

# ***SCHOOL OF DREAMS ACADEMY***

**2025-2026**

## **Elementary Family/Student Handbook**



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Los Lunas, New Mexico 87031  
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WEB PAGE: [www.sodacharter.net](http://www.sodacharter.net)

**“Walk Toward Your Dream”**

**Vision:** The vision of the School of Dreams Academy is to stand as the Rio Grande's pillar of student achievement, character, and success.

**Mission:** The mission of the School of Dreams Academy is to provide state-of-the-art education emphasizing Career and College Readiness and Community Service through a STEAM instructional model for students of the Middle Rio Grande Valley.



**Spartan's Code:**

- Prepare for Success
- Live the Golden Rule
- Show Self-Discipline
- Model Responsibility
- Exemplify
- Tolerance
- Express Gratitude
- Be Kind
- Dare to Dream
- Fight for Excellence

**“It had long since come to my attention that people of accomplishment rarely sat back and let things happen to them. They went out and happened to things.”—  
Leonardo Da Vinci**

## ***Table of Contents***

***School of Dreams Academy's Vision and Mission 2***

***Table of Contents 3***

***Admissions Policy 5***

***Arrivals/Departures 5***

***Translation/Interpreter Services 8***

***2025-2065 School of Dreams Academy Dress Code 9***

***Photo Release 10***

***Art, Music, Dance, and Physical Education 10***

***Attendance 10***

***Tardies/Early Pick-Ups 12***

***Phone Messages 12***

***Before and After School Programs 12***

***Internet Access 12***

***Behavior Expectations 13***

***Birthdays 14***

***Bullying 15***

***Bus Discipline 15***

***Cafeteria 15***

***Communication 15***

***Counseling/Ancillary Staff 15***

***Electronic Devices 15***

***Emergencies 16***

***Field Trips 16***

***Teacher Passes 17***

***Nurse's Procedures and Guidelines 17***

***Lost and Found 17***

***Parent and Community Support 18***

<i>Community School 18</i>	18
<i>Personal Possessions</i>	18
<i>Pets on Campus</i>	19
<i>Phone Numbers</i>	19
<i>Recess</i>	19
<i>Emergency Card</i>	19
<i>Report Cards and Parent Conferences</i>	19
<i>Selling Items</i>	19
<i>Section 504</i>	19
<i>Special Education Services and Supports</i>	20
<i>Student Placement and Class Change Policy</i>	20
<i>Student Support Services</i>	21
<i>Student Records</i>	21
<i>Substance Abuse Policy</i>	22
<i>Telephones</i>	22
<i>Title IX</i>	22
<i>Transcripts/School Records</i>	22
<i>Volunteers</i>	23
<i>Volunteering at School of Dreams Academy</i>	23
<i>Volunteer Opportunities</i>	23
<i>Weapons Policy</i>	24
<i>Withdrawals/Transfers</i>	24
<i>2025-2026 SCHOOL YEAR STUDENT RECORDS AND STUDENT RIGHTS</i>	25
<i>School of Dreams Academy Special Education Handbook</i>	29



## **THE SCHOOL OF DREAMS ACADEMY**

At School of Dreams Academy (SODA), we integrate Science, Technology, Engineering, Arts and Mathematics (STEAM) plus a focus on service, into the educational experience. We are a New Mexico state authorized charter school, nationally accredited through AdvancEd, and the first charter located within the boundaries of Valencia County.

### **ADMISSION POLICY**

Enrollment at SODA is a two-step process. These steps are Admission and Enrollment. In the admission step, a student and their family complete an application for entry. The admittance for an application is handled differently depending on when it was submitted to the school and is detailed later in this policy. Once admitted, students move into the enrollment step. Please note that admittance does not guarantee final enrollment. Families must complete a full registration form and turn in any required supplemental materials during the enrollment step. At this time, the school will also request records and other documentation from any previous applicable schools/institutions. Once all information has been gathered and reviewed, the student will be considered for final enrollment and scheduling.

At the beginning of the yearly admission cycle, all students that were enrolled in SODA at the end of the previous school year will be guaranteed enrollment. This guarantee does not include Pre-Kindergarten students that are transitioning into Kindergarten.

All new students and students transitioning into Kindergarten will apply through an online application found on the school website. ([www.sodacharter.net](http://www.sodacharter.net)). Any remaining open seats will be assigned to new applicants through a lottery process when the number of new applicants exceeds the number of available seats. If the number of new applicants does not exceed the number of available seats, all applications will be admitted. School of Dreams Academy will conduct its lottery for admission in June following the first open application period. Each student will be assigned an individual identifying number in the lottery process and those numbers will be drawn from for admission.

