

Policy JK

Board of Education Las Cruces Public Schools

Related Entries: JK-R, JI, JI-RA, JICF, JICF-RA, JICH, JICH-RA, JICK, JICK-RA, JIH, JIH-RA, JKA, JKA- RA, JKC, KLG

Responsible Office: ~~Chief Academic Officer~~ Division of Equity Innovation and Social Justice

IMPLEMENTATION OF STUDENT CODE OF CONDUCT AND DISCIPLINE PHILOSOPHY

Student Discipline

I. PURPOSE

- A. To provide a philosophy of discipline that will guide staff and students in promoting good behavior in an environment that is conducive to effective and efficient learning
- B. To promote a disciplined environment that is ~~safe,~~ safe and holds mutual respect as an expectation, ~~and does not tolerate disrespect~~
- ~~C. To provide notice to students and parents of how student conduct prohibited by the Board of Education is regulated and enforced. To ensure that our students and staff are protected against disruptive behavior and encouraged to participate in the pursuit of higher social standards for behavior and respect for others~~
- ~~D. To clearly communicate to students, staff, and parents/guardians expected student behaviors and consequences for misbehavior.~~ the prohibition of corporal punishment.

II. ~~ISSUE~~ ISSUE

The Board of Education believes that learning is a continuous, evolutionary process. The Board also believes that while learning is not confined to a school ~~building,~~ it is nonetheless the primary function of the school. Like all social institutions, the school must evolve a certain set of rules and regulations to govern its participants and to facilitate the performance of its primary function. These rules should reflect a balance between the responsibilities and rights of the individual and the responsibilities and rights of the group. They must also reflect the need to promote good behavior in an environment that is conducive to effective and efficient learning and the need for mutual respect and cooperation among all segments of the school community. Schools should be communities in which positive behavior is expected and modeled within an environment of mutual respect and dignity.

III. POSITION

- A. Philosophy

JK-Implementation of Student Code of Conduct and Discipline Philosophy ~~Student Discipline~~

1. In a system the size of Las Cruces Public Schools, absolutely consistent application of a discipline policy, if valued as the overriding consideration and taken to the extreme, would require the listing of every possible infraction with a specific, mandated disciplinary action in response to each. At the other extreme, recognition of both the diversity of community settings within the district and the individuality of each disciplinary situation would suggest that each school should establish its own disciplinary standards and apply them only as appropriate to each student's situation. The Board finds the need to balance these two opposing considerations and, therefore, elects to follow a middle-ground policy.
2. Certain major infractions are recognized as requiring consistent district-wide actions from and direction for all schools. For these infractions, a specified range of responses must be utilized by all school personnel, with the severity and/or frequency of the infraction determining where in the range the penalty should lie. At the same time, for disciplinary infractions not established with mandated disciplinary actions, development of appropriate standards and responses will remain an individual school responsibility subject to review by the superintendent and/or their designee. ~~appropriate director in the Department of Instruction~~. Input from students, parents/guardians, and school personnel will permit these disciplinary actions to be tailored to the needs and desires of each school community ~~community~~ within the district. The Board seeks in this way to provide consistent responses to the more severe infractions without prejudging every disciplinary situation and without depriving individual school administrators of the opportunity for flexible and creative responses to the vast majority of cases.
3. The Board believes that discipline is learned and, therefore, can and should be taught in the home, school, and community. The child also learns through experience and imitation of those around them~~him/her~~. Discipline is a developmental process. As the child matures, they ~~he/she~~ should be given increased responsibility in keeping with their ~~his/her~~ developmental level and social maturity and every opportunity to practice self-discipline in order to positively reinforce responsible action. Classroom models should put children's needs at the center of decisions about classroom management and problem-solving. Children should be helped to understand the consequences of violence and learn various methods of addressing conflict. Our schools should be environments where conflict that may occur can be used as an opportunity to teach and learn. The ultimate goal should be the internalization of discipline so that little external enforcement is required. The Board believes that this philosophy will foster the development of positive, self-disciplined, self-reliant individuals capable of behaving appropriately as the situation demands.

