



# **BIE Navajo District Residential Handbook SCHOOL YEAR 2023-24**



“A Guide for Students, Parents, Community Members and Staff”

## **Wingate Elementary and Middle School**



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“Success for All”

Approved by School Board 08.15.202

**Bureau of Indian Education**

**U.S. Department of the Interior**

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# United States Department of the Interior

BUREAU OF INDIAN EDUCATION

*Wingate Elementary and Middle School*



July 26, 2023

We cannot wait to see you in the hallways, dormitory, and classrooms of your school. I am proud that you have taken on the responsibility for your education.

As a school we are looking forward to working with you to assist you in improving in any academics, social skills, physical fitness, and teamwork. This will take an effort from all of us to be successful. We are looking forward to witnessing your successes.

As a Bear Cub you have lots of opportunities to take advantage of and enjoy

- A strong **athletic program**,
- An engaging **culture program**,
- A safe and interactive **residential program**,
- A timely **transportation program**,
- A tasty **food service program**,
- Offering a **fun safe school environment**.

We look forward to continuing to provide you with the most current and relevant education available and want to thank you again for the work that you are doing.

If you have any questions please feel free to contact me at any time

“Once a Bear Cub ALWAYS a Bear Cub”

Eric North

"Proud" Principal

Wingate Elementary and Middle School

## *The Hardworking Team!*

POSITION	NAME		POSITION	NAME
Principal	Eric North		SPED Teacher	Nicole Begay
Receptionist	Olivia Morgan		SPED Teacher	Vacant
H.R.	Miltina Haskie		SPED Teacher	Leslie Sedberry
Business Tech	Genevieve Sandoval		Secretary	Olivia Morgan
Registrar	Debra Wero		Secretary	Lucinda Skeets
IT	Myran Yazzie		Secretary	Susan Largo
Clerk	Lucinda Skeets		Gifted & Talented	Latricia Charley
SPED Clerk			Speech Therapist	Marissa Trujillo
School Counselor K-5	Jana Russell		Navajo Culture	Clara Kinsel
School Counselor 6-8	Sadie Martinez		PE	Vacant
Dorm Counselor-	Darlene Perry		Librarian	Shirley Scarbrough
Kindergarten	Honey Chavez		Education Technicians	Kathy Willie
1 <sup>st</sup> Grade	Koreen Begay			Jeanise Livingston
2 <sup>nd</sup> Grade	Henrietta Smith			Tammie Garnenez
2 <sup>nd</sup> Grade	Lanora Zimmerman			Jay Asencion
3 <sup>rd</sup> Grade	Fredrick Skeet			Julie Hubbell
4 <sup>th</sup> /5 <sup>th</sup> Grade	Cedric Vergara			Annette Francisco
4 <sup>th</sup> Grade	Theresa Gonzales			Della Chischilly
5 <sup>th</sup> Grade	Marilyn Ellison			Carolyn Arms
6 <sup>th</sup> Grade	Cheryl Dennison			Aaron Alcott
6 <sup>th</sup> Grade	Phillip Titla			Colleen High
6 <sup>th</sup> Grade	Kathryn Ramos			Geneva Stevens
7 <sup>th</sup> Grade	Roselyn Yazzie			Gloria Tsinjinnie
7 <sup>th</sup> Grade	Josephine Willie			Janna Kee
8 <sup>th</sup> Grade	Kyla Powell			Stephen Bartlett
8 <sup>th</sup> Grade	Marty Chischilly		Residential Manager	Travis Martin
8 <sup>th</sup> Grade	Tammy Daswood			Vera Cardy
FACE Adult Ed Teacher	Verdie Martinez		Home Living Assistants	Michael Livingston
FACE Teacher	Shauna Benally			Ambrose King
FACE Ed Tech	Carmelita John			Delores Martin
				Lucy Johnson
Kitchen	Ivan Lewis			Lucy Murphy
	Ganelle Benallie			

	Gabriel Thomas		Custodian	Genevieve Brewer
	Leroy Anthony			Johnny Largo, Jr.
	Tony Smith			Teddy Silversmith
				Pearl Nakai
Transportation	Leonard Sam			
	Amos Francisco		Security	Kevin Francisco
	Bobby Lee			Karen Thomas
	Darrell Morris			Rocky Dougai

## **INTRODUCTION**

This manual provides information for parents, students, community members, and staff about what is expected and offered at the (Wingate Elementary and Middle School) Residential Hall. This Handbook is promulgated in accordance with 25 C.F.R. Part 36.

## **BUREAU OF INDIAN EDUCATION (BIE)**

### **I. VISION STATEMENT**

*“Uniting to promote healthy communities through lifelong learning.”*

### **II. MISSION STATEMENT (25 C.F.R. 32.3):**

*To provide quality education opportunities from early childhood through life in accordance with the Tribes’ needs for cultural and economic well-being and in keeping with the wide diversity of Indian Tribes and Alaska Native villages as distinct cultural and governmental entities. The Bureau shall manifest consideration of the whole person, taking into account the spiritual, mental, physical, and cultural aspects of the person within family and Tribal or Alaskan Native village contexts.*

### **III. PROGRAM GOALS**

- All students will meet or exceed academic proficiency levels in reading and/or language arts, science, and mathematics
- All schools will provide a safe and secure environment by decreasing incidents of violence and substance abuse by a minimum of 2% annually
- Student attendance will meet or exceed the United States rural attendance rate
- All schools will enhance the professionalism of all staff to improve education programs for student success through:
  1. requirements for staff to have appropriate certification;
  2. comprehensive systemic and on-going professional development;
  3. recruitment and retention of highly qualified educators; and
  4. development of leadership using best practices
- High school graduation rates will be 95% or higher
- Each school will provide curriculum and instruction in Tribal languages and/or cultures as approved by the local school boards

## **BUREAU OF INDIAN EDUCATION NAVAJO DISTRICT**

### **I. BIE Navajo District - Description**

BIE Navajo operates under one Associate Deputy Director. There are five Education Resource Centers (Crownpoint, Shiprock, Window Rock, Chinle, and Tuba City) that provide support for the 66 BIE-operated and grant schools on the Navajo Nation within the states of Arizona, New Mexico, and Utah.

These schools provide primary as well as secondary education, and nineteen of the BIE schools in the Navajo District have residential programs.

## **II. BIE Navajo Plan and the Bureau of Indian Education’s Strategic Direction**

Initially, the Navajo District developed a guideline/plan to support all 66 Bureau-funded schools prior to the development of the BIE’s Strategic Direction

(<https://www.bie.edu/sites/default/files/documents/idc2-086443.pdf>.) Nevertheless, the BIE Navajo Plan, which originated in 2012, lent itself to the “Commitment to the Navajo Learner” within the BIE’s Strategic Direction planning.

**I. Pillar I: Continuous Improvement Using Data** - use data from standards-based assessments and benchmarks to improve effective instruction, student learning, and achievement

**Pillar II: Leadership and Decision-Making for Change** - build leadership’s capacity to implement innovative changes to foster student achievement

**Pillar III: Curriculum and Instruction** - develop a strong curriculum using College and Career Readiness Standards, and build teacher capacity to deliver effective instruction resulting in increased student achievement

**Pillar IV: School, Parent, and Community** - implement innovative strategies developed through the collaborative efforts of the school, parents, and community to support each child’s educational experience

**II. Goal 1: High Quality, Early Childhood Education** - All students will enter kindergarten academically, socially, and emotionally prepared to succeed in school.

**Goal 2: Wellness, Behavioral Health, and Safety** - All students will develop the knowledge, skills, and behaviors necessary for physical, mental, and emotional wellbeing in a positive, safe, and culturally relevant learning environment.

**Goal 3: K-12 Instruction and High Academic Standards** - All students will develop the knowledge, skills, and behaviors necessary to progress successfully through school and be prepared for postsecondary education and/or career opportunities.

**Goal 4: Post-Secondary and Career Readiness** - All students will graduate high school ready to think globally and succeed in postsecondary study and careers.

**Goal 5: Self-Determination** – All students will develop the knowledge skills and behaviors needed to lead their sovereign nations to a thriving future through self-determination.

**Goal 6: Performance Management** – All students will benefit from an education system that is effective, efficient, transparent, and accountable.

## **III. District Priorities**

In addition to the pillars and the Strategic Direction the Navajo District has identified four priorities for all Navajo District BIE funded and operated schools. The priorities are:

- College and Career Readiness Standards
- Professional Learning Communities



- Navajo Language & Culture
- Increased Stakeholder Engagement
- Fiscal Efficacy

#### **IV. Performance Standards for Quality Schools:**

Cognia (<https://www.cognia.org/services/accreditation-certification/>) is an accreditation non-profit, non-partisan organization that conducts rigorous, on-site external reviews of PreK-12 schools and school systems to ensure that all learners realize their full potential. Cognia provides tools and resources to schools and school systems to support an ongoing comprehensive analysis to drive continuous improvement now and into the future.

**Leadership Capacity Domain**

**Learning Capacity Domain**

**Resource Capacity Domain**

### **MESSAGE ON SCHOOL BOARDS**

The school boards and Navajo district schools strive to ensure that every student graduates fully prepared for college, or career readiness. Each school board acts in accordance with the policies outlined in 25 CFR and 62 BIAM to effectively support students, families, and community.

### **MESSAGE ON WELLNESS**

We encourage students and their families to practice traditional concepts of Hozho, and take measures to address their physical, mental, and spiritual well-being. In addition to academic instruction, the schools will take measures to provide nutritious food and provide students structured physical activities for a minimum of one hour every weekday, and two hours on Saturday and Sunday. Further, the residential program will provide native language and cultural activities. We encourage students and their families to eat healthy, exercise, and maintain their mental health so that students can reach their full academic potential.

### **MESSAGE ON CHILD ABUSE AND NEGLECT**

All suspected cases of child abuse and neglect will be reported in accordance with the BIE’s Suspected Child Abuse/Neglect (SCAN) Reporting Protocols. For access or further information on the protocol, contact the Residential Supervisor, or visit the Bureau of Indian Education website at: <http://www.bie.edu/Programs/SSS/index.htm>. The website will explain the Suspected Child Abuse/Neglect Reporting Protocols. Additional information about SCAN will be attached as *Appendix A*.

### **COMPLIANCE WITH ANTI-DISCRIMINATION LAWS**

The Residential Hall will comply with the requirements of Title IX of United States Education Amendments of 1972, Section 504 of the Rehabilitation Act , 29 U.S.C. § 794, and 20 U.S.C. §§ 1681–

1688, Pub L. No. 92-318, and its implementing regulations (34 C.F.R. part 106). Further, no individual, on the basis of race, sex, color, national origin, disability, religion, age, sexual orientation, or status as a parent, shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination in, a federally conducted education or training program or activity (Executive Order 13160).

## **CONFIDENTIALITY**

The Bureau of Indian Education protects the confidentiality of personally identifiable information regarding students in accordance with tribal, state and federal laws dealing with regular and special education students' rights and privacy. The foundation of the rights and laws comes from federal legislation titled, Family Educational Rights and Privacy Act of 1974. All students are covered by the regulations contained in Chapter 12 known as Students' Rights and Responsibilities. It is the intent of this policy to inform both parents/guardians and eligible children (e.g., students eighteen and older) of their rights in the collection, maintenance, release, and destruction of records.

