurt or psychological distress on one or more students or school employees. (i.e., repeated oppression, physical or psychological, of a less powerful individual by a more powerful individual or group). Bullying can be:

- a. *Physical -- hitting, kicking, spitting, pushing, pulling, taking and/or damaging personal belongings or extorting money, blocking or impeding student movement, unwelcome physical contact.*
- b. *Verbal (oral or written) -- taunting, malicious teasing, insulting, name calling, sexual, religious, or racial harassment, making threats.*
- c. *Psychological -- spreading rumors, manipulating social relationships, coercion, or engaging in social exclusion/shunning, extortion, or intimidation, dehumanizing gestures or public humiliation.*
- d. Electronically transmitted, or cyberbullying--the use of information and communication technologies such as email, cell phones, pagers, text messages, instant messaging (IM), personal web sites, and online personal pooling web sites, whether on or off school campus, to support deliberate, repeated, and hostile behavior by an individual or group that is intended to threaten or harm others, or which causes emotional distress to an individual that substantially disrupts or interferes with the operation of the school or with an individual student's ability to receive an education.

For the purposes of this policy, the term "bullying" will also be applied to the following behaviors:

- e. Aggressive behavior--inappropriate conduct, whether a single isolated incident or repeated incidents, that are serious enough to negatively impact a student's or employee's educational, physical, or emotional well-being.
- f. Relational Aggression--behavior that is intended to harm someone by damaging or manipulating his or her relationships with others. Relational Aggression is not always obvious and can include physical, verbal (malicious gossip, putdowns, insults, spreading rumors, lies, telling secrets, name calling and threats to withdraw friendships), or covert (body language, eye rolling, social exclusion, ignoring) aggression.
- g. Harassment for purposes of this policy, includes, but is not limited to, any threatening, insulting, or dehumanizing act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written, computer generated, or physical nature directed against a student or school employee that:
  - Demeans a person;
  - Places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property
  - Has the effect of substantially interfering with a student's educational performance, opportunities, or benefits; or
  - Has the effect of substantially disrupting the orderly operation of a school.
- h. Hazing-- performing any act or coercing another, including the target, to perform any act of initiation into any class, team, or organization that causes or creates a substantial risk of causing mental or physical harm. Permission, consent, or assumption of risk by an individual subjected to hazing shall not lessen the prohibitions contained in this policy
- i. Intimidation --includes, but is not limited to, any threat or act intended to tamper, substantially damage or interfere with another's property, cause substantial inconvenience, subject another to offensive physical contact, or inflict serious physical injury.

- j. Menacing-- includes, but is not limited to, any act intended to place a school employee, student, or third party in fear of imminent serious physical injury.

“**Staff**” includes all RFKCS employees.

“**Third parties**” include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors, vendors, or others engaged in RFKCS business, and others not directly subject to school control at inter-district or intra-district athletic competitions or other school events.

Any observed behavior that meets the above definition of bullying, shall be handled in a manner outlined in the policy and procedures that follow.

### **Bullying Policy**

(a) All complaints about bullying, harassment, and aggressive behavior that may violate this policy shall be promptly investigated by the Director or designee. If the investigation, based on all of the facts and surrounding circumstances, finds an instance of bullying, harassment, and aggressive behavior has occurred: on school property; off school property if the bullying, harassment, and aggressive behavior substantially disrupts or interferes with the operation of a school or an individual student's ability to receive an education or if the student or employee is at any school-sponsored, school-approved or school-related activity or function, or where an employee is engaged in school business; or while en route to or from a school-sponsored activity; it will result in prompt and appropriate remedial and/or disciplinary action in accordance with Board policy. This may include up to expulsion for students, up to discharge for employees, up to exclusion for parents, guests, volunteers, and contractors. Individuals may also be referred to appropriate law enforcement officials.

(b) Consequences and appropriate remedial action for students, school employees, visitors, volunteers and contractors found to have wrongfully and intentionally accused another as a means of bullying or harassment will result in prompt and appropriate remedial and/or disciplinary action in accordance with Parent /Student Handbook and RFKCS Policy 8.12. This may include up to expulsion for students, up to discharge for employees, up to exclusion for parents, guests, volunteers, and contractors. Individuals may also be referred to appropriate law enforcement officials.

(c) If a student’s out of school speech or behavior results in a substantial disruption of an individual student’s learning environment or substantially disrupts or interferes with the operation of a school, the student may be subject to discipline as provided above.