Any student applications that are received after the lottery is complete will be considered in the order they were received. Any student applications above the number of open seats that were not chosen in the lottery or that were submitted after the lottery, will be placed on a waitlist in the order they were received. As seats become available, students will be admitted from the waitlist at any time. Once informed of admission, families have two weeks to complete their portion of the enrollment step and accept the admittance. If not completed, the student will not be enrolled, and their seat will pass on to the next applicant.

Admission preference will be given to children of employees employed by the school and siblings of admitted students. The purpose of this is to help keep families together in the same school.

### **ARRIVALS/DEPARTURES**

School for all students at SODA begins at 7:45 am and ends at 2:45 pm. You can stop by the office, Building 18 during regular hours, 7:30 am to 4:00 pm.

#### Abbreviated School Days and Early Dismissal

The abbreviated day is a shortened day that begins two hours later than the regular schedule when hazardous road conditions (i.e., icy streets) endanger the safe transportation of students. Bus schedules are also delayed two hours. An abbreviated day announcement is made on radio and television by 6:30 A.M.

Radio: KOB AM 770, KRST FM 92.3, KOB FM 93.3/TV: KOB Channel 4, KOAT Channel 7, KRQE Channel 13

**PLEASE DO NOT CONTACT THE SCHOOL. WE NEED TO KEEP PHONE LINES OPEN FOR EMERGENCIES ONLY.**

In the event of an abbreviated day, the schedule is as follows: Grades 4Y PreK students to 5<sup>th</sup> grade students will attend from 9:45 am – 2:45 pm. If it is an abbreviated day, the (RGE) Before and After School program will not be open in the morning.

Early Arrivals / Late Pick-Ups

School of Dreams of Academy Elementary is an educational facility. We are not staffed to supervise children before 7:30 am. or after 3:00 pm, when the buses leave the school. If a parent does not pick up a child at dismissal, we will contact the family to pick the child up at school.

Rio Grande Educational Collaborative (RGE) offers an excellent on-site childcare program if students need before or after school care. Call 505-873-6035. Students are not to be on the school grounds except during regular school hours, unless they are participating in school related activities (e.g., RGE, Scouts, after-school programs, etc.).

Bus Zone and East Parking Lot

The bus lanes north of the dining hall are for buses only. Please do not pick up or drop off students in this area. The purpose of creating a separate area is to keep buses away from cars in order to ensure the safety and well-being of all students. It is not to be used for picking up or dropping off your child. Please do not enter this area during bus drop off or school dismissal. This will create a hazardous situation for our students. Students will be released to parents from the south side of Building 24 and east parking lots only. Students will not be removed from the bus lot or the bus. Plan ahead for child pick up. Thank you for your help.

Drop Off & Pick Up Zones

It is important to follow the school drop off and pick up rules for our school to ensure the safety of ALL STUDENTS. Please exercise caution and patience while driving in the school zones and follow the Safety-First Expectations. Across from the West field is for Pre-K and K students (siblings may be included). The South side is for grades 1<sup>st</sup> through 5<sup>th</sup> grade students.

If you have an appointment with a staff member or are volunteering in the school, remember to park in the EAST Parking Lot, in front of Building 18. Please do not enter the bus parking lot, at any time, to the north of the school. Both the SOUTH side and EAST lot will be used for student drop off and pick up areas.

- Parents are to drop their child(ren) outside the front door of the school or east parking lot, and have their child walk to the playground or dining hall. If a parent does not wish to send their child to the playground before school, the parent may elect to wait with the child under the canopy or in their car (in the parking area) and then send their child directly to class at 7:45. For safety reasons, parents or visitors are not to escort children to class. Staff will escort children to classrooms if necessary. Please note that drop-off and pick-up times are not intended for long conversations with staff/teachers. Please schedule an appointment to express your student's concerns.
- If the 7:45 morning bell has rung, parents are required to check children in at the office. At that time, all students are considered unexcused tardy unless children have been to a medical appointment and documentation can be provided.
- Please tell your child to go directly to the playground where he/she will be supervised and not to the portable area where there is no supervision before school. Our playground is supervised from 7:30 am 7:45 am; please do not drop your child off prior to this time.
- When picking up children at dismissal, Prekindergarten and Kindergarten parents may wait for students under the canopy area on the west side of Building 24. Parents of students in grades 1<sup>st</sup> through 5<sup>th</sup> should wait in front of the portable (Building 24).
- If you are picking up your child before the school day is over, you will need to sign him/her out at the office by 2:15 P.M. Monday, Tuesday, Wednesday, Thursday, or Friday. Please be prepared to show

identification. Children will be called from the classroom once she or he has returned from recess to the office for pick-up. **Students will not be released between 2:15 to 2:45** (see information for tardies/early pickups).