## **SCHOOL VISION, MISSION AND PHILOSOPHY STATEMENT**

### **SCHOOL VISION STATEMENT**

“Success for All”

### **SCHOOL MISSION STATEMENT**

The Mission of Wingate Elementary School is to empower each student to learn and excel in a safe and supportive environment in an ever-changing world

### **SCHOOL PHILOSOPHY STATEMENT**

The Philosophy of Wingate Elementary School is based on the belief that Native American Children are in the process of becoming productive, self-sufficient, and responsible citizens who have cultural, physical, social, spiritual, and educational need that must be met to ensure success

# **RESIDENTIAL PROGRAM**

## **I Residential Program Philosophy:**

The Residential Program will instill holistic and promising life skills to students by mentoring and guiding appropriate life-learning lessons and skills to support a productive, self-sufficient, and responsible citizen.

### **Purpose:**

The purpose of the Wingate Elementary School Residential program is to provide students an opportunity to reside in a safe learning environment where they may exercise their rights to a quality education.

### **Goals:**

The goals and responsibilities of the Wingate Elementary School Residential program are to educate students in alignment with the school vision and mission statements. The Residential Program will offer experiential and prevention programs in partnerships with parents and other local programs in the areas of mental, emotional, spiritual and physical wellness.

The Residential students will participate in daily structured activities that include selected educational topics related to health and wellness; life and social skills; character-building, and culture. The students will participate in presentations by local health and community entities and educational field trips.

### **Objective:**

The overall objective of the Residential Program is that Staff will value the students' residential life discovery, their diversity and their individual perspectives. The Residential staff commit to implementing innovative teaching, mentoring, and modeling leadership by following the requirements of the 25 CFR, Part 36, Subpart G: Homeliving Programs. In addition, the Parents/Guardians will be encouraged to support their child's success by:

- a) participating in Parent and Residential Staff conferences
- b) participating in Residential meetings, activities, and trainings
- c) conferencing with the Residential staff about their child's progress in the Residential setting
- d) ensuring that their child's attendance rate is at or above 95%
- e) supporting appropriate disciplinary actions assessed on their child and to follow through with parental counseling and guidance at home.

### **Services:**

The Wingate Elementary School Residential Program will provide services to 1<sup>st</sup> – 8<sup>th</sup> grade students who live in the Residential halls from Sunday through Friday during the academic school year. Our goal is that students will enjoy this temporary home and feel pride in keeping it safe, clean and comfortable. The staff will work with the students to add creative and artistic decorations to the living area.

### **Academic Tutoring:**

The students will participate in mandatory study hour groups every school day in the Residential Program. However, the students will be encouraged to put forth more effort into their studies beyond this required study time. The Residential Program will offer support by providing tutoring services; computer labs for tutorials and research; school supplies; assistance with projects and research; and incentives.

The students will be provided computer labs in the Residential Program where they will have access to tutorials to compliment the classroom instruction. They will participate in the tutoring programs after school for extra support in their academics. They will work closely with the Residential staff and the School Counselors to comply with academic expectations. Teachers are welcome to come to the Residential Program to provide academic support for those who may be drastically falling behind. The Residential Program will maintain daily homework logs and classroom academic progress reports for each student to document progress and/or student needs. The staff will prepare residential progress reports. A Residential representative will be present at appropriate IEP meetings.

### **Recreation:**

The Residential program will incorporate the philosophies and teachings of various wellness programs that promote life-long changes to ensure health and personal management including: choosing healthy snacks; staying active; managing personal health and having fun. The Residential students will participate in 60 minutes of daily on-site structured recreational activities. They will also enjoy offcampus activities such as bowling, nature sketching, hiking, movies, and off-campus sports events. Students will be offered an alternative project or activity if the parents/guardians do not approve of an activity, fieldtrip or project.

The students will also participate in interscholastic sports programs such as tackle football; volleyball; cross-country; softball; baseball; and basketball. Athletics and activities are an integral part of the educational process providing students with the opportunity to continually develop their unique capabilities, interests, and needs beyond the classroom environment. Participation in these programs is a privilege offered to the Residential students. The Wingate Elementary School athletes are representatives of the school and community. Therefore, their conduct is expected to exemplify high standards at all times.

## **Student Safety:**

The Wingate Elementary School adheres to the BIE Navajo District Discipline Policy, which are guidelines that cover both major and minor student behavior infractions with consequences for all students 1<sup>st</sup> – 8<sup>th</sup> grade. Students and parents are required to read and to become familiar with the student discipline policies listed in the handbook. The Character Counts! The WES 3B's: Be Respectful, Be Responsible, and Be Safe; Good Touch/Bad Touch education; and relevant Navajo or other native traditional and cultural education are used as tools to instill positive personal character development for all residential students.

The Wingate Elementary School has a ZERO Tolerance policy regarding weapons in school; possession of weapons other than firearm; threat or attack with a weapon; physical attack or assault; sexual misconduct or attack; or distribution or trafficking of any substance with an intoxicating effect.

The Wingate Elementary School provides a safe and secure learning environment in the residential program. There will be monitoring of students at all times by the Residential staff and the Teacher Assistants during transition to and from school and other activities. The Residential Program will conduct monthly fire drills and periodic bus evacuation drills to ensure student safety. Student safety is a team effort and is always a priority.

## **Health Care Services:**

The Residential Program will offer prevention programs in partnership with the Gallup Indian Medical Center Health Education Programs in the areas of diabetes awareness; substance abuse; mental health issues; and physical wellness at each activity level throughout the school year. The staff will conduct visual checks for injuries, bruises, cuts, lice, etc. Any concerns will be immediately addressed to the parents/guardians and a medical referral will be prepared as needed.

The students will be encouraged to acquire positive independent life skills that will support their personal development, promote self-awareness and confidence. The protocol that falls under the critical incident category (suicidal ideation, self-injury, etc.) will be followed by referrals to the appropriate medical facilities and/or agencies for medical treatment. Any referrals to mental health will be followed-up with the Residential counselor and/or the Residential managers. Documentation of compliance with the above is required prior to acceptance back into the Residential setting for the safety of student and others.

## **Counseling Services:**

### ***I. Academic Development***

Students will understand the relationship of academics to the world of work and to life at home and in the community. Students will:

- demonstrate the ability to balance school, studies, extracurricular activities, leisure time, residential life and family life
- understand the relationship between learning, chores, responsible behavior and work ethics
- understand that school success prepares them to transition from elementary to middle school to high school to higher education and into the community
- understand how school success and academic achievement enhance future career and work opportunities

Students will acquire the attitude, knowledge, and skills that contribute to effective learning in school and across the life span. Students will:

- Display a positive interest in learning
- Take pride in work and in achievement
- Identify attitudes and behaviors which lead to successful learning
- Apply time management and task management skills both in the academic and the residential programs
- Use communication skills to know when and how to ask for help when needed
- Take responsibility for their actions
- Demonstrate the ability to work independently and cooperatively with other students and adults
- Develop a range of interests and abilities
- Demonstrate dependability, productivity, and initiative

## **II. Career Development**

Students will understand the relationship between personal qualities, education and training, and the world of work. Students will:

- Understand the relationship between educational achievement and career success
- Explain how work can help to achieve personal success and satisfaction
- Identify personal preferences and interests which influence career choices and success

## **III. Personal/Social Development**

Students will acquire the attitudes, knowledge and interpersonal skills to help them understand and respect self and others. Students will:

- Develop a positive attitude toward self as a unique and worthy person
- Identify values, attitudes and cultural beliefs
- Understand change as part of growth
- Distinguish between appropriate and inappropriate behaviors
- Recognize personal boundaries, rights, and privacy needs
- Demonstrate cooperative behavior in groups and within specific gatherings □  
Identify personal strengths and assets
- Identify cultural values

- Identify clanship as personal strengths and assets

Student will make decisions, set goals, and take necessary actions to achieve goals (academic, personal, social and or emotional). Students will:

- Use a decision-making and problem solving model □ Understand consequences of decisions and choices
- Identify alternative solutions to a problem
- Develop effective coping skills for dealing with problems
- Demonstrate when, where, and how to seek help for solving problems and making decisions
- Know how to apply conflict resolution skills
- Demonstrate a respect and appreciation for individual and cultural differences
- Know when peer pressure is influencing a decision

Students will understand safety and survival skills. Students will:

- Demonstrate knowledge of personal information (i.e., address, parent/guardian name(s), emergency contact, telephone numbers, directions to home, etc).
- Learn about the relationship between rules, laws, safety and the protection of individual rights
- Identify resource people in the school-residential and community, and know how to seek their help
- Apply effective problem solving and decision making skills to make safe and healthy choices
- Learn about the emotional and physical dangers of substance use and abuse and links with violence (behaviors)
- Learn techniques for managing stress and conflict

**Other Service Providers in Coordination with base Program;**

The following resources will be utilized in the Residential Program:

- The SPARKs Physical Education/After-School Active Recreation Curriculum □ Character Counts!
- The 3Bs: Be Responsible; Be Respectful; and be Safe
- Gallup Indian Medical Center (GIMC) Health Education and Just Move It Program
- National Indian youth Leadership Program (NIYLP)
- First Financial Credit Union Financial Workshops
- McKinley County DWI Task Force – Substance Abuse Education and Prevention
- Special Guest Speakers and Presenters as opportunities arise
- The Gallup Counseling Group
- Navajo Division of Social Services- Family Services

## ***Daily Residential Operation – Student Schedule Monday to Friday. The***

students will follow a daily schedule which consists of a morning schedule before school and a schedule after school. The following are examples of the residential daily schedules, which are subject to change to accommodate structured activities.

### MORNING SCHEDULE

- 6:00 a.m. Wake up time – start day
- Make beds
  - Clean rooms
  - Complete assigned chores – staff will check for completion □ Shower and groom for the day
- 6:50 a.m. All students report to the living room for roll call
- Roll call to ensure that all students are present for breakfast
- 7:00 a.m. Breakfast
- 7:20 a.m. Return from Breakfast
- Complete assigned chores
  - Brush teeth
  - All lights out
  - All lockers secured
- 7:45 a.m. All students regroup in the living room
- Dorm meeting to discuss expectations, check attire (dress code), and provide information regarding homework or other activities
  - Roll call to ensure that all students are present for school
- 7:50 a.m. Students released to class
- All staff monitor students to class

### Two-hour Delays:

8:00am-10am Play Board games, watch movies, draw, mini-gym (if available). Staff must continue to heavily monitor assigned wings until students are released to school.