(d) Retaliation against any person, who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry concerning allegations of aggressive behavior is prohibited and will not be tolerated. Such retaliation shall be considered a serious violation of Bullying policy and independent of whether a complaint is substantiated. Suspected retaliation should be reported in the same manner as aggressive behavior. Making intentionally false reports about bullying, harassment, and aggressive behavior for the purpose of getting someone in trouble is similarly prohibited and will not be tolerated. Retaliation and intentionally false reports may result in disciplinary action as indicated above.

### **In Summary:**

"Harassment, intimidation, or bullying" means any act that substantially interferes with a student's educational benefits, opportunities, or performance, that takes place on or off school grounds, at any school-sponsored activity, on school-provided transportation or at any official school bus stop, and that has the effect of:

1. Physically harming a student or damaging a student's property;
2. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property;
3. Creating a hostile educational environment; or

4. Substantially disrupting or interfering with the operation of a school or an individual student's ability to receive an education.

RFKCS upholds that aggressive behavior, bullying, harassment, and similar acts, of any student or school employee is prohibited during any education program or activity conducted by RFKCS, during any school-related or school-sponsored program or activity, on a school bus, through the use of data or computer software that is accessed through a computer, computer system, or computer network of the RFKCS, or during off-campus activities if the off-campus activities cause emotional distress to an individual that substantially disrupts or interferes with the operation of a school or an individual student's ability to receive an education.

### **Immediate Notification**

Notification to parents/legal guardians of the aggressor and the target, the Director and local agencies where criminal charges may be pursued against the perpetrator shall be provided in accordance with the procedure set forth by the Director.

### **Investigation Procedures**

The prompt investigation of a report of bullying, harassment, or similar act is deemed to be a school-related activity and begins with a report of such an act. The investigation will be conducted within 10 days unless investigator requests approval from Director for additional time up to 21 days. Student may be sent home during investigation process.

### **Procedures for Disciplinary/Interventions**

The consequences for a student, employee, visitor, volunteer and/or contractor of RFKCS who commits an act of bullying, harassment, or similar act shall be determined by suspension procedures outlined in the Parent/Student Handbook and in compliance with RFKCS Policy 8.12.

### **Policy Notice**

This policy shall not be interpreted to infringe upon the First Amendment rights of students (i.e., to prohibit a reasoned and civil exchange of opinions, or debate, that is conducted at appropriate times and place during the school day and is protected by State and Federal law). Policy will comply with NMAC 6.11.2.10.

Notice of this policy will be incorporated in student and employee handbooks.

The Director or designee is directed to develop administrative procedures to implement this policy. Procedures shall include reporting and investigative procedures, to include a procedure for reporting to the target's parent/guardian that an incident occurred and to regularly report to a target's parent/guardian the actions taken to protect the target, as needed in compliance with NMAC 6.12.7.8.

Policy 8.121

## **RFK STUDENT PROFILE**

**PUPROSE:** RFK's purpose is to acknowledge, appreciate, celebrate and nurture the strengths of our young people and communities through building healthy, caring relationships, and further to challenge, empower and engage them in designing pathways to development and opportunity.

**GOALS:** RFK students will develop personal effectiveness, effective teamwork skills, And positively engage in their community by being able to articulate their passions, define Lifetime goals, and by developing problem solving skills.

## RFK GRADING POLICY

A+	=	100%	A	=	95% to 99%	A-	=	90% to 94%
B+	=	87% to 89%	B	=	85% to 86%	B-	=	80% to 84%
C+	=	77% to 79%	C	=	75% to 76%	C-	=	70% to 74%
			N	=	No credit earned (Fail)			

**Final grades will also factor in participation and attendance.**

## REMEDIATION PLAN

RFK is designed to meet the individual academic needs of all students, regardless of ability level, through small classes and differentiated instruction. There are various supports provided towards academic success at RFK. One opportunity is a remediation program for academic improvement. The need and individual program are discussed at parent meetings by the parent, student, Home Teacher and teachers assigned to the student.

### **Remediation will be offered as follows:**

Parent and student will be notified no later than the end of the second grading period that his/her child is failing to make adequate progress, and a conference with the parent and teacher shall be held to discuss possible remediation programs available to assist the student. Specific academic deficiencies and remediation strategies shall be explained to the student's parent and a written plan developed containing timelines, academic expectations and measurements to be used to verify that the student has overcome his academic deficiencies. The information will be documented in an Enhanced Academic Improvement Plan (EAIP) and revisited each 9 week period.

The Student Assistance Team (SAT) will be notified via referral form if a student is still not progressing after individual interventions and tutorial program have been provided.