- If a parent is late picking up a child (the duty staff will take all waiting children to the office (Building 18) where parents will be required to sign out before picking up children). Administration will contact parents if transportation issues conflict with student pick up.

#### Parking Lot/Bus Zone Policies/Lot in Front of Building 24

Please be extremely cautious and drive very slowly in our parking lots. Children are often unaware of your presence, so it is every adult's responsibility to watch out for the children. **WHILE IN THE PARKING LOT THE SPEED LIMIT IS 5 MPH .**

Elementary students must be picked up or dropped off along the curbside in front of the Child Find/Counseling/HR Office (Building 24). The loading/unloading zone is marked to assist parents with designated areas. (Please note: Loading will only be done in the areas near the crosswalk in both the SOUTH and the WEST lots. This will help us ensure children's safety.)

Do not leave vehicles unattended at any time unless the car is parked in the parking area. It is crucial that you pull up to the curb to drop off or pick up your child. Do not have your child cross in front of or between cars to get to your vehicle. STAFF is present to assist children to and from the cars.

**NO DOUBLE PARKING IS ALLOWED. CARS SHOULD NOT BE LEFT UNATTENDED IN THIS AREA SO AS TO AVOID STOPPING THE FLOW OF TRAFFIC.**

Please try to pull forward as far as possible and find an open slot by the curb. If there is not an open slot, pull out of the pick-up zone and park in the visitor's parking spaces. After picking up your child, please pull away from the curb slowly and proceed at a speed limit of 5 mph or less. Do not back up at any time while in the drop-off/pick-up lanes.

**PLEASE AVOID CELL PHONE USE WHILE DRIVING IN THE PICK-UP/DROP-OFF ZONE.**

#### Safety. Student Drop Off/Pick Up

A primary goal of SODA is to make certain that each and every student is safe; therefore, we are asking for your assistance in adhering to these policies:

- Students will be released only to their parent/guardian, or the person identified as the emergency contact on the student's card. It is important to keep all information updated by contacting SODA's Administration Office (505-866-7632).
- During regular school hours, students must be signed in/out through the office (Building 18) if late or leaving early.
- Office staff will ask for identification from the individual picking up the child. Please be patient as the staff is acting on your child's behalf.
- Due to our high enrollment numbers, walking children to classrooms and picking them up from their room at the end of the day poses a safety issue. For safety reasons, parents or visitors are not to escort children to class. Staff will escort children to classrooms if necessary. However, if your child is tardy (8:00 a.m.) a parent - or authorized person - must sign the child in, at the office (Building 18).

#### Expectations for the Drop-off/Pick-up Zones

Please help us to keep ALL OF OUR CHILDREN SAFE by following these guidelines in our Student Loading Zones where you drop-off and pick-up your children:

- Be patient.
- Follow the above zone information.

- Visit our school at other times of the day. This is heavy traffic time.
- **DO NOT PARK YOUR CAR.** Please remain in your vehicle while in the drop off/pick up lane. If you need to park, please do so in the parking lot on the east side of the school.
- If you are the lead vehicle, please drive up to the furthest point forward in the loading zone. (If you are behind another car, please pull up closely to the vehicle in front of you.)
- Stop and load or unload only on the sidewalk side of the loading zone. Duty staff will guide your children to your vehicle. Please pull as close to the curb as possible.
- After you either drop off or pick up your own child, please **MAINTAIN A 5 MPH SPEED LIMIT AND DRIVE CAREFULLY AROUND THE VEHICLES THAT ARE STILL IN LINE** . This is a loading zone for children.
- Watch the crossing guards. Remind students to cross the street only at the designated crosswalks.
- Stepping between cars is absolutely impermissible, even with an adult . Remember, students learn best by watching what adults model.
- Fire lanes must be observed. The fire lanes are along the red curb in front of the main building.
- Fire zones must be kept clear for emergency vehicles at all times.
- Traffic in the drive-through is one way.
- It is NEVER permitted to drive in reverse in the drive-through or parking lot (except when backing from parking space).
- Follow the entrance and exit arrows and do not block the buses.
- There are designated areas and driveways for buses on the side of the school.

The parking lot **IS NOT TO** be utilized for drop-off and pick-ups. For the safety of all, drop-offs and pick-ups should be in your child's designated student loading zone.