### AFTER SCHOOL SCHEDULE

- 3:30 p.m. - 4:00 p.m. Students return to the Residential Program
- roll call is completed
  - sign out for activity



4:00 p.m. - 5:00 p.m.	Activities which may include tutoring, sports practices, enrichment trainings, counseling services, off-campus activities, recreational activities, games, leisure time, laundry, etc.
5:00 p.m. - 6:00 p.m.	Supper in cafeteria
6:00 p.m. -7:00 p.m. 7:00 p.m.	Study groups in each residential hall. Scheduled activities may continue. Continue activities which may include tutoring, sports practice, afterschool enrichment training, counseling services, off-campus activities, recreational activities, games, leisure time, laundry, etc. □ Evening snacks
8:00 p.m.	Lights out for Elementary students
8:30 p.m.	Lights out for Middle school students

## **HOMELIVING POLICIES AND PROCEDURES**

### **I. STUDENT CHECK-OUT POLICY**

Students may be checked out in accordance with the BIE Student Check-out Procedures attached as *Appendix B*. Below are the requirements for checking out a student:

1. A student wishing to have check-out privileges must have an original written permission signed by the parent or legal guardian stating that the school is released of any liability associated with the check out. The written permission should include, at a minimum, name of the student, name and relationship of individual designated to check out the student, and if there is an alternate authorization by the parent/guardian to check out their child. Written permission must be submitted every academic year.
2. **Check-out request via telephone, telefax, or email will not be approved** except in the situation where a family emergency has occurred due to serious illness or there has been a death of an immediate family member. An immediate family member can include mother, father, sister, brother, uncle, aunty grandmother, grandfather, step mother, step father, foster parent, etc. Such requests will be approved by school personnel on a case-by-case basis. Written documentation will be submitted to the school after the check-out is approved. The ELO will be notified of the emergency check-out.
3. When there is evidence or a reasonable belief that the safety of the student may be at risk (e.g., either responsible party or student under the influence of drugs or other impairment), **school**

**personnel reserve the right to refuse the check-out request.** If necessary, local law enforcement will be contacted.

4. **If a conflict arises concerning the student check-out process, the school administrator, or his/her designee, reserves the right to revoke any student's check-out privileges.** All conflicts will be reported to the ELO.
5. Student(s) must be in good standing and not on restrictions in order to be checked out. However, expectations will be made if the student requires medical treatment, or in the case of a serious illness or death of an immediate family member. School personnel also have discretion to make exceptions on a case-by-case basis when a student is on check out restriction. All restrictions will be reinstated when the student returns.
6. All students authorized for check-out are expected to return to the school campus at the specific time of return as stated in their approved check-out request. All student check-outs must be concluded by curfew unless pre-approved by staff in charge at the time of the check-out and noted on the School's Student Check-Out form.
7. Spell out the procedure for tracking and logging the student's department and return to campus or his/her non-return to campus.
8. If a student has not returned to the school campus by curfew or return time, a phone call will be made to the responsible party for the check-out. If repeated attempts to contact the responsible party fail, and one-half has passed, a parent/guardian will be contacted, and law enforcement may be contracted.
9. **Check-outs during the academic day by school personnel** shall be restricted to sanctioned school activities that are **approved by the school administrator or his/her designee.**
10. **Any student, regardless of age, shall not be authorized to check themselves out. No student check-out will be approved to an adult less than 25 years of age;** however, exceptions will be made on a case-by-case basis that are approved by school personnel when the responsible party for the student's check-out or the student's parent/guardian is under 25 years of age.
11. Parent/legal guardians may designate, in writing, immediate and non-immediate family members who are authorized to check-out their child overnight. The written document must indicate the specific family member by name and relationship.

- 12. School personnel will be allowed to check a student (s) out overnight with the approval of the school administrator or his/her designee on a case-by-case basis for each occurrence, when a parent/guardian consents.**
13. In the event of local emergencies, i.e., natural disasters, fire, threatening weather conditions, any previously approved check-outs may be canceled without prior notice.
14. Students involved in inappropriate activity while in check-out status may face disciplinary action upon their return to campus. Students may have their check-out privileges revoked and check-out authority of individuals may also be revoked.

A parent/guardian and student agreement signature form will be attached as *Appendix B*. This form will be completed by all parents/guardians and students. The form will be completed during registration at the school.

## **II. MEDICATION ADMINISTRATION POLICY**

Medications will be administered in accordance with the BIE's Medication Administration Policy which is attached as *Appendix C*.

## **III. VIOLENCE/BULLYING POLICY**

### **A. NO INTIMIDATION/SEXUAL HARASSMENT/ABUSE/THREATS/BULLYING**

**The following behavior is not permitted and is subject to discipline in accordance with the policy outlined below. Further, violation of these policies will result in parent notification, and may result in notification of local law enforcement.**

- **Physical Abuse:** Includes but is not limited to, any physical contact not invited by the recipient including hitting/kicking/pinching, spitting on someone, tripping/pushing, taking or breaking someone's things.
- **Sexual Harassment:** Includes but is not limited to, any physical or verbal act of a sexual nature that is unwanted or not invited by the recipient. Sexual harassment can also include body gestures, innuendos, creating a sexually hostile environment through use of sexually explicit materials such as calendars, magazines, or other graphic materials.
- **Verbal Abuse:** Includes but is not limited to, any derogatory speech directed at an individual or spoken in a public setting. This includes vulgarity, cursing, and sexual innuendo (e.g., calling someone a 'b-word' or using the "F" word is considered harassment). Verbal abuse also includes teasing, name-calling, taunting, and threatening to cause harm.

- **Nonverbal Abuse:** Includes but is not limited to, rallying other children not to be friends with someone, spreading rumors, or causing someone to be subject to public ridicule.

## **B. HAZING**

Hazing activities, such as initiations, harassment, humiliation, and ridicule will not be tolerated. Hazing includes any intentional or reckless act committed by a student, whether individually or with others, in-person, or in writing, against another student with a substantial risk of potential physical injury, mental harm, or degradation.

## **C. BULLYING**

Bullying is prohibited in the Residential Hall, property immediately adjacent to the Residential Hall, at Residential Hall-sponsored or School-related events whether on or off Residential Hall property, at the bus stops, and on the buses or other vehicles owned, leased, or used by the Residential Program.

**Students or parents of students who are being bullied should report their concerns to the School Officials.**

## **IV. DRUGS AND ALCOHOL POLICY**

The Residential Hall and School campus are drug free environments. No alcohol, drugs, smoking or chewing tobacco, or other controlled substance, or related paraphernalia are allowed in the Residential Hall, on Residential Hall property, including surrounding grounds, in Residential Hall vehicles/buses, or at Residential Hall sponsored activities. Violation of this policy will be dealt with in accordance with the disciplinary process.

## **V. COMPUTER/INTERNET USAGE POLICY**

The primary purpose of the internet connection is for educational pursuits. In formulating this policy, the School recognizes that students have a constitutional right to freedom of speech. However, that right is not unlimited, and we encourage students to be thoughtful about their words and actions.

- 1) The system administrator and the Residential Supervisor have determined what constitutes inappropriate use of the School's computer system and equipment. Inappropriate use includes but is not limited to the following activities:
  - a. Sending or displaying offensive/ pornographic/threatening/subversive images and messages;
  - b. Accessing, viewing, or transmitting material related to drugs, alcohol, gangs, sexual activity, or hate groups;
  - c. Tampering with or damaging School computer equipment and/or system;
  - d. Violating copyright laws;
  - e. Allowing others access to username and password;
  - f. Using another user's username and password. Trespassing in another user's account, folders, and/or files;

- g. Intentionally wasting limited resources, such as forwarding chain letters; streaming internet radio or video; downloading music, video, or software;
  - h. Using a proxy server to bypass system network filters and controls;
  - i. Using the Schools BIE internet system for commercial activities, or making personal purchases;
  - j. Participating in chat rooms or other live communication;
  - k. Cyberbullying which may include mean text messages or emails, rumors sent by email or posted on social networking sites, and embarrassing pictures, videos, websites, or fake profiles.
- 2) Violations will result in loss of access, confiscation of equipment, and/or further disciplinary or legal action, and:
- a. Any cost/expense incurred by the user becomes the liability of the user.
  - b. The user will be billed by the School for loss/damage to the computer system and/or equipment as a result of inappropriate use as listed above.
- 3) All computer network usage is subject to BIE/Federal filtering and monitoring. Therefore, be reminded there is no expectation of privacy.

Students must have a current signed Student Computer/Internet Usage Policy and Agreement on file before they can use the internet on any of the School computers. The School's Wi-Fi network is limited to School-purchased devices.

## VI. TRANSPORTATION POLICY

Residential students may occasionally ride the day bus to commute to and from their residences. Please remember that **riding the bus is a privilege** maintained by good behavior. Students are required to follow all School rules and procedures to ensure the safety of all on the bus. Unacceptable behavior, and violation of the bus rules while on the bus, may result in restrictions or suspension of bus privileges. If bus privileges are suspended for more than 5 days, students can appeal the suspension in accordance with the appeal process outlined below. The School provides daily bus service for day students, and will only stop at designated locations.

- **Bus Change Requests**) - A student must have a temporary bus pass in order to ride a different bus from the one assigned. To be eligible to receive a temporary bus pass, a parent must give written notice or call by 11:00 a.m. on the same day.
- **Transportation Cancellation due to Inclement Weather** (see student handbook)
- **Bus Rules - "Don't Lose Your Riding Privilege"**
  - Be on time
  - Have respect for others and for the driver
  - Remain in your seat
  - For safety, keep the aisle and exits clear
  - Be courteous. Never use foul language or obscene gestures.

- Keep all body parts inside the bus
- Use of tobacco, alcohol, & drugs is prohibited
- No food or drinks on the bus
- Do not damage any part of the bus; you and your parents will be responsible for repairs
- For your own safety, do not distract the driver
- Listen to the bus driver

## VII. DRESS CODE POLICY

Students are required to conform to the School’s dress code from the time they arrive on School property until they depart from School property. This includes the School bus, academic building (if not a peripheral dormitory) and the Residence Hall.

- Logos/graphics on clothing (tops/bottoms) and accessories (backpacks, purses, bags, belts, shoes, wristbands, shoelaces, coats, head gear, gloves) must NOT contain foul language, skulls, sexual innuendo, references to sex, drugs, alcohol, violence, and/or death
- Bottoms/lower body clothing (pants, short cuts, and skirts) must fit at the waist line and shall not be more than 3” above the knee
- Tank/muscle tops and tube/halter tops are not allowed
- Clothing must cover cleavage, bellies, shoulders, backsides, and undergarments should not be visible
- Leggings/jeggings can be worn under a tunic, skirt, or dress but not alone
- Students should wear proper footwear
- Gang-related attire, accessories, insignia, and colors are prohibited
- Chains, spikes, brads, adornment, or any other accessories that may be used as a weapon or damage School property are NOT permitted
- Face painting, masks, and excessive makeup that hide one’s face is not allowed
- Hair styles or body modifications that cause distraction to the education process are not permitted
- The use of non-prescription decorative contact lenses (e.g., cat eyes, vampire eyes) that causes distraction to the educational process is prohibited
- Head gear (hat, hoodie, beanie, and visor) is not to be worn in any building on campus during School hours
- Personal headphones/ear buds are to be kept out of sight while in any building on campus
- For additional/specific school dress code concerns please see student parent handbook

## VIII. ISOLATION/SEPARATION POLICY

All residential students will be transported by School officials in an approved School vehicle for basic medical, dental, vision and other health services. Parents/Guardians will be notified of any medical appointments or medical issues. External transportation services may be used (e.g. ambulance, fire

truck, helicopter, etc.) for emergencies. There are designated isolation rooms for girls and boys. If medical personnel determine that a student should not remain in a dormitory setting, the student's parent/guardian will be contacted to come get the student, or if necessary a staff member will transport the student home. Students will remain in the isolation room until a parent/guardian can be contacted and arrangements made to transport the student. When a student is placed in the isolation/separation room he/she will be monitored closely. At the minimum, visual checks on the student will be made every ten minutes.

## **IX. INFECTIOUS DISEASE CONTROL POLICY**

The following guidelines were developed by the Navajo District in collaboration with Indian Health Services to reduce the spread of communicable diseases in dormitories. These guidelines will be followed in any communicable/infectious disease situation.

If a student is believed to have a communicable or infectious disease the residential staff will immediately notify, the home living supervisor or designee. The Residential Hall Supervisor or designee in charge will:

- 1) Take the student to the nearest hospital (Indian Health Services or private) for an evaluation.
- 2) Contact the student's parent/guardian.
- 3) Work with Indian Health Service (IHS) or other appropriate medical personnel to determine if isolation/separation of any student is necessary.
- 4) If necessary, place the student in a designated isolation room in the dormitory and ensure the student is checked every 10 minutes.
- 5) Control the transmission of the communicable disease in the dormitory.
- 6) If appropriate notify parent/guardian in writing of:
  - a. The disease to which the child was exposed, and whether this is one case or part of an outbreak.
  - b. Signs and symptoms of the disease that the parent should watch for in the child.
  - c. How the disease is spread.
  - d. The incubation period of the disease (when they might see symptoms appear).
  - e. How many days or weeks the disease can spread from person to person (period of communicability).
  - f. Disease prevention measures recommended by a Public Health Nurse or Sanitarian.
  - g. The control measures implemented at the School.