JK-Implementation of Student Code of Conduct and Discipline Philosophy ~~Student Discipline~~

4. While causes are not always evident, misbehavior may be related to economic, social, physical, psychological or emotional factors. It is important for staff to consider that misbehavior could be a symptom. Effective discipline depends on the cause of the behavior. Staff members are encouraged to involve the family to seek solutions. The family and community also must take responsibility to provide guidance, support, and structure to meet student needs. In some instances, changing the environment will be the most appropriate response; in other situations, the student and his behavior must be dealt with directly.
5. ~~The district approach to student success reflects the Board of Education's desire to work with students and school communities to understand and address root causes of behavior, resolve conflicts, repair harm done, restore relationships and successfully sustain and reintegrate students into the school community. It is the responsibility of school and district staff to foster an equitable and equal learning environment that builds trust and fosters physical, psychological, and social/emotional safety.~~

4.

B. Student Behavior

1. ~~Prohibited s~~Student conduct that disrupts class work, involves disorder, or invades the rights of others will not be tolerated and may be cause for suspension or other disciplinary action.
2. The administration of disciplinary action will focus both on consequences and on changing or managing inappropriate behavior. To that end, all available resources should be utilized, including preventive and responsive interventions to support students' needs. These interventions should include interdisciplinary – psychological, curricular, behavioral – services which should take place within classrooms, schools, and alternative settings. Exclusion from the classroom should be the disciplinary action of last resort. Fair, firm, and consistent application of disciplinary action is expected, and students should be made aware of the consequences of misbehavior. It is equally important that there be careful evaluation of the individual situation so that the school's response to the student is appropriate.
3. No employee of the district shall cause corporal punishment to be inflicted upon a student to reform unacceptable conduct or as a penalty for unacceptable conduct ~~(see JKA: Prohibition of Corporal Punishment).~~

~~Each school will maintain a local school discipline policy developed and that has been developed and reviewed review it regularly with the active involvement of parents/guardians, students, and staff. All school discipline policies and procedures shall be consistent with the philosophy~~

Commented [EG1]: "An individual school within a school district may establish a school discipline policy, provided that parents, school personnel and students are involved in its development and a public hearing is held in the school prior to its adoption. If an individual school adopts a discipline policy in addition to the local school board's school district discipline policy, it shall submit its policy to the local school board for approval." NMSA 1978, 22-5-4.3 (C)

JK-Implementation of Student Code of Conduct and Discipline Philosophy ~~Student Discipline~~

~~of this student discipline policy.~~

4. LCPS shall not allow for the imposition of discipline, discrimination or disparate treatment against a student based on the student's race, religion or culture 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.

C. School Climate

School organizational and operational structures are ~~an~~s important ~~a~~ focus for change ~~of as the individual student's~~ a student's individual behavior. The superintendent will work with district departments, and building administrators to implement a comprehensive plan for safety and security that will ensure a learning and working environment that protects the rights, health, and welfare of students and staff.

IV. DESIRED OUTCOMES

- A. Students will understand their responsibilities and rights.
- B. Schools will be safe and orderly environments where students are engaged in learning.
- C. Students will exercise self-discipline, self management, and demonstrate appropriate behavior in order to become productive citizens.
- D. Parents/guardians and students will be well informed about school discipline policies and will be encouraged to participate in efforts to ensure that schools are safe and orderly.

V. IMPLEMENTATION GUIDELINES

A. Through the process prescribed in Policy BG (Policy Adoption, Revision and Review), parents, school personnel and students shall be given an opportunity to be involved in the development of these policies through notice of three public readings in an open Board meeting with opportunity for public comment during the formulation of these policies. Prior to the third reading and final adoption or revision, the administration shall hold a public hearing -in each of the four high school attendance areas to promote greater involvement and feedback by parents, school personnel and students, for consideration by the Board.