### Security

Security has been upgraded at School of Dreams Academy. Issues across our nation have brought attention to a stronger security support than we have seen in years past. In order to provide parents/guardians with the accessibility to our students, please be ready to follow the required steps:

-All doors will be secured from 7:30 - 3:00. If you wish to enter the building, you will need to check in to the Administration Office (Building 18).

-A license must be provided to pick up any student before 2:15. If the adult is not listed on the registration card, the adult will not be allowed to pick up the student(s). **Reminder: Students can not be picked up after 2:15.**

Please note SODA has assigned a Security Guard throughout the campus during school hours (Front Gate, Elementary Drop Off and Pick Up, Secondary (Middle School and High School)).

If at any time, SODA is experiencing a fire drill, lock down or any type of drill, parents/guardians must wait outside of the doors until the drill is complete. If there is an emergency situation, all parents must wait 100 feet from the front door until the first responders clear the area. Please plan ahead when picking up students. These security steps are now in place to insure the highest possible level of security in our school. Please note that students will not be called from the playground area.

### **Translation/Interpreter Services**

If you speak a language other than English and need documents translated or an interpreter, School of Dreams Academy will supply such services. Requests need to be made in advance. Please contact the school's front office at 866-7632(SODA).



### **2025-2026 School of Dreams Academy Dress Code**

Everyday Dress Code for ALL students (Prekindergarten through 12<sup>th</sup> Grade): All students are expected to be in school dress code (as detailed in the bullets) from their arrival to their departure each school day. Students and dress attire should be clean, and students should be neatly groomed. All clothing should fit properly, nothing tight or oversized. **Administrators shall have the discretion and final decision to determine appropriateness of attire and grooming.** Dress code is as follows:

- School shirts will be a t-shirt, blouse, “polo” style or button-down shirt that meets reasonable standards of cleanliness and safety and must show respect for others.
- Personal appearance and dress that violate reasonable standards, compromise safety, demean, slur, or harass others through symbols, words, images, and/or disrupt the educational process shall not be tolerated.
- Clothing, tattoos, or accessories which advertise, display, or promote any drug (including tobacco and alcohol), sexual innuendo, violence, weaponry, profanity, hate, “In memory of...” or bigotry towards any group is prohibited.
- Shirts must cover the entirety of the shoulders, no halter tops, tank tops, spaghetti straps or muscle shirts. Shirts must be long enough to clearly overlap the belt line or stay tucked in.
- Undergarments must remain entirely covered including while seated.
- Pants, shorts, skirts and/or dresses must not be torn, no holes, and must fit at the waist. The shorts, dresses and/or skirts can be no shorter than 3” above the knee.
- Spandex, pajamas, sweatpants, cut-offs, home, and athletic shorts are not permitted.
- Boys’ shorts must not be longer than kneecap in length.
- Students must wear closed shoes or tennis shoes with a rubber sole. No “Heely” shoes, sandals, shower shoes, rubber flip flops, slippers, or shoes with a heel are allowed.
- School of Dreams Academy Spirit Shirts and competition shirts are allowed during the school year.
- While School of Dreams Academy supports students participation on athletic teams, School of Dreams Academy does not allow the presentation of other school’s logo items while on campus at School of Dreams Academy.

**Note:** Children should be dressed in clothes that can be worn for active and sometimes messy play. No flip flops or sandals are allowed (i.e., hard to run in, scraped toes, etc.). Tennis shoes or closed shoes are recommended. We request all students bring a change of clothing to keep in the classroom or kept in their backpack. The children play outdoors every day, weather permitting. Please think about the changing New Mexico weather and dress your child ready for the day. **Put your child’s name on all outer clothing (gloves, hats, and jackets).**

## **Photo Release**

### Permission for School of Dreams Academy Photo Release

Parents provide written consent by completing the School of Dreams Academy's forms for school personnel to photograph or videotape children for educational and teacher professional purposes. Copies may be used for reports or marketing materials to promote School of Dreams Academy's PreK through 5<sup>th</sup> grade programs on the website, brochures, social media, etc.

## **Art, Music, Dance, and Physical Education Programs**

### Art Education

Students will explore and learn through a variety of visual art mediums. Our teacher will work with all grade levels to examine and encourage art techniques, self-expression, and selected areas of art history. Art will be exhibited all year long.

### Music Education

Students learn through a variety of mediums including music. Our teachers work with the music specialist to integrate voice, instruments, and fundamentals of music into the curriculum. Musical presentations will be scheduled throughout the year, for grades PreK, K, 1, 2, 3, 4, & 5.