### **Re-admittance:**

If a student has been taken out of the Residence Hall and had a communicable or infectious disease prior to returning to the Residence Hall/School the student must provide a doctor's statement stating the student is medically cleared to return. Further, a meeting with the student's parent/guardian may be required.

## **X. VISITOR POLICY**

School visitors must have prior approval from school a school administrator

## **XII. SCHOOL SEARCH AND SEIZURE POLICY**

Students are entitled to the guarantees of the Fourth Amendment, and in accordance with the Fourth Amendment when there is reasonable suspicion that students may be in possession of drugs, weapons, alcohol, and other materials (contraband) in violation of School/Residence Hall policy or state/federal/tribal law, School authorities (including Residential Hall staff), may search any student, student locker, dorm room, furniture, or student automobile in accordance with the policy outlined below, and may seize illegal, unauthorized, or contraband material discovered in the search. A student's failure to cooperate with searches as provided in this policy will be considered grounds for disciplinary action. School authorities may utilize canines and metal detectors to assist in searches.

To meet the standard of reasonable suspicion, School authorities must have specific and articulable facts or inferences, obtained from either personal observation or a reliable informant, that leads him or her to conclude – based on his or her experience and in the totality of the circumstances – that the search will lead to a discovery of contraband, or evidence of contraband. Examples of reasonable suspicion may include, but are not limited to, smelling marijuana or alcohol odors, observing students with drug paraphernalia or alcohol containers, observing behavior consistent with intoxication, or hearing from a credible source that a student possesses contraband on his or her person, or elsewhere on Residence Hall property.

### ***Searches of Individuals***

A student's person and/or personal effects (e.g., purse, book bag, etc.) may be searched whenever a School authority has reasonable suspicion to believe that the student is in possession of illegal or unauthorized material. The scope of any inspection conducted under this policy shall be reasonably related to the objectives of the inspection, and shall not be unreasonable in light of the age and sex of the student and the nature of the infraction. If a pat down search of a student's person is conducted, it will be conducted in private by a School authority of the same sex, and with an adult witness present, when feasible, and will be no more intrusive than necessary to uncover the suspected illegal or unauthorized material.

### ***School Property***

The School exercises exclusive control over School property which includes property within the Residence Hall, and the students have no expectation of privacy regarding items placed in School property because School property is subject to search at any time by School officials. The students are responsible for whatever is contained in their dorm rooms, and any furniture assigned to them. School authorities may conduct a general inspection of dorm rooms for any reason at any time without notice, without student consent, and without a search warrant.

### ***Seizure of Illegal Materials***

Illegal or unauthorized material which has been found in a properly conducted search will be turned over to the proper law enforcement authorities for ultimate disposition.



### ***Use of Drug and Alcohol Tests***

When School authorities have reasonable suspicion that a student is under the influence of alcohol or drugs, the student may be subjected to testing to determine whether the student is under the influence of drugs or alcohol.

### ***Law Enforcement***

Law enforcement may be contacted by the School authorities regarding incidents of illegal activity.

### ***Use of Dogs***

School authorities are authorized to utilize specifically trained canines (accompanied by trainer) for sniffing out contraband on School-owned property and automobiles parked on the School property. An indication by the dog that contraband is present on School property or in an automobile will be reasonable cause for a further search by the School authorities.

### ***Use of Metal Detectors***

School policy and law prohibit weapons of any nature on School property or at School functions. The presence of weapons is inherently dangerous to all persons in the school setting. School officials are authorized to use metal detectors when there is reasonable cause to believe that an identified student is in possession of a weapon.

## **XIII. ELECTRONIC DEVICE POLICY**

Electronic devices include but are not limited to the following:

- Cell phone
- Digital camera
- Electronic game devices (e.g., Gameboy, PSP)
- Handheld video camera
- Personal iPad/tablet
- Laser pointer-for safety reasons, laser lights are prohibited from the School campus.
- Personal music player/iPod/speakers
- Portable DVD player
- Personal laptop

**The school has an option to allow or not allow electronic devices during the residential time frame. If a school elects to allow students to have electronic devices during the residential timeframe, the following language should be included.** Any misuse of electronic devices will result in the electronic device being confiscated, turned in to the Residential Hall Supervisor/School security, or designated School Official, and returned to the student/parent at a designated time as determined by the School Official. Violations may also result in disciplinary action as outlined below. The School is not responsible for loss or damage to students' personal-property brought onto the School campus.

## **XIV. EMERGENCY PROCEDURES AND CONTACT NUMBERS**

### **FIRE ALARMS**

If the fire alarm goes off, the building will be evacuated immediately by the Residential Hall supervisor or designee in charge. Students must follow the directions of the residential staff. The fire alarm box will be checked to determine the source of the alarm. The staff will go to the source indicated to assess the risk. The staff will report the situation to the supervisor and the security guard, and call for emergency response if appropriate.

### **FIRE DRILLS**

Two fire drills will be conducted during the first month of school (August), and one fire drill will be held each month for the remainder of the school year and summer school. During a fire drill the building will be evacuated rapidly, and in an orderly manner. Occupants of the building will not be allowed to stop and pick-up personal belongings, or re-enter the building. Once the occupants are outside of the building, an accurate account will be made of all the students, staff, and visitors. The time it took to evacuate will be noted. Evacuation plans are posted in every room, and in the hallways. Fire drills will be conducted at random times (afterschool, evening, and night).

### **EMERGENCY MANAGEMENT AND CONTINUITY OF OPERATIONS PLAN (COOP)**

Wingate Elementary and Middle School has developed a plan to prevent, detect, and respond to any emergency situation that may occur at the School. During the first month of school the residential staff will review safety protocols with students including evacuation protocols, lock down protocols, and shelter-in-place protocols. In case of an emergency, students, parents, and visitors will be given instructions and guidance by school personnel in accordance with the Emergency Management/COOP Plan. The Emergency Management /COOP Plan can be viewed at the academic front office, and Residential Hall staff office.

### **EMERGENCY CONTACT AND PHONE NUMBERS**

Academic (505) 488-6300  
Residential (505) 488-6351

## **XV. PUBLIC DISPLAY OF AFFECTION (PDA)**

Anything beyond hand-holding is prohibited and will be subject to discipline.

## **XVI. DISCIPLINE**

**The residential program is a privilege and not a right. A student may be removed from the residential program based on a discipline or safety concern, but could still attend school as a day student. This type of removal from the residential program will be handled on a case-by-case basis.**

### **DISCIPLINE LADDER**

If a problem cannot be resolved by the staff member it may be referred to the administration, and administration will:

- Provide additional intervention as needed to correct problem behavior or to resolve conflicts;
- Determine appropriate consequences (e.g., lunch detention, restriction)

- Determine if suspension is appropriate
- Prepare suspension letter, set hearing dates, notify parent/guardian, review hearing rights with student.

**PROGRESSIVE DISCIPLINE**

The Navajo District will use a system of progressive discipline, and will attempt to implement discipline based on severity of the offense, and the repeated nature of disciplinary offenses. Accordingly, offenses are broken down into Severe, Major, and Minor as described below. Please note the following:

1. Behavior and counseling contracts will be established for all Severe (Group I) offenses.
2. Law enforcement may be notified of offenses.
3. The Administrator will make the final decision.
4. A student may be suspended from School for violations of the Residential Handbook or other School rules and regulations.

**SEVERE OFFENSES (Group 1)**

Severe Offenses (Group I) are those offenses that are serious in nature and, violate Navajo Nation law, and/or state law, and/or federal law. Examples of Severe (Group 1) offenses include, but are not limited to the following:

drug/Alcohol use or possession, arson, physical assault, sale or distribution of a controlled substance, inciting a riot, possession of a weapon, fighting involving a weapon, bomb threat, gang activity, etc.

**CONSEQUENCES FOR SEVERE OFFENSES (Group I)**

Short Suspension – 3 days or less out of school/Residence Hall with mandatory counseling

Long Suspension – 4 to 8 days out of school with mandatory counseling

Long-Term Suspension – 9 days or more days out of school, with due process hearing

Expulsion – Recommendation to the Governing Board for Expulsion

Type of Offense	1 <sup>st</sup> Offense with a Contract	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Selling/Distribution of Drugs/Alcohol	Short or Long Suspension	Long or Long-Term Suspension	Long-Term Suspension or Expulsion
	<i>1<sup>st</sup> &amp; 2<sup>nd</sup> Offense - Law enforcement will be notified</i> 1 <sup>st</sup> Offense – Mandatory Parent/ Student Conference – Establish a Behavioral and Counseling Contract		
Use, Possession of Drugs/Alcohol	Short or Long Suspension	Long or Long-Term Suspension	Long-Term Suspension or Expulsion
	<i>1<sup>st</sup> &amp; 2<sup>nd</sup> Offense - Law enforcement will be notified</i> 1 <sup>st</sup> Offense – Mandatory Parent/ Student Conference – Establish a Behavioral and Counseling Contract		
Fighting – Inciting a Riot or Fight, Possession of a Weapon, Fighting with a Weapon	Short or Long Suspension	Long or Long-Term Suspension	Long-Term Suspension or Expulsion
	<i>1<sup>st</sup> &amp; 2<sup>nd</sup> Offense - Law enforcement will be notified</i> 1 <sup>st</sup> Offense – Mandatory Parent/ Student Conference – Establish a Behavioral and Counseling Contract		
Gang Related Activities	Short or Long Suspension	Long or Long-Term Suspension	Long-Term Suspension or

(including but not limited to recruitment, initiation, threatening or other equivalent behavior)			
	<i>1<sup>st</sup> &amp; 2<sup>nd</sup> Offense - Law enforcement will be notified</i> 1 <sup>st</sup> Offense – Mandatory Parent/ Student Conference – Establish a Behavioral and Counseling Contract		Expulsion
Arson – Bomb Threat, False Fire Alarm, Fire Works	Short or Long Suspension	Long or Long-Term Suspension	Long-Term Suspension or
	<i>1<sup>st</sup> &amp; 2<sup>nd</sup> Offense - Law enforcement will be notified</i> 1 <sup>st</sup> Offense – Mandatory Parent/ Student Conference – Establish a Behavioral and Counseling Contract		Expulsion
Sexual Misconduct, Any Inappropriate Contact	Short or Long Suspension	Long or Long-Term Suspension	Long-Term Suspension or
	<i>1<sup>st</sup> &amp; 2<sup>nd</sup> Offense - Law enforcement will be notified</i> 1 <sup>st</sup> Offense – Mandatory Parent/ Student Conference – Establish a Behavioral and Counseling Contract		Expulsion
Physical Assault	Short or Long Suspension	Long or Long-Term Suspension	Long-Term Suspension or
	<i>1<sup>st</sup> &amp; 2<sup>nd</sup> Offense - Law enforcement will be notified</i> 1 <sup>st</sup> Offense – Mandatory Parent/ Student Conference – Establish a Behavioral and Counseling Contract		Expulsion
Other Serious or Threatening Behaviors that Involve/Cause Harm to Others including Severe Bullying (e.g. encouraging someone to engage in self-harm, threatening someone, taking someone’s property with threat of force, spreading rumors that are intended to damage someone else’s reputation)	Short or Long Suspension	Long or Long-Term Suspension	Long-Term Suspension or
	<i>1<sup>st</sup> &amp; 2<sup>nd</sup> Offense - Law enforcement will be notified</i> 1 <sup>st</sup> Offense – Mandatory Parent/ Student Conference – Establish a Behavioral and Counseling Contract		Expulsion

**MAJOR OFFENSES (Group II)**

Major Offenses (Group II) are those offenses that can be serious in nature and may violate Navajo Nation law, and/or state law, and/or federal law. Examples of Major Offenses (Group II) offenses include, but are not limited to the following:

- theft, vandalism, misuse of computers, use or possession of tobacco products, drug/alcohol paraphernalia, disorderly conduct, etc.