B. Beginning with 2006-07 school year, i~~The superintendent and/or their designee(s) shall develop a Student's Code of Conduct, which shall align with this policy, which shall align with nformation from this policy and will be described in~~

Commented [EG2]: "No local school board shall allow for the imposition of discipline, discrimination or disparate treatment against a student based on the student's race, religion or culture or because of the student's use of protective hairstyles or cultural or religious headdresses." NMSA 22-5-43 (A).

"All school discipline policies shall define and include a specific prohibition against racialized aggression involving a student or school personnel. Every school district and every charter school shall provide links to the statewide hotline to report racially charged incidents or racialized aggression." NMSA 22-5-43 (D).

Commented [RL3]: "Local school boards shall establish student discipline policies and shall file them with the department. The local school board shall involve parents, school personnel and students in the development of these policies, and public hearings shall be held during the formulation of these policies in the high school attendance areas within each school district or on a district-wide basis for those school districts that have no high school." NMSA 22-5-43 (A).

~~JK-Implementation of Student Code of Conduct and Discipline Philosophy~~ *Student Discipline*

~~The Student's Guide to Rights and Responsibilities which will be made available to all LCPS students and parents/guardians. Prior to administrative adoption or revision of the Student Code of Conduct, the administration shall hold a public hearing in each of the four high school attendance areas to allow parents, school personnel and students to be involved in its development.~~

~~The Student Code of Conduct shall be made available to all LCPS students and parents/guardians.~~

A. ~~_____~~

B. ~~Each school is responsible for disciplinary infractions not established with mandated districtwide disciplinary actions based on analysis of local data and input from students, parents/guardians, and school personnel.~~

C. ~~Procedures for disciplining students for major infractions that require consistent districtwide actions from and direction for all schools are found in specific School Board Policies regulations and outlined in The Students Code of Conduct such as~~ This policy shall be interpreted and implemented in conjunction with the following policies:

1. ~~Regulation ACA-RA: Sexual Harassment~~
2. ~~Regulation JICFAK-RA: Bullying, Cyberbullying, Hazing and Harassment, Intimidation, Bullying, and Hazing~~
3. ~~Regulation JKD-RA: Suspension or Expulsion of Students~~
4. ~~Regulation JICF-RA: Violent, Gang, and/or Gang-Like Activities~~
- 5.4. ~~Regulation JICH-RA: Alcohol, Tobacco, and Other Drugs~~
5. ~~Regulation JIH-RA: Student Interrogations, Searches, and Seizures Arrests~~
6. JLCD: Administering Medicines to Students

6-

D. The superintendent or their designee will monitor issues of concern to the safety and security of the community and report to the Board, particularly those items for which legislative positions need to be taken.

E. The superintendent or their designee will monitor recordkeeping and other data collection from schools and department offices regarding disciplinary infractions and interventions to evaluate and develop programs.

Commented [RL4]: Each school district discipline policy shall establish rules of conduct governing areas of student and school activity, detail specific prohibited acts and activities and enumerate possible disciplinary sanctions, which sanctions may include in-school suspension, school service, suspension or expulsion. NMSA 22-5-43 (B).

Commented [EG5]: "An individual school within a school district may establish a school discipline policy, provided that parents, school personnel and students are involved in its development and a public hearing is held in the school prior to its adoption. If an individual school adopts a discipline policy in addition to the local school board's school district discipline policy, it shall submit its policy to the local school board for approval." NMSA 1978, 22-5-4.3 (C)

Commented [EG6]: "All public school and school district discipline policies shall allow 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 ..." 22-5-4.3 (F)

JK-Implementation of Student Code of Conduct and Discipline Philosophy ~~Student Discipline~~

F. The superintendent or their designee shall provide links to the statewide hotline to report racially charged incidents or racialized aggression.