### Dance Education

Developmentally, a child explores the environment through movement even before learning to speak. Our students learn to develop the ability to move through his or her environment. Before a child can name an object, the object already has been fully explored. Language development follows, but does not limit, this initial sense of exploration through experience. As movement skills develop, the world expands as the child finds more to explore. Our teacher will work with grades PreK, K, 1, 2, 3, 4, & 5<sup>th</sup>.

### Physical Education

Physical Education is the part of the curriculum that encompasses all three domains of learning: (1) psychomotor, (2) cognitive, and (3) affective. P.E. activities are designed to encourage participation, cooperation, sportsmanship, and confidence.

The goal of P.E. at SCHOOL OF DREAMS ACADEMY is to foster the appreciation of, and participation in, a lifelong healthy lifestyle.

To ensure a positive P.E. experience at School of Dreams of Academy, the following list of expectations should be adhered to:

- Students should conduct themselves in a safe manner.
- Students must wear tennis shoes that lace and tie-on top of the tongue. Shoes must keep feet secure.
- Students must listen to and follow directions.
- Students should demonstrate appropriate sportsmanship and team cooperation.
- Students are expected to perform to the best of their abilities.

## **Attendance**

- Research shows a high correlation between excellent student attendance and high student achievement. Good attendance is fundamental for both social and academic growth. Each day your child misses school, he/she misses valuable instruction, which is difficult to make up, and leaves gaps in the educational progress. You must get your child to school on time, every day.
- New Mexico's Children's Code provides that a child who has ten or more unexcused absences is a "child in need of supervision" by the youth authorities. State law requires the schools to report violations of the compulsory school attendance laws to the juvenile probation office. Violations of the compulsory

school attendance laws can subject parents to fines. Maintaining regular school attendance by all students is the joint responsibility of parents and educators. In keeping with that obligation, the Board of Education/Superintendent prescribes the following rules for school attendance:

- a. A parent or legal guardian must telephone the school attendance line (505-866-7632 ext.1) by 9:30 A.M. each day your child will be absent and state the reason for the absence. Calling the attendance line will ensure your child's attendance is accurately reported. If a student is absent and parents have not contacted the school, the school will make a reasonable attempt to contact parents before the end of the day (safe arrival program).
- b. If parents have not called to report the student absent, upon returning, the student must present a signed, dated note from his or her parent or legal guardian – to the office – stating the reason for the absence.
- An unexcused absence is an absence for which no appropriate excuse is provided by the student's parent or legal guardian. Absences may be excused for the following reasons (with documentation):
  - Doctor's Appointment
  - Illness
  - Death in the family
  - Family emergency
  - Religious commitment
  - Diagnostic testing
  - School sponsored activity

Extenuating circumstances, as agreed to by the school administration – in advance. It is the parent's responsibility to arrange excusal by contacting administration.

- Vacations during the year are discouraged. All assignments may not be available for makeup due to labs or class activities. If a situation does arise, all requests for a possible excused absence must be approved, 48 hours ahead of time, by an Administrator. Attendance and the student's academic level will be considered in making the decision.
- A student with an excused absence shall be given a reasonable time by his/her teacher to make up the work missed during the absence. A student with an unexcused absence is required to make up the work missed; however, a penalty of up to one letter grade may be assessed. (If homework is requested for an absent child, by 9:30 A.M., the work may be picked up at the end of the school day, at 3:00 P.M., in the office.) Failure to pick up requested homework may result in loss of special homework request privileges.
- All students are expected to make up work that may be available due to excused or unexcused absences. Failure to make up missed class work and assignments will affect the student's reportable grades. (A student's ability to earn grades and credit is affected by attendance, i.e., class participation, teamwork, performance-based classes like music, etc.).
- If a student is absent for three successive school days and his/her parent or legal guardian has not contacted the school, the teacher, the principal, designee, the school shall contact the parents or legal guardian by telephone or in person to give notice of the student's absence to learn the reason for the absence.
- If a student accumulates three (3) unexcused absences during a semester, the school administration, or his or her designee, shall notify the parents or legal guardian in writing, by certified mail or personal service. This letter will provide the parent or legal guardian with the provisions of the Compulsory Attendance Law. The parent or legal guardian of the student must

contact the school regarding the student's absence. Appropriate consequences will be assigned for unexcused absences.