**CONSEQUENCES FOR MAJOR OFFENSES (Group II)**

- Short Suspension – 3 days or less with mandatory counseling
- Long Suspension – 4 to 8 days with mandatory counseling
- Long-Term Suspension – 9 days or more, with due process hearing
- Expulsion – Recommendation to the Governing Board for Expulsion

Type of Offense	1 <sup>st</sup> Offense with a Contract	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Possession of Drugs/Alcohol Paraphernalia	Short Suspension	Long Suspension	Long-Term Suspension
	1 <sup>st</sup> Offense – Mandatory Parent/ Student Conference – Establish a Behavioral & Counseling Contract for Student		
Possession or Use of Tobacco Products, including E-Cigarettes	Short Suspension	Long Suspension	Long-Term Suspension
	1 <sup>st</sup> Offense – Mandatory Parent/ Student Conference – Establish a Behavioral & Counseling Contract for Student		
Extortion	Short Suspension	Long Suspension	Long-Term Suspension
	1 <sup>st</sup> Offense – Mandatory Parent/ Student Conference – Establish a Behavioral & Counseling Contract for Student		
Intimidation / Harassment/Bullying (Including but not limited to name calling, repeated incidents of minor bullying, rallying other students to bully someone)	Short Suspension	Long Suspension	Long-Term Suspension
	1 <sup>st</sup> Offense – Mandatory Parent/ Student Conference – Establish a Behavioral & Counseling Contract for Student		
Hazing	Short Suspension	Long Suspension	Long-Term Suspension
	1 <sup>st</sup> Offense – Mandatory Parent/ Student Conference – Establish a Behavioral & Counseling Contract for Student		
Vandalism and/or Theft	Short Suspension	Long Suspension	Long-Term Suspension
	1 <sup>st</sup> Offense – Mandatory Parent/ Student Conference – Establish a Behavioral & Counseling Contract for Student		
Sexual Harassment	Short Suspension	Long Suspension	Long-Term Suspension
	1 <sup>st</sup> Offense – Mandatory Parent/ Student Conference – Establish a Behavioral & Counseling Contract for Student		
Verbal Abuse of an Individual	Short Suspension	Long Suspension	Long-Term Suspension
	1 <sup>st</sup> Offense – Mandatory Parent/ Student Conference – Establish a Behavioral & Counseling Contract for Student		
Gang Related Activity (Displaying gang affiliation, including showing colors, flashing signs, marking territory, displaying gang tattoos)	Short Suspension	Long Suspension	Long-Term Suspension
	1 <sup>st</sup> Offense – Mandatory Parent/ Student Conference – Establish a Behavioral & Counseling Contract for Student		
Other Similar Offenses	Short Suspension	Long Suspension	
	1 <sup>st</sup> Offense – Mandatory Parent/ Student Conference – Establish a Behavioral & Counseling Contract for Student		

### MINOR OFFENSES (Group III)

Minor Offenses (Group III) are those that may be characterized as disruptive in nature. Examples of Minor (Group III) offenses include, but are not limited to the following:

Insubordination, dress code violation, truancy, ditching/cutting class, leaving class or campus without permission, profanity, public display of affection, violation of reasonable standard of right/wrong, failure to produce school identification badge, general misconduct, failure to follow directions, and failure to serve detention, etc.

**CONSEQUENCES FOR MINOR OFFENSES (Group III)**

Verbal Warning with counseling referral

Written Reprimand with counseling referral

In-School Suspension – 1 to 4 days with mandatory counseling

Short Suspension – 3 days or less with mandatory counseling

Long Suspension – 4 to 8 days with mandatory counseling

Type of Offense	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense	4 <sup>th</sup> Offense	5 <sup>th</sup> Offense
Public display of affection	Verbal Warning Counseling	Written Reprimand	ISS/IDS 1-4 days	Short Suspension	Long Suspension
		Parent will be notified by certified mail. Establish a Behavioral and Counseling Short-Term Contract	Mandatory Parent/Student Conference – Establish a Behavioral and Counseling Long-Term Contract.		
Profanity	Verbal Warning Counseling	Written Reprimand	ISS/IDS 1-4 days	Short Suspension	Long Suspension
		Parent will be notified by certified mail. Establish a Behavioral and Counseling Short-Term Contract	Mandatory Parent/Student Conference – Establish a Behavioral and Counseling Long-Term Contract.		
Insubordination	Verbal/ Written Reprimand	ISS/IDS 1-4 days	Short suspension	Long Suspension	Long-Term Suspension
		Parent will be notified by certified mail. Establish a Behavioral and Counseling Short-Term Contract	Mandatory Parent/Student Conference – Establish a Behavioral and Counseling Long-Term Contract.		
Dress Code Violation	Verbal/ Warning Reprimand	Verbal Reprimand	ISS/IDS 1-4 days	Short Suspension	Long Suspension
		Parent will be notified by certified mail. Establish a Behavioral and Counseling Short-Term Contract	Mandatory Parent/Student Conference – Establish a Behavioral and Counseling Long-Term Contract.		
Ditching classes	Verbal/ Written Reprimand	ISS/IDS 1-4 days	ISS/IDS 1-4 days	Short Suspension	Long Suspension

	Parent will be notified.	Parent will be notified by certified mail. Establish a Behavioral and Counseling Short-Term Contract	Mandatory Parent/Student Conference – Establish a Behavioral and Counseling Long-Term Contract.		
Truancy	Verbal/ Written Reprimand	ISS/IDS 1-4 days	Short suspension	Long Suspension	Long-Term Suspension
	Parent will be notified.	Parent will be notified by certified mail. Establish a Behavioral and Counseling Short-Term Contract	Mandatory Parent/Student Conference – Establish a Behavioral and Counseling Long-Term Contract.		
Leaving class or campus without permission	Verbal/ Written Reprimand	ISS/IDS 1-4 days	Short Suspension	Long Suspension	Long- Term Suspension
	<i>Parent notification &amp;/or contact law enforcement</i>	Parent will be notified by certified mail. Establish a Behavioral and Counseling Short-Term Contract	Mandatory Parent/Student Conference – Establish a Behavioral and Counseling Long-Term Contract.		
Failure to serve detention	ISS/IDS 1-4 days	Short Suspension	Long Suspension	Long- term Suspension	Expulsion
	Parent will be notified	Parent will be notified by certified mail. Establish a Behavioral and Counseling Short-Term Contract	Mandatory Parent/Student Conference – Establish a Behavioral and Counseling Long-Term Contract.		
Tardiness	Verbal Reprimand	Written Reprimand	ISS/IDS 1-2 days Mandatory Parent/Student Conference – Establish a Behavioral and Counseling Long-Term Contract.	Short Suspension	
Violation of reasonable standards of right/wrong/ Bullying (including but not limited to name	Verbal Reprimand	Written Reprimand	ISS/IDS 1-4 days	Short Suspension	Long Suspension
		Parent will be notified by certified mail.	Mandatory Parent/Student Conference – Establish a		

calling, excluding someone, deliberately disregarding someone else's feelings		Establish a Behavioral and Counseling Short-Term Contract	Behavioral and Counseling Long-Term Contract.		
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## DISCIPLINE TERMS DEFINED

### *Student Conference*

A staff member will meet individually with the student in an effort to reduce or eliminate minor misbehavior.

### *Parent Contact*

Staff member will contact parent via phone, email, mail, or in person regarding student minor misbehavior in an effort to elicit support/reinforcement of positive school behavior from home.

### *In-School Suspension (ISS)*

Prior to in-school suspension each student and their parent/guardian will be notified of the offense(s) leading to the ISS, and the duration of the ISS. Students serving an ISS will report to school at the usual start time, but will be assigned to a special room to be supervised by School officials for the duration of the school day. Prior to commencing an ISS, the student will inform each of his/her teachers that they are serving an ISS and will collect any classwork that will be missed due to his/her ISS. On each assigned day of ISS, each student assigned to ISS is responsible for arriving on time and being prepared (student should bring all assigned classwork, any incomplete assignments, and something to read). Failure to do so may result in additional ISS. During ISS, students will not be allowed to interact with their peers. ISS students will eat lunch in the ISS room.

### *In-Dorm Suspension (IDS)*

Prior to in-dorm suspension each student and their parent/guardian will be notified of the offense(s) leading to the IDS, and the duration of the IDS. Students serving IDS will report to the Home living Supervisor or designee when checking back in from home or after school to begin the intervention.

### *Parent Conference w/ Behavior Contract*

Student and parent will meet with an Administrator to write and agree upon a behavior contract which includes any of the aforementioned Interventions and/or but not limited to a combination of any of the following additional interventions:

- Community service
- Peer or staff mentor with required contact
- Counseling
- Suspension from extra-curricular activities (including sports, after school activities, field trips)
- After school homework
- Family member to attend classes with student
- All-day academic support

## DISCIPLINE APPEALS-PROCEDURAL DUE PROCESS



Information in this Handbook informs the students of their rights and responsibilities, Residence Hall rules, and regulations governing behavior, and consequences for infractions of Residence Hall rules and regulations. Every student and his/her parent(s)/guardian(s) needs to study and know the Residence Hall rules and regulations as well as their due process rights and responsibilities.

**This section does not apply to any discipline EXCEPT suspension of 10 days or more, denial of enrollment, expulsion, or suspension from the bus service.**

The School will work with students involved in infractions as detailed earlier in this Handbook in order to help students to reach their academic potential and overcome problems. However, in cases of severe/major infractions of school rules or repeated violations, students may be suspended for more than 10 days, or expelled. In cases where suspension exceeds 10 days, or the student is expelled, the student will be entitled to the due process rights outlined in this section.

*Due Process Hearing (25 CFR § 42.7)*

The Hearing will be held by the Principal or the Principal's designee. The Principal may suspend or expel a student immediately when there is evidence that the student poses a **serious and immediate danger** to the health or safety of himself /herself or others. However, if a student is suspended or expelled prior to a hearing, a hearing must be held within ten days. If a student is not expelled or suspended prior to a hearing, the hearing will be held at the most reasonable time and as close as possible to the alleged infraction. All hearings will be closed, unless otherwise requested by the student/parents. It is essential that each student be given an opportunity to present their defense against the charges made against them, and that the proceeding be fair and impartial.

*Notification (25 CFR §42.7(a))*

Parents and students will be notified of charges within reasonable time prior to the hearing.

*Specific Student Hearing Rights and Procedures (25 CFR § 42.8)*

The student has the right to:

- Not to be compelled to testify against himself or herself
- View documents and related records including written findings of fact and conclusions.
- Request deferral (delay) of hearing: The request must be in writing. The request must clearly state a reason for deferral. The request must be submitted to the Principal two days prior to the hearing
- A private hearing
- Representation by legal counsel (at student/parent's expense)
- Presence of a student, parent/guardian or their designee
- Translator, if requested
- Appear on his/her own behalf
- Produce witnesses and evidence on his/her behalf and to confront and examine all witnesses
- Confront and cross examine an opposing witness or for the student legal counsel to do so
- To the record of the disciplinary action, including written findings of fact and conclusions
- Have an allegation of misconduct and related information expunged from the student's school record if the student is found not guilty of the charges
- Administrative review and appeal under school policy

A suspended student will be on excused leave and allowed to make up any missed assignments within 3 days of his/her completion of the suspension. The student may receive failing grades for failure to attend a program of alternative education. A student can, prior to, or at the hearing, enter a plea of guilty at which time the case will immediately be referred to the Principal for review and final decision.