Commented [EG7]: "Every school district and every charter school shall provide links to the statewide hotline to report racially charged incidents or racialized aggression." NMSA 1978, 22-5-4.3 (D)

G. The superintendent or their designee will work with district departments, and building administrators to strengthen existing instructional programs to include such skills as respect for others, conflict resolution, interpersonal relations, etc. Efforts to improve discipline should include students in identifying effective classroom management strategies and problem solving.

H. Removing students experiencing homelessness from school shall be used only as a last resort, pursuant to the requirements in 42 USC Sec. 11431 et seq., the McKinney-Vento Homelessness Assistance Act.

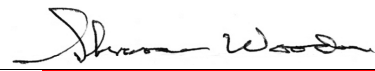
~~F.
G. The superintendent will seek a continuum of alternative strategies to address students who are chronically disruptive and/or dangerous to the school including:~~

- ~~1. Strengthening classroom behavior management skills through staff training~~
- ~~2. Expanding the repertoire of curriculum-based instruction about conflict resolution, positive social skills, problem solving, bias awareness and prejudice reduction~~
- ~~3. Increasing prevention, intervention and alternative strategies, programs, and/or sites~~

VI. REVIEW AND REPORTING

This policy will be reviewed on an ongoing basis in accordance with the Board of Education's policy review process.

History: New Policy, Adopted 04.04.06, [revised](#)
Legal Reference: 22-5-4.3 NMSA (1978), 6.11.2.7-6.11.2.12 NMAC



Board of Education, President

April 4, 2006

Date Approved

Policy JK

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situation would suggest that each school should establish its own disciplinary standards and apply them only as appropriate to each student's situation. The Board finds the need to balance these two opposing considerations and, therefore, elects to follow a middle-ground policy.

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3. No employee of the district shall cause corporal punishment to be inflicted upon a student to reform unacceptable conduct or as a penalty for unacceptable conduct.
4. LCPS shall not allow for the imposition of discipline, discrimination or disparate treatment against a student based on the student's race, religion or culture 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.

C. School Climate

School organizational and operational structures are an important focus for change of a student's individual behavior. The superintendent will work with district departments and building administrators to implement a comprehensive

plan for safety and security that will ensure a learning and working environment that protects the rights, health, and welfare of students and staff.

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V. IMPLEMENTATION GUIDELINES

- A. Through the process prescribed in Policy BG (Policy Adoption, Revision and Review), parents, school personnel and students shall be given an opportunity to be involved in the development of these policies through notice of three public readings in an open Board meeting with opportunity for public comment during the formulation of these policies. Prior to the third reading and final adoption or revision, the administration shall hold a public hearing in each of the four high school attendance areas to promote greater involvement and feedback by parents, school personnel and students, for consideration by the Board.
- B. The superintendent and/or their designee(s) shall develop a *Student's Code of Conduct*, which shall align with this policy. Prior to administrative adoption or revision of the *Student Code of Conduct*, the administration shall hold a public hearing in each of the four high school attendance areas to allow parents, school personnel and students to be involved in its development.

The *Student Code of Conduct* shall be made available to all LCPS students and parents/guardians.

- C. This policy shall be interpreted and implemented in conjunction with the following policies:
 - 1. ACA-: *Sexual Harassment*
 - 2. JICFA-: *Bullying, Cyberbullying, Hazing and Harassment*
 - 3. JKD: *Suspension or Expulsion of Students*

- 4. JICH: *Alcohol, Tobacco, and Other Drugs*
- 5. JIH: *Student Searches, and Seizures*
- 6. JLCD: *Administering Medicines to Students*

- D. The superintendent or their designee will monitor issues of concern to the safety and security of the community and report to the Board, particularly those items for which legislative positions need to be taken.
- E. The superintendent or their designee will monitor recordkeeping and other data collection from schools and department offices regarding disciplinary infractions and interventions to evaluate and develop programs.
- F. The superintendent or their designee shall provide links to the statewide hotline to report racially charged incidents or racialized aggression.
- G. The superintendent or their designee will work with district departments, and building administrators to strengthen existing instructional programs to include such skills as respect for others, conflict resolution, interpersonal relations, etc. Efforts to improve discipline should include students in identifying effective classroom management strategies and problem solving.
- H. Removing students experiencing homelessness from school shall be used only as a last resort, pursuant to the requirements in 42 USC Sec. 11431 et seq., the McKinney-Vento Homelessness Assistance Act.