- If a student accrues any additional unexcused absences, not to exceed a total of ten (10) unexcused absences, the student may be reported to the Probation Services Offices of the judicial district in which the student resides for an investigation of whether the student should be considered a neglected child or a child in need of supervision, and thus subject to the provisions of the Children's Code.
- Students with excessive excused absences (10 days at elementary schools) within two (2) days of returning to school must bring supportive documentation (doctor's note, etc.) for each absence. Extended absences due to medical reasons should be reported to the school health office. Failure to comply will be considered unexcused absences.
- School of Dreams of Academy Procedure: If your child is absent for 3 or more days, due to illness, please contact the school to meet with an administrator and/or the school nurse. We will set up a program to assist your child with the transition back to school.

### **Tardies/Early Pick-Ups**

The first few minutes of a school day set the tone and focus for the day. To ensure your child the best opportunity for a good education, be certain that he/she arrives to class on time. Students who arrive late to class cause disruption to the educational process. A child arriving after 8:00 a.m., without confirmation of a medical appointment, is considered unexcused tardy. When a child arrives late or leaves early, the parent or authorized person must sign the child in/out through the office.

- After three unexcused tardies the parents will be contacted by an administrator.
- Taking students out early is an obvious disruption of their educational opportunity. Research on effective schools indicated that classroom interruptions detract from teaching and learning.
- Parents can help by not asking the office to deliver messages/items to students during the school day. Please leave a message at the teacher's extension if dismissal plans change, to be sure your child knows how he/she is getting home.
- NO ONE CAN PICK UP THEIR CHILD/CHILDREN BETWEEN 2:15-2:45PM ON MONDAYS, TUESDAYS, WEDNESDAYS, THURSDAYS, OR FRIDAYS. YOU WILL NEED TO WAIT UNTIL DISMISSAL TO PICK UP YOUR CHILD. NO EXCEPTIONS.
- Please make every effort to schedule appointments around your child's school hours. It is a parent/guardian responsibility to keep all registration information current. Students will only be released to those guardians listed on registration cards. ID is required to pick up students – only from the office.

### **Phone Messages**

Please be sure your child knows where to go after school each day. It is a disruption to the entire class when messages must be delivered. Of course, emergencies will come up and messages will be delivered to students and staff until 2:15 P.M. Thank you for your cooperation.

### **Before and After School Programs**

SODA offers the Rio Grande Educational Collaborative (RGEC) before and after school program as an option on our campus for working parents from 6:45 A.M. to 7:45 A.M. and from 2:45-6:00 P.M. Monday, Tuesday, Wednesday, Thursday, and Friday. For more information, please request a brochure from the front office, visit the web page, or call (505)875-6035.

### **Internet Access**

School of Dreams Academy has access to the Internet. The Internet is a vast source of information for teachers and students. Before a student is allowed to access the Internet, parents and students will be required to read, sign, and return the Rules for Appropriate Use form during each school year, via online form.



Parents may decline to allow their child access to the Internet.

If a student uses the Internet or Chromebook without permission or in an inappropriate manner, consequences will apply, including:

- Warnings given; parents notified.
- Access to the Internet or Chromebook denied for the remainder of the year.
- Other disciplinary actions including suspension from school.

### Behavior Expectations

Learning and teaching occur best in school climates that are positive, orderly, courteous, and safe. The goal at SODA is to help children to learn to be responsible for their actions as they practice skills that support their success. Components of our school plan include clearly stated rules, logical consequences for inappropriate choices and recognition of positive behavior. In an effort to accomplish this goal, we have developed a school-wide behavior expectations grid and follow SODA's progressive discipline matrix.

We will teach the expectations and criteria on the following two pages at school. We ask for your support in familiarizing your child(ren) with them at home.

Teachers will first use steps to warn a child to help correct behaviors in the classroom. If a child continues to disrupt the class or the behavior is severe, the discipline will be handled by the administration. Students may lose recess and sit out their time, participate in community service or spend time in the administrative office or another classroom. The following steps will be taken for the behavior plan:

### RESPECTFUL, RESPONSIBLE, READY TO LEARN!

We have the highest expectations for student behavior in the learning process. The table below lists our basic expectations:

	Everywhere / All the time	Recess	Library	Walkways	Restrooms
RESPECT	1. Respect school and personal property 2. Follow adult directions 3. Display good manners 4. Use appropriate language	1. Follow adult directions 2. Include others in games 3. Be a good sport 4. Play games in designated areas 5. No morning ball games	1. Use quiet voice 2. Use sticks properly 3. Sit properly 4. Walk in library	1. No shouting or screaming 2. Follow adult directions 3. Keep your hands to yourself	1. Respect the privacy of others 2. Keep clean 3. Use quiet voice
RESPONSIBILITY	1. Walk at all times 2. Put forth best effort 3. Sit and play in designated areas	1. Play in designated places only 2. Use equipment properly 3. Follow game rules 4. Use restroom and drinking before recess time	1. Take care of your books 2. Return books on time	1. Walk 2. No yelling 3. Walk on the sidewalk	1. Flush 2. Wash your hands 3. Use towel dispenser correctly