#### *Appeal*

A student will have the right to appeal the decision of suspension/expulsion to the Education Program Administrator (EPA) within ten days from the date of receipt of the initial decision in accordance with School policy.

### **DISCIPLINE OF STUDENTS WITH DISABILITIES**

While students with disabilities will be held accountable for their actions, any disciplinary action taken against a student identified with a disability will be done in accordance with all applicable laws and regulations. Discipline of students with disabilities may require additional processes and procedures not identified in this section such as manifestation hearings, and reasonable accommodations. The processes and procedures required for discipline of a student with disabilities are fact dependent and will be determined on a case-by-case basis.

## **XVII. GRIEVANCE PROCEDURES**

#### *Student/Parent - Employee*

If a parent and/or a student has a conflict with staff, the following process should be used. This section does not apply in the case of any physical or sexual abuse. Physical or sexual abuse (including verbal sexual harassment) should be immediately reported to the Principal, and/or local law enforcement. If the differences are not settled informally between student/parent and staff, it is the right of the parent/student and/or the staff to go to the employee's supervisor who will act as the mediator. Both sides of the dispute have the right to present a written or verbal statement and answer to the grievance.

#### *Student - Student*

If a conflict arises between students, the student should report the conflict to a staff member for advice on how the conflict can be resolved. If students' differences are not settled informally, it is the right of the student to go to a teacher/counselor, Principal, or the Residential Hall Supervisor. Both sides of the dispute have the right to present a written or verbal statement and answer to the grievance.

## **XVIII. SCHOOL BANK PROCEDURES**

To prevent theft, students should not have more than \$100 in their possession at any time. If a student has more than \$100, they should secure the excess funds by following the school procedure below: Report to School Business Manager who will record and lock up funds. Arrangements for the return of such funds will be made and documented that time.

## **XIX. PARENT/STUDENT RIGHTS AND RESPONSIBILITIES**

## **PARENT/GUARDIAN RIGHTS AND RESPONSIBILITIES**

Wingate Elementary and Middle School recognizes that parents or guardians are our most important partners in a child's education. Parental involvement is essential for a student's educational success. The School urges you to understand and exercise your rights and responsibilities.

### *Parental Responsibilities*

- 1) You have the responsibility to read and understand the rules.
- 2) You have the responsibility to ask School Officials to help you understand these rules if necessary.
- 3) You have the responsibility to ensure that your student stays for classes from the start of school to the end of the school day, Monday through Friday.
- 4) You have the responsibility to bring your student back to the Residence Hall before school starts either on Sunday evening or Monday morning so your student can be present in their 1<sup>st</sup> hour class. If your student does not make it to class on Monday morning, it is the parent/guardian's responsibility to call and inform the Residence Hall and the School to explain the truancy.

### *Parental Rights*

- 1) You have the right to see and read your child's record (e.g., attendance, grades, test scores, referrals, incident reports, etc.). If you have questions, ask a counselor, teacher, or administrator, to help you understand the information and the use of these records. Keep the information of these records confidential because it is not public information, it is only for you, your child, School Officials, or others designated by you.
- 2) You have the right to be told what the School rules are.
- 3) You have the right to be informed of what the consequences (punishments) are for your student breaking the rules.
- 4) You have the right to appeal disciplinary action as provided for by this document and applicable law.

## **STUDENT RIGHTS AND RESPONSIBILITIES**

### *Student Responsibilities*

Wingate Elementary and Middle School wants all students to reach their full potential. To do so, it is essential that the School is free of disruption. As a student, you are required to respect the rights of all members of the School community – teachers, administrators, parents, residential staff, support staff, and other students.

### *Student Rights*

- 1) Freedom of expression as guaranteed by the U.S. Constitution.
- 2) Assemble and associate with other students subject to reasonable rules set by the School regarding time and place.
- 3) Publish materials provided that they are not obscene, libelous or likely to cause a disruption. The Principal or a designee must approve publications that are distributed within the building.

- 4) Organize clubs, provided the Principal approves, and a teacher agrees to be faculty advisor. All students are free to join any club. Clubs must follow rules regarding the time they meet and the use of facilities, and must not cause disruption within the School or Residential Hall.
- 5) Post bulletins on School bulletin boards provided the Principal or his/her designee has approved them. The student's name must be on the posting. Postings cannot be obscene, libelous, or likely to cause disruption.
- 6) Vote in local, state and national elections, provided you are 18 years of age or older.
- 7) You have the right to appeal disciplinary action as provided for by this document and applicable law.

## XX. WHAT TO BRING TO THE RESIDENCE HALL

Students can bring any items they wish that are not prohibited, and do not pose a threat to the health, safety, or welfare of others. Residential Hall staff has the right to ask students to remove items, or to confiscate items, if deemed necessary to comply with any law, regulation, or policy, or to protect the safety or well-being of the staff or residents of the Residence Hall.

### **Necessities:**

- Adequate amount of clothing (clothing based on the School uniform policy)
- School supplies and school bag
- Personal hygiene products (soap, toothpaste, & non-alcoholic mouthwash)
- Hair products
- Towels
- Laundry detergent
- Blanket or comforter, pillow, bed sheets
- Small stereos and alarms clocks

### **Items that are not allowed in the Residence Hall:**

- Large amounts of money. The maximum amount of money a student can bring to the School is \$100 (see School bank procedures to manage money safely)
- Items prohibited by the School dress code
- Large stereo systems, large speakers, and televisions
- Skateboards
- Drugs/alcohol/tobacco
- Any tobacco products including E Cigarettes
- Cigarette lighters/matches
- Fireworks
- Correction fluid/paint/spray paint/markers/ pepper spray
- Stink bombs/water balloons
- Weapons (e.g. knives, guns, bats, clubs, darts, etc.)
- Tattoo machine
- Pornographic material
- Animals (unless approved by the Principal and Residential Hall Supervisor)

## XXI. HOUSEKEEPING

The Residential Hall Supervisor is responsible for the cleanliness of the Residence Hall and the grounds around the buildings. However, each student is expected to perform household chores in the residential halls. The chores should be completed before bedtime. A clean living environment enhances the spirit and the morale of the residents and employees. Cleaning assignments will be posted.

## XXII. APPROPRIATE ROOM DÉCOR

Students will keep their rooms free from inappropriate or sexually explicit materials, including posters, magazines, videos, and video games. Bunk beds are not to be taken apart and made into double beds.

## XXIII. LAUNDRY

Students will respect other students' property (clothing) if it is left in the machines or the dryers. Laundry hours will be posted.

## XXIV. SCHOOL ACTIVITIES AND FIELD TRIPS

- The administration reserves the right to limit field trip participation to students with favorable behavior records (i.e., no write-ups for major infractions). Athletic participation requires passing grades in all classes as determined by bi-monthly/weekly grade checks per interscholastic guidelines.
- All field trips require written parental permission. Parents will be specifically notified about culturally sensitive field trips/projects; and a student may be assigned another activity if parent permission is not given.
- **All day/overnight field trips require a BIE Navajo District Field Trip Request Form which is subject to approval from the BIE-Associate Deputy Director.**
- **Student travel will be restricted during the following periods** (December and April – May) because of testing and school holiday schedules.
- **Student activity School waivers** (HS only) Coaches and sponsors of School related activities which will result in missed classes will obtain signed waivers for each participating student so that students will be marked as present.

## XXV. STUDENT MAIL

All incoming student mail is subject to inspection. Incoming mail will be sorted by the front office and will be forwarded to the residential supervisor or designee. The Residential Hall Supervisor or designee will distribute mail daily Monday-Friday. All mail not picked up within 30 days will be returned to the sender.

## **XXVI. DAMAGE TO SCHOOL PROPERTY**

Students willfully destroying or defacing government property by writing on or scratching doors, lockers, furniture, computers, walls, government vehicles, breaking windows, cutting window screens or curtains are responsible for payment for damages, or replacement of the property. In addition, intentional vandalism will be reported to law enforcement. Students with restitution balances owing may have School records withheld until payment in full is made.

## **XXVII. TELEPHONE USE**

Students may use the U.S. Government (office) phones with permission from a residential staff member. Students will not be called out of study hour or meetings to a telephone unless it is deemed an emergency by staff. Students using phones to make false 911 calls or prank calls will be subject to discipline as outlined above and will only be allowed to make supervised phone calls for the remainder of the school year.

# **APPENDIX A**

## **BIE Suspected Child Abuse/Neglect (SCAN) Reporting Protocol**

### **BIE's Suspected Child Abuse/Neglect (SCAN) Protocol Summary**

#### **4.0 Introduction**

It is mandated that all knowledge of or suspected child abuse be reported to the local law enforcement agency or to child protection services. However, the report must meet the definitions of child abuse contained within Public Law 101-630 and Public Law 101-647 to be considered "abuse". Since 1998, when the Child Protection Handbook was released, numerous reports of suspected occurrences of child abuse have been documented. The seriousness of these reports of alleged child abuse varied greatly. There were reports as serious as sexual molestation to as minimal as an employee engaging in discourteous verbal conduct involving a student.

The BIE developed a tool for Management to ensure all incidents that may negatively impact children continue to be documented, but at the same time, ensure that only the incidents that meet the definitions of child abuse are reported to law enforcement or child protection authorities. BIE also began using Administrative Inquiry Teams (AIT, to be discussed in Chapter 5) to assist management to ensure SCAN Reports are accurate and complete.

AITs provide needed information and recommendations to assist management in making prompt decisions regarding whether an individual may be a threat to Indian children.

#### **4.1 Reporting Format – SCAN Report**

The Suspected Child Abuse/Neglect Report, *Revised in 2009*, is used for documenting incidents of suspected child abuse within the BIE. The report will be referred to as the “SCAN Report” along with supporting documents; electronic forms are available at the BIE website. A report of suspected abuse is the equivalent of a request to an investigation by local law enforcement and/or child protection authorities. The actual investigation is the lawful assessment by an authorized individual to determine if a harmful condition exists involving a minor and what emergency action should be undertaken for the safety of the child. The BIE’s role is to ensure the suspected child abuse is reported in a manner that is clear and as accurately as possible so an investigation is initiated by proper authorities.

When a SCAN Report is filed, it is critical that the report be completed accurately and all appropriate notifications made accordingly. Of equal importance is the action taken after the SCAN Report has been completed. Depending on the seriousness, some action must be taken almost simultaneously to completing the SCAN Report.

A SCAN Report will be completed when a Mandated Reporter, while engaged in a professional capacity or activity, learns of facts that give reason to suspect that a child has suffered an incident of child abuse. The Mandated Reporter does not have to prove the suspected child abuse has occurred but they must describe the behavior or physical signs that led them to suspect a child has been abused. Persons who make a report of child abuse based upon their reasonable belief and in good faith are immune from civil and criminal liability.

The Mandated Reporter will contact their immediate supervisor and work with their supervisor to complete the report. If the alleged offender is the Mandated Reporter’s immediate supervisor or if the Mandated Reporter has concerns about reporting directly to their immediate supervisor, they may submit the SCAN Report directly to the BIE Program Specialist (SCAN) Office. The report must be completed within the Mandated Reporter’s regularly scheduled workday and the SCAN Report must be submitted to the BIE Program Specialist (SCAN) Office within the established timeframes. This includes those reports that are non-staff related. The timeframes for reporting are identified in Chapter 6 and specific instructions on how to complete the SCAN Report.