**Homework Policy:** Homework is an assignment to be done or completed outside the classroom. The purpose of homework is to provide students with continued exercise, drill, and practice in order to develop, reinforce, improve, and enrich skills; and help students become more familiar with procedures or concepts. Homework gives students responsibility for their own learning. In addition, homework provides parents an opportunity to know about or participate in their child's education.

**Make-up Work Policy:** Students who are absent from school three (3) consecutive days or longer may request make-up work from teachers by calling the Middle School Office. Students who are suspended are required to make-up all missed assignments and tests. Teachers require 24 hours notice to complete the make-up work. Work should be picked up in the Middle School office prior to 3:00 PM.

## TESTING

RFK administers the following assessments:

- Common Formative Assessments to assess academic levels throughout the school year to measure progress
- English proficiency assessment to identify students requiring ESL and bilingual language services
- PARCC and SBA Exams.

## **SUPPORT SERVICES**

One of the major benefits parents and students will enjoy about their experience with RFK is the pro-active approach taken in providing student support services. Students have access to a variety of support services both through the school and its interagency partnerships, such as: Student – Family Support Officer, School Social Worker, Dean and Assistant Dean of Students, School Based Health Clinic (SBHC).

After an initial evaluation by the RFK support team/IEP team/, students have access to a, school psychologist, and/or social workers. The school also provides special education screening, testing, case management, and service delivery. In addition, referrals can be made to independent counseling, psychiatric, or evaluation services.

## **ACCOUNTABILITY CARDS**

RFK Families:

The accountability card is a school-wide system designed to facilitate communication between families and staff about students' behavior. It ensures that students who do great things are rewarded while also providing consequences when students do not meet behavioral expectations.

Here are some important details to know:

- Students are responsible for having their accountability cards with them in their AVID/RFK binder.
- When a student demonstrates the characteristics of an exemplary Cobra, a staff member will sign the accountability card with the details. Students will be able to redeem these signatures for various rewards and prizes.
- When a student does not meet behavioral expectations, a staff member will sign the accountability card with the details and the student will receive a consequence. Consequences are progressive, ranging from lunch detention, consequences after school, to a parent conference and behavior contract.
- Students will have the same accountability card for a 3-week cycle. At the end of a cycle, students may earn rewards for meeting expectations and will receive a new accountability card.

Families, please check your students' accountability cards each day and have conversations with them about any signatures they have. Advisory teachers will also be checking in with your students every day, so please contact them with any questions that may come up throughout the year.

Please sign below to indicate your understanding and commitment to the RFK accountability card system. Thank you for your support as we hold high expectations for our RFK students to ensure their success!

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**Student Signature**

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**Family Signature**

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**Advisory Teacher Signature**

**The Community of RFK Middle School is committed to developing student accountability and responsibility through respectful, positive relationships and consistent communication among all stakeholders. The RFK community will support students through proactive modeling of self-regulation, conflict resolution and self-advocacy; positive redirection/recognition, progressive consequences and opportunities for reflection and relationship restoration.**

### **Definition of Infractions on the Accountability Card**

**Defiance or Refusal** – Student is given clear expectations of the task. A direct explanation of the student choice is provided with the corresponding natural consequence. However, after appropriate wait time to comply, the student refuses to comply with the stated expectations.

**Disrespect** – Student uses actions, body language, written or verbal language that others experience as unkind, coarse, hostile, hurtful, inconsiderate or impolite.

**Off Task** - Student is given clear expectations of the task. A direct explanation of the student choice is provided with the corresponding natural consequence. However, after appropriate wait time to refocus, the student continues the behavior.

**Refusal to Work** - Student is given clear instructions for the assignment and support is offered. A direct explanation of the student choice is provided with the corresponding natural consequence. However, after appropriate wait time to engage, the student refuses to attempt class assignment.

**Classroom Disruption** – Any behavior that interrupts or interferes with students’ rights and responsibilities to learn or the general procedures of the classroom. This can also include behavior that leads a teacher to reasonably forecast that such an interruption or interference is likely to occur unless preventative action is taken.

**Verbal Abuse** – Verbal language that others experience as unkind, coarse, hostile, hurtful, inconsiderate or impolite as well as language used with the intent to harm such as name-calling, gossip or rumors.

**Physical Contact** – Any contact physically with another student. This may include: public displays of affection or minor horseplay (examples include: hugging, kissing, holding hands, pushing, tripping, kicking, pinching, etc.)

**Language** – Undirected profanity or any language that interrupts or interferes with students’ rights and responsibilities to learn or the general procedures of the classroom or school.

**Nuisance Item** – Any item that interrupts or interferes with students’ rights and responsibilities to learn or the general procedures of the classroom or school such as a cell phone, electronic device, toys, etc.