READINESS	1. Be on time 2. Have all materials	1. Walk to and from playground 2. End all activities when bell/whistle rings	1. Follow check-in and checkout rules	1. Walk directly to where you're going on sidewalks	1. Return immediately to your line or classroom
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## RESPECTFUL, RESPONSIBLE, READY TO LEARN!

We have the highest expectations for student behavior in the learning process. The table below lists our basic expectations:

	Specials/Guest Speakers	Computers/ Computer Lab	Lunch Area	Bus/Drop-Off and Pick-Up Areas
RESPECT	1. Raise your hand to ask questions or comment 2. Don't waste time with inappropriate behavior 3. Appreciate and encourage the effort of others	1. Do not eat or drink near the computers 2. Treat equipment carefully 3. When finished with the equipment, put everything away including headphones and cables	1. Use a quiet voice 2. Display good table manners 3. Be patient while waiting your turn in line	1. Use quiet voices 2. Stay in your designated area 3. Be ready, don't make others wait on you 4. Follow adult directions 5. Stand away from the curb in the front area 6. Wait for cars to pull forward and STOP
RESPONSIBILITY	1. Use equipment properly 2. Be where you need to be 3. Watch for the safety of yourself and others	1. Stay on task- Do not go to programs or web pages you have not been instructed to use	1. Clean up your own mess 2. Walk to and from lunch tables	1. Follow all bus rules 2. Watch for the safety of yourself and others
READINESS	1. Walk directly to designated place 2. Participate 3. Do your best	1. Put both feet on the floor, face the computer, and sit up straight	1. Stay seated at the tables and in the line until dismissed	1. Walk quickly and quietly to designated places 2. Be ready to go

## Bullying

Bullying is not tolerated at School of Dreams Academy. Hazing/Harassment/Intimidation/Bullying/Menacing are very serious behaviors and are dealt with in a serious manner. For more information, please refer to SODA's website- ([www.sodacharter.net](http://www.sodacharter.net)) under the Student & Parent Resources section.

## Bus Discipline

The school bus is an extension of the school campus. All school rules and regulations must be followed. Students will lose their privilege of riding the bus if they do not follow the district bus riding rules. Temporary

suspension or permanent suspension of bus riding privileges will be the consequence for continued student misbehavior. Please refer to SODA's Department of Transportation.

### **Birthdays**

In class, students are recognized in special ways such as a song, stickers, certificates, etc. Many children have food, plant, and latex allergies. We are a latex and nut free campus. We highly recommend individualized servings of healthy snacks. Any items brought from the store or made at home to be shared must be able to provide an ingredient list.

### **Cafeteria**

The cafeteria provides a well-balanced meal, free to all students attending SODA. Students who bring a sack lunch may pick up milk or juice. All students are asked to keep the cafeteria clean by depositing litter in the appropriate containers. Please remember that food may only be eaten in the cafeteria.

### **Communication**

SODA will publish a parent newsletter once a month. Events, policies, newsletters, and calendars are posted on our website: [www.sodacharter.net](http://www.sodacharter.net) Please contact these areas as well as individual teacher websites to stay current on the many events at School of Dreams Academy.

### **Counseling/Ancillary Staff**

SODA has a School Counselor, Attendance Liaison/School Counselor, an Academic Advisor, and a Social Worker. Our counselors, advisor, and social worker work closely with parents, teachers, administration, and various other community agencies to provide guidance regarding students' personal, social, and academic concerns (including program planning). The counselors and social worker are key to our Behavior Expectation Plan in helping children learn to make the correct decisions on the playground, in class and at SODA in general.

Parent conferences are an integral part of the counseling services at SODA. Counselors, teachers, and/or administrators are available for conferences with parents and students regarding students' progress. Parents, classroom teacher, counselor, and administrator may initiate conferences. The student may be asked to be present at the parent conference, with the intent that it can be a learning experience.