#### **APPENDIX B**

- **BIE Student Check-Out Procedures Memorandum dated November 20, 2014**



## United States Department of the Interior


BUREAU OF INDIAN EDUCATION  
Washington, D.C. 20240

IN REPLY REFER TO:

NOV 20 2014

### Memorandum

To: All Education Line Officers

From: Dr. Charles M. Roessel   
Director Bureau of Indian Education

Subject: Student Check-Out Procedures

The following replaces the memorandum dated April 13, 2010, on the same subject.

Each Bureau of Indian Education (BIE) operated residential program shall publish and distribute to all parents, students and staff a school or student handbook. The handbook shall be reviewed and updated annually and will include a section on checking out students. School administrators may increase the strictness of the procedures. Any discrepancies or exceptions to the procedures shall be reviewed and approved by the Education Line Officer (ELO) and concurred by the Associate Deputy Director for Bureau Operated Schools. It is recommended that tribal/grant residential programs implement a similar policy.

At a minimum, the handbook shall include the following requirements for checking out students:

1. A student wishing to have check-out privileges must have an original written permission signed by the parent or legal guardian stating that the school is released of any liability associated with the check out. The written permission should include, at a minimum, name of student, name and relationship of individual designated to check out the student, and if there is an alternate authorized by the parent/guardian to check out their child. Written permission must be submitted every academic year.
2. Check-out requests via telephone, telefax or email will not be approved except in situations where a family emergency has occurred due to serious illness or there has been a death of an immediate family member. An immediate family member can include mother, father, sister, brother, uncle, aunt, grandmother, grandfather, step mother, step father, foster parent, etc. Such requests will be followed up by a telephone call to the parent/guardian to verify the origin of the request, and will be approved by school personnel on a case-by-case basis. Written documentation will be submitted to the school after the check-out is approved. The ELO will be notified of the emergency check-out.

The school administrator/principal shall review the school's handbook annually and train ALL staff on the contents of the handbook as well as procedures contained therein. The school administrator/principal shall inform the Associate Deputy Director that the handbook is in place, the training has been provided and that procedures are being implemented.

cc: Associate Deputy Directors



3. When there is evidence or a reasonable belief that the safety of the student may be at risk (e.g., either responsible party or student under the influence of drugs or other impairment), school personnel reserve the right to refuse the check-out request. If necessary, local law enforcement will be contacted.
4. If a conflict arises concerning the student check-out process, the school administrator, or his/her designee, reserves the right to revoke any student's check-out privileges. All conflicts will be reported to the ELO.
5. Student(s) must be in good standing and not on restriction in order to be checked out. However, exceptions will be made if the student requires medical treatment, or in the case of a serious illness or death of an immediate family member. School personnel also have discretion to make exceptions on a case-by-case basis when a student is on check out restriction. All restrictions will be reinstated when the student returns.
6. All students authorized for check-out are expected to return to the school campus at the specified time of return as stated in their approved check-out request. All student check-outs must be concluded by curfew unless pre-approved by staff in charge at the time of the check-out and noted on the School's Student Check-Out form.
7. Spell out the procedure for tracking and logging the student's departure and return to campus or his/her non-return to campus.
8. If a student has not returned to the school campus by curfew or return time, a phone call will be made to the responsible party for the check-out. If repeated attempts to contact the responsible party fail, and one-half hour has passed, a parent/guardian will be contacted, and law enforcement may be contacted.
9. Check-outs during the academic day by school personnel shall be restricted to sanctioned school activities that are approved by the school administrator or his/her designee.
10. Any student, regardless of age, shall not be authorized to check themselves out. No student check-out will be approved to an adult less than 25 years of age; however, exceptions will be made on a case-by-case basis that are approved by school personnel when the responsible party for the student's check-out or the student's parent/guardian is under 25 years of age.
11. Parents/ legal guardians may designate, in writing, immediate and non-immediate family members who are authorized to check-out their child overnight. The written document must indicate the specific family member by name and relationship.
12. School personnel will be allowed to check a student(s) out overnight with the approval of the school administrator or his/her designee on a case-by-case basis for each occurrence, when the parent/guardian consents.
13. In the event of local emergencies, i.e., natural disasters, fire or threatening weather conditions, any previously approved check-outs may be canceled without prior notice.
14. Students involved in inappropriate activity while in check-out status may face disciplinary action upon their return to campus. Students may have their check-out privileges revoked and check-out authority of individuals may also be revoked.

## Appendix C.

### STUDENT CHECK-OUT PROCEDURES: PARENT/GUARDIAN AND STUDENT AGREEMENT

1. A student wishing to have check-out privileges must have an original written permission signed by the parent or legal guardian stating that the school is released of any liability associated with the check out. The written permission should include, at a minimum, name of the student, name and relationship of individual designated to check out the student, and if there is an alternate authorization by the parent/guardian to check out their child. Written permission must be submitted every academic year.
2. **Check-out request via telephone, telefax, or email will not be approved** except in the situation where a family emergency has occurred due to serious illness or there has been a death of an immediate family member. An immediate family member can include mother, father, sister, brother, uncle, aunty grandmother, grandfather, step mother, step father, foster parent, etc. Such requests will be approved by school personnel on a case-by-case basis. Written documentation will be submitted to the school after the check-out is approved. The ELO will be notified of the emergency check-out.
3. When there is evidence or a reasonable belief that the safety of the student may be at risk (e.g., either responsible party or student under the influence of drugs or other impairment), **school personnel reserve the right to refuse the check-out request.** If necessary, local law enforcement will be contacted.
4. **If a conflict arises concerning the student check-out process, the school administrator, or his/her designee, reserves the right to revoke any student's check-out privileges.** All conflicts will be reported to the ELO.
5. Student(s) must be in good standing and not on restrictions in order to be checked out. However, expectations will be made if the student requires medical treatment, or in the case of a serious illness or death of an immediate family member. School personnel also have discretion to make exceptions on a case-by-case basis when a student is on check out restriction. All restrictions will be reinstated when the student returns.

6. All students authorized for check-out are expected to return to the school campus at the specific time of return as stated in their approved check-out request. All student check-outs must be concluded by curfew unless pre-approved by staff in charge at the time of the check-out and noted on the School's Student Check-Out form.
7. Spell out the procedure for tracking and logging the student's department and return to campus or his/her non-return to campus.
8. If a student has not returned to the school campus by curfew or return time, a phone call will be made to the responsible party for the check-out. If repeated attempts to contact the responsible party fail, and one-half has passed, a parent/guardian will be contacted, and law enforcement may be contracted.
9. **Check-outs during the academic day by school personnel** shall be restricted to sanctioned school activities that are **approved by the school administrator or his/her designee**.
10. **Any student, regardless of age, shall not be authorized to check themselves out. No student check-out will be approved to an adult less than 25 years of age;** however, exceptions will be made on a case-by-case basis that are approved by school personnel when the responsible party for the student's check-out or the student's parent/guardian is under 25 years of age.
11. Parent/legal guardians may designate, in writing, immediate and non-immediate family members who are authorized to check-out their child overnight. The written document must indicate the specific family member by name and relationship.
12. **School personnel will be allowed to check a student (s) out overnight with the approval of the school administrator or his/her designee on a case-by-case basis for each occurrence, when a parent/guardian consents.**
13. In the event of local emergencies, i.e., natural disasters, fire, threatening weather conditions, any previously approved check-outs may be canceled without prior notice.
14. Students involved in inappropriate activity while in check-out status may face disciplinary action upon their return to campus. Students may have their check-out privileges revoked and check-out authority of individuals may also be revoked.

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Parent/Guardian Signature

Date

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Student Signature

Date

APPENDIX C

November 4, 2015, Memorandum: Medication Administration at BIE-Operated Schools and Dormitories

**INDIAN AFFAIRS  
DIRECTIVES TRANSMITTAL SHEET**

(modified DI -416)

DOCUMENT IDENTIFICATION NUMBER 30 IAM 13	SUBJECT Medication Administration at BIE-operated Schools and Dormitories	RELEASE NUMBER #16-4
FOR FURTHER INFORMATION Jacquelyn Cheek, (202) 208-6983		DATE NDV 04 2015

**EXPLANATION OF MATERIAL TRANSMITTED:**

The Bureau of Indian Education (BIE) recognizes that some children and adolescents are able to attend school outside of the home because of the effectiveness of medications in the treatment of certain disabilities and illnesses. It is preferred that all medication be administered at home. However, when medication must be administered at school, the BIE requires that all BIE operated schools adopt this Policy regarding both prescription and over-the-counter (OTC) drugs.



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Dr. Charles Roessel  
Director, Bureau of Indian Education

## INDIAN AFFAIRS MANUAL

Part 30

Education (Management)

Chapter 13

Medication Administration at BIE-Operated Schools and Dormitories

Page 1

- 1.1 Purpose.** The Bureau of Indian Education (BIE) recognizes that some children and adolescents are able to attend school outside of the home because of the effectiveness of medications in the treatment of certain disabilities and illnesses. It is preferred that all medication be administered at home. However, when medication must be administered at school, the BIE requires that all BIE-operated schools adopt this policy regarding both prescription and over-the-counter (OTC) drugs.
- 1.2 Scope.** The policy applies to all BIE-operated K-12 schools and dormitories.
- 1.3 Policy.** To administer any prescribed medication, the school must require a separate, completed Bureau of Indian Education Authorization to Administer Prescribed/Over-the-Counter Medication form (Medication Authorization Form) (Attachment A) for each prescription or OTC medication a student must take at school.
- 1.4 Authority.**
- 1) 20 U.S.C. § 1232(g), Family Education Rights and Privacy Act of 1974
  - 2) 15 U.S.C. § 1693(b), Health Insurance Portability and Accountability Act of 2000
  - 3) 25 CFR 36.86, Homeliving Programs
- 1.5 Responsibilities.**
- A. Director, Bureau of Indian Education** is responsible for final approval of this policy and submission of the final policy to the Associate Deputy Director.
  - B. Associate Deputy Director** is responsible for the annual review of this policy for overall management improvement. The Associate Deputy Director is also responsible for monitoring the Education Line Offices for adherence to the policy.
  - C. Education Line Officer** is responsible for ensuring the policy is in place at and implemented by BIE-operated schools.
  - D. School Principals** are responsible for ensuring school staff members are in compliance with the policy.
- 1.6 Requirements and Procedures.**
- A. Required Medication Authorization Form (Attachment A) information**
    1. Name of student

Release #16-4, Issued: 11/04/15

New

## INDIAN AFFAIRS MANUAL

Part 30

Education (Management)

Chapter 13

Medication Administration at BIE-Operated Schools and Dormitories

Page 2

2. Date of birth
3. Reason for medication or diagnosis
4. Name of medication
5. Exact dosage to be taken in school
6. Time to take medication and frequency or exact time interval dosage is to be administered
7. If medication is given on an as-needed basis, specify the conditions or symptoms when medication is to be taken and when it may be given again (“Repeat as necessary” is usually unacceptable)
8. Duration of medication order or effective dates
9. Signature of a Licensed Medical Professional
10. Signature of a parent/guardian

Medications purchased outside the United States (U.S.) are not exempt from the requirement for a written prescription by a U.S. licensed medical professional.

All prescription medications, including physician samples, must be in an up-to-date and labeled container.

### **B. Boarding Schools and Dormitories**

In boarding schools or dormitories, where a parent is not on campus for extended lengths of time, and the school acts in *loco parentis*, some protocols may differ based on the home living staff training and health services agreements with local health care providers who prescribe the child’s medication. Therefore, written documentation that the prescribing provider has contacted the parent/guardian by telephone and consent has been obtained, may be acceptable in lieu of the parent/guardian signature.