VI. REVIEW AND REPORTING

This policy will be reviewed on an ongoing basis in accordance with the Board of Education’s policy review process.

History: New Policy, Adopted 04.04.06, revised _____
Legal Reference: 22-5-4.3 NMSA (1978), 6.11.2.7-6.11.2.12 NMAC

Board of Education, President

Date Approved

West's New Mexico Statutes Annotated

Chapter 22. Public Schools

Article 5. Local School Boards

N. M. S. A. 1978, § 22-5-4.3

§ 22-5-4.3. School discipline policies; racial sensitivity and anti-racism training; hotline for reporting racially charged incidents and racialized aggression involving students or school personnel; students may self-administer certain medications

Effective: June 18, 2021

[Currentness](#)

A. Local school boards shall establish student discipline policies and shall file them with the department. The local school board shall involve parents, school personnel and students in the development of these policies, and public hearings shall be held during the formulation of these policies in the high school attendance areas within each school district or on a district-wide basis for those school districts that have no high school. No local school board shall allow for the imposition of discipline, discrimination or disparate treatment against a student based on the student's race, religion or culture or because of the student's use of protective hairstyles or cultural or religious headdresses.

B. Each school district discipline policy shall establish rules of conduct governing areas of student and school activity, detail specific prohibited acts and activities and enumerate possible disciplinary sanctions, which sanctions may include in-school suspension, school service, suspension or expulsion. Corporal punishment shall be prohibited by each local school board and each governing body of a charter school.

C. An individual school within a school district may establish a school discipline policy, provided that parents, school personnel and students are involved in its development and a public hearing is held in the school prior to its adoption. If an individual school adopts a discipline policy in addition to the local school board's school district discipline policy, it shall submit its policy to the local school board for approval.

D. All school discipline policies shall define and include a specific prohibition against racialized aggression involving a student or school personnel. Every school district and every charter school shall provide links to the statewide hotline to report racially charged incidents or racialized aggression.

E. 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.

F. **All public school and school district discipline policies** shall allow 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;
- (2) 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;
- (3) 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
- (4) 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.

G. 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.

H. 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.

I. As used in this section:

- (1) "cultural or religious headdresses" includes hijabs, head wraps or other headdresses used as part of an individual's personal cultural or religious beliefs;
- (2) "protective hairstyles" includes such hairstyles as braids, locs, twists, tight coils or curls, cornrows, bantu knots, afros, weaves, wigs or head wraps; and
- (3) "race" includes traits historically associated with race, including hair texture, length of hair, protective hairstyles or cultural or religious headdresses;

Credits

L. 1986, Ch. 33, § 9; L. 1993, Ch. 226, § 13; L. 2005, Ch. 60, § 1, eff. June 17, 2005; L. 2011, Ch. 97, § 1, eff. June 17, 2011; L. 2021, Ch. 19, § 1, eff. July 1, 2021; L. 2021, Ch. 37, § 1, eff. July 1, 2021; L. 2021, Ch. 51, § 8, eff. June 18, 2021.

Notes of Decisions (12)

NMSA 1978, § 22-5-4.3, NM ST § 22-5-4.3

Current through the 2022 2nd Regular Session and 3rd Special Session of the 55th Legislature (2022). The 2nd Regular Session convened January 18, 2022 and adjourned February 17, 2022. The General Effective date is May 18, 2022. The 3rd Special Session convened and adjourned on April 8, 2022

End of Document

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