### **C. Student Confidentiality**

Schools and dormitories must ensure that student confidentiality is protected, as outlined in — the Family Education Rights and Privacy Act, and the Health Insurance Portability and Accountability Act.

## INDIAN AFFAIRS MANUAL

### **D. Medication Administration Staff**

In the absence of trained medical staff, the school principal or a designee should be trained to administer medication to students. It is imperative that any person administering medication be educated about the method of administration and contraindications to giving the medication. The principal will set aside time for the school nurse, or if there isn't one, a public health nurse, to train academic and/or dormitory staff on medication administration, which includes, amongst others, recognition of adverse side effects and allergic reactions.

The training will include the Six Rights of Assisting with Medication Administration:

1. Right Student
2. Right Medication
3. Right Dose
4. Right Time
5. Right Route
6. Right Documentation

The Six Rights are to be triple-checked each and every time a student is given a medication.

- First, when taking medication from the storage cabinet
- Second, when giving the medication to the student
- Third, when returning the medication to the storage cabinet<sup>1</sup>

The school nurse, or designated employee, will watch the student periodically to observe side effects and effectiveness of the medication and inform the prescribing provider of any complications.

### **E. Off Campus Activities**

The medications may be administered to students while on school provided transportation, and during participation in school sponsored field trips, school camps, and other out-of-school activities as noted on the Medication Authorization Form.

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<sup>1</sup> New Mexico School Health Manual [www.nmschoolhealthmanual.org](http://www.nmschoolhealthmanual.org)

## INDIAN AFFAIRS MANUAL

In the event of field trips or other off-campus activities, the school or dormitory employee who will chaperone the event will meet with the school nurse, or designated employee, who will explain the purpose and expected effect of the medication, as well as signs of a bad reaction to the medication. The school nurse will provide the medicine to the staff member/chaperone in a sealed envelope labeled with the date, student's name, the name and dose of the medicine, the time or circumstances for the medication to be given, and a copy of the Medication Authorization Form.

### **F. Self-Carry/Self-Administration**

Students are not permitted to self-carry and self-administer medications, with the exception of certain medications (inhalers for asthmatic students; EpiPens or Auvi-Q for anaphylaxis; medication for treatment of diagnosed migraine headaches; insulin for diabetic students). If a student carries medication, the physician must indicate on the Medication Authorization Form that the student has the ability to safely manage the medication. Students must report to the designated medication administration staff they have self-administered their medication.

Persons suffering an anaphylactic reaction may not be able to speak due to extremely rapid and **potentially life threatening** swelling of the throat and/or tongue, which can occur within seconds. Following the administration of an EpiPen or Auvi-Q, staff must seek immediate medical help.

### **G. OTC Medications**

OTC medications or herbal medications require a physician's note that in essence "prescribes" these nonprescription medications. All OTC medications and herbal medications must be in the original up-to-date container with the name and dosage of the medication visible. The school or dormitory must have physician-approved protocols (indications, dose, and contraindications) for using OTC medications. Medications may not be administered for children at ages below which the drug is not approved (unless prescribed by a licensed medical professional). The school nurse, or designated staff, will observe the student to determine if it is appropriate to administer a particular OTC medication to a student, and to determine if the student's symptoms could be alleviated first without medicine.

### **H. Medication Supply**

Schools and dormitories will notify parents that it is their responsibility to supply the school with prescribed medications in the original up-to-date pharmacy labeled containers, keep medications current and supply medical devices (e.g., nebulizers, insulin pumps, oxygen). Medications will be delivered to the school in-person by the parent or through



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acceptable mailing services. It is also the parents' responsibility to complete a Medication Authorization Form for each medication at the beginning of each school year.

In situations where parental notification isn't possible due to parental absence, medication authorization by a nurse will be sufficient as long as a parent has provided written permission for the school to administer medications in their absence. Medications will be kept with the school nurse, or other designated staff, as noted in Section L, below.

### **I. School Medication Documentation**

Protocols should be established for the documentation of all medications administered at school, whether emergency or routine. Some schools use a log, and others use a computer-based student medical record system. A log must not be accessible to anyone other than the school nurse, or designated employee. Any error in medication administration at a school needs to be reported using the Medication Incident Report (Attachment B) and also to at least one common supervisor to identify patterns of errors and take corrective action. Errors with medication dosage or timing will also be reported to the parent and the medication prescriber so any necessary course of action can take place. Measures taken by school administrators after a medication error must be designed so that they do not discourage staff self-reporting of errors.

### **J. Individualized Health Plan**

Students who self-carry and/or self-administer medication must have an Individualized Health Plan (IHP) developed by the school staff, school health care provider, Licensed Medical Professional, and a parent/guardian.

The IHP will describe the student's special health care needs, protocols for emergencies, responsibilities of principal, school nurse, teacher, aide, family, and student, including back-up plans when the trained teacher is absent.

### **K. Licensed Medical Professional**

A licensed medical professional consists of the following: Doctor of Medicine (MD), Doctor of Dental Surgery (DDS), Doctor of Medical Dentistry (DMD), Doctor of Osteopathic Medicine (DOM), Doctor of Podiatric Medicine (DPM), physician's assistant (PA), pedodontist, oral surgeon, orthodontist, etc.

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### L. Medication Storage

Controlled substances such as Methyphenidate (Ritalin, Concerta) must be kept in a narcotics cabinet. Access to a medication cabinet is limited to the school nurse or designated employee.

At the end of the school year, the school nurse will notify parents they are to pick up any unused medication. If the parents fail to pick up the medication within one week after the end of the school year, the School Nurse is to destroy the medication following the *U.S. Food and Drug Administration, How to Dispose of Unused Medicines Guidelines*:

1. Take the medicine out of the original container;
2. Mix the drug with an undesirable substance, such as cat litter or unused coffee grounds;
3. Put the mixture into a disposable container with a lid, such as an empty margarine tub or a sealable plastic bag;
4. Conceal or remove any personal information, including Rx number, on the empty containers by covering it with black permanent marker or duct tape, or scratching it off; and
5. Place the sealed container with the mixture and the empty drug containers in the trash.<sup>2</sup>

**1.7 Notification.** The school principal shall annually notify all students, faculty, staff, and parents about this medication policy. The school principal will also document that the policy has been reviewed with staff and students during staff and student meetings. The documentation shall include an agenda, a sign-in sheet, and any materials that were distributed. The school principal should notify students, faculty, staff, and parents of the policy by:

1. Publication in student handbooks;
2. Publication in the school newsletter;
3. Publication in faculty handbooks;
4. Posting it for students and staff on bulletin boards in the school or dormitory teachers' lounge, offices, main office, and other commonly-used areas; and
5. Providing it to students as part of their registration materials for school.

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<sup>2</sup><http://www.fda.gov/forconsumers/consumerupdates/ucm101653.htm#guidelines>

**ATTACHMENT A**  
**BUREAU OF INDIAN EDUCATION**  
**AUTHORIZATION TO ADMINISTER PRESCRIBED/OVER-THE-COUNTER MEDICATION**

**PART I—TO BE COMPLETED BY THE PARENT/GUARDIAN**

I hereby request and authorize designated and properly instructed school personnel to administer prescribed medication as directed by the prescribing physician or other duly licensed provider (PART II below). I certify that I have legal authority to consent to the administration of prescribed medication following the provider's order. I understand additional prescriber/parent authorizations will be necessary for each medication to be administered, and if the dosage of the medication is changed. If necessary, I authorize the designated school health care official to communicate with the prescriber or the student's health care provider as allowed by HIPAA.

<b>STUDENT INFORMATION</b>			
Student Name _____	Date of Birth _____	Gender M ___ F ___	
Last                      First                      MI			
School _____	Grade _____	School Year _____	Height (inches) _____ Weight (lbs) _____
List all medication(s) student is taking, including over-the-counter medication(s): _____ _____			
List any known drug allergies/reactions: _____			
Parent/Guardian Signature _____		Date _____	
Contact Number(s): _____ (Day) _____ (Evening)			

**PART II—TO BE COMPLETED BY THE PRESCRIBER**

<b>PLEASE USE A SEPARATE FORM FOR EACH MEDICATION</b>	
Name of Medication: _____	Diagnosis: _____
Dosage: _____	Time(s)/Frequency to be given: _____
Route of Administration: _____	PRN (as needed) ___Yes ___No If PRN, (signs/symptoms): _____
Side Effects: _____	
Begin Medication: _____ Date	Stop Medication: _____ Date
Special Instructions: Refrigeration required? ___Yes ___No Is medicine a controlled substance? ___Yes ___No Is this an emergency self carry/self administration medication? ___Yes ___No Has student been instructed in the proper self administration of medicine? ___Yes ___No	
Prescriber's authorization for self carry/self-administration of emergency medication: _____ <div style="text-align: right; margin-right: 50px;">Signature                      Date</div>	
Prescriber's Name/Title: _____ (Type or Print)	Phone _____
Address: _____	Fax _____
Prescriber's signature: _____	Date _____

**PART III—TO BE COMPLETED BY School Nurse/Other Duly Licensed Health Care Provider**

- Parts I and II above are completed, including signatures.
- Prescription medication is properly labeled by a pharmacist and within the expiration date.
- Medication label and prescriber order are consistent.
- Over-the-counter medication is in an original container with manufacturer's dosage label intact.

**Principal/Authorized School Personnel Signature** \_\_\_\_\_ **Date** \_\_\_\_\_



**ATTACHMENT B continued**  
**BUREAU OF INDIAN EDUCATION**  
**AUTHORIZATION TO ADMINISTER PRESCRIBED/OVER-THE-COUNTER**  
**MEDICATION**

**INFORMATION AND PROCEDURES**

1. No medication will be administered in school or during school-sponsored activities without the parent's/guardian's written authorization and a written physician or other licensed health care provider order. This includes both prescription and over-the-counter (OTC) medications. An exception will be made for students living at a boarding school or a dormitory and whose parent/guardian has granted permission for emergency care for the student.
2. The parent/guardian is responsible for completing Part I and obtaining the physician's statement on Part II. This is required every school year for each new or continuing order or if there is a change in dosage or time of administration during the school year. Information necessary includes: child's name, diagnosis, medication name, dosage, time of administration, duration of medication, side effects, physician signature, and date.
3. The medication must be delivered to the school by the parent/guardian or through acceptable mailing services and under special circumstances by an adult designated by the parent/guardian.
4. All prescription medication must be provided in an original container with the pharmacist's label attached. If applicable, a duplicate bottle may be requested so some of the medicine can be kept at home. Non-prescription OTC medication must be in the container with the manufacturer's original label so dosage information and expiration date are viewable.
5. The parent/guardian is responsible for collecting any unused portion of a medication within one week after expiration of the physician's order or at the end of the school year. Medication not claimed within that time period will be destroyed using approved disposal methods by the FDA or EPA (see BIE Medication Administration policy).
6. A physician's or other duly licensed provider's order and parental permission are necessary for self-carry/self-administered emergency medications such as inhalers for asthma and EpiPens or Auvi-Q for anaphylaxis, Insulin for diabetes, and Sumatriptan for migraines. It is imperative the student understands the necessity for reporting to the health staff or teacher that they have self-administered their inhaler or have self-administered an EpiPen, so emergency services can be sought. Students that self-carry/self-administer emergency medications will have an Individualized Health Plan so school nurse/school health assistant can communicate with school staff.
7. When applicable, pursuant to specifications on the medication authorization form, the school nurse or other licensed health care professional will assess the student to determine if it is appropriate to administer a particular OTC medication to a student, and to determine if the student's symptoms could be alleviated first without a medicine. A non-licensed provider will observe the student and report their observations to a nurse or other licensed health care provider.