### **Electronic Devices**

Items such as radios, iPods, MP3 players, laptop computers, game systems, miniature televisions, smart watches, or any similar devices are not allowed on campus during school hours. Use of electronic devices in violation of this policy shall result in the confiscation of the electronic device. On the first offense, the student may recover the electronic device from the school's administrative office at the end of the school day. After the second offense, the student's parent/guardian shall be notified that the student has twice violated this policy and that the parent/guardian must recover the electronic device from the school's administrative office. After the third offense, the electronic device will be confiscated for the remainder of the school year. Electronic devices that are not recovered at the end of the school year may be disposed of by the District. A student who violates this policy more than two (2) times during the school year may also be subject to discipline for engaging in willfully disruptive conduct. SODA will not be responsible for the loss or damage of any personal electronic device confiscated from a student pursuant to this policy.

Refer to communication devices policy on the website regarding cell phones and other communication devices [www.sodacharter.net](http://www.sodacharter.net).

## **Emergencies**

In the event of serious injury or illness, the Emergency Medical System, (Los Lunas City's Public Safety-911) may be called at the discretion of school personnel. There may be charges for response and/or transport to a medical facility. It is understood that the parent/guardian will be responsible for any charges. The School of Dreams Academy will not be held responsible for any fees incurred. It is critical that all information is current on your child/children's PowerSchool Portal Account. The Emergency Card on file in the school office lists whom you want contacted in case of an emergency.

It is required that a parent or guardian provide at least one other emergency contact. If no alternate contact is given, school personnel may contact Los Lunas Police Department/Valencia County Sheriff Department, and/or Children Youth and Families. Please keep all contact information current to prevent any delay in notification.

## **Field Trips**

Field trips are an important part of the educational process and are an enriching extension of classroom studies. Chaperones are valued and appreciated. Only a limited number of chaperones can be accommodated for each field trip. The number will be determined by the classroom teacher.

Please note:

- The school wide discipline policy is in effect on all field trips.
- Students may not participate in a field trip unless a parent permission form has been signed by the parent/guardian and returned to the school. Due to the legal implications involving liability, oral permission over the phone is not an acceptable substitute for the signed parent permission form.
- Field trips must be an extension of classroom learning and be educational in nature.
- School buses must be used – no private owned vehicles.\*  
( \*Medical exemptions must be arranged prior to the field trip. Failure to have medical exemption will result in an unexcused absence.)
- Chaperones must be at least 21 years old. The only exception to this is a parent who is under 21.
- Chaperones must be approved SODA volunteers and wear their ID on the day of the field trip.
- Supervision of students begins and ends at the school campus. Chaperones are expected to check in at the school prior to departure for the field trip and check out once all students are accounted for after the field trip.
- Chaperones need to comply with the District dress code and are encouraged to dress appropriately for the activity.
- Chaperones are not allowed to bring other children on the field trip so that the students have the chaperone's undivided attention.
- Chaperones cannot be under the influence of alcohol, and tobacco products cannot be used during the field trip.
- A chaperone may not search students or their belongings. If the chaperone suspects a student is carrying contraband, she/he should alert an activity sponsor immediately.
- Field trips are an extension of the classroom; therefore, students are expected to follow the school rules while participating in an off-campus activity.
- Attendance on field trips is the same as attendance at school. Students must remain with their class throughout the field trip in order to be considered present. Signing students out while on a field trip is highly discouraged and may result in an unexcused absence.
- If any student presents a discipline problem during the day, inform the activity sponsor immediately. Give the sponsor the name of the student and describe the inappropriate behavior.

- The transportation of students to a school-sponsored activity trip in privately owned vehicles is prohibited.
- If the activity involves a bus trip, chaperones must be seated throughout the bus to help maintain safe bus behavior by following bus procedures.
- Chaperones must follow the itinerary as set out by the sponsor.
- Chaperones need to remain with their assigned group for the entire field trip activity.
- Parent/visitors who are not approved chaperones are not permitted to join school groups on field trips. Additionally, they may not remove students from their assigned field trip group without checking the students out resulting in an unexcused absence.

### **Teacher Passes**

Passes provided by the classroom teacher are required and must be used by students anytime they leave the classroom or playground area.

### **Nurse's Procedures and Guidelines**

The health room is a facility where sick or injured students are triaged, assessed, treated and/or referred for further treatment. It is staffed with a State Department of Education licensed school nurse and a health assistant.

All efforts will be made to return a student to class if deemed appropriate by the health office staff. A student may be considered a candidate for exclusion from school or from the school bus at the discretion of the health room staff. Reasons for exclusion from school or bus may include, but are not limited to: vomiting, diarrhea, fever of 100 degrees or greater, significant injury, or symptoms not responding to treatment. Children may not return to school until they are free of the above symptoms for 24 hours without the aid of symptom-reducing medications such as Tylenol or Ibuprofen.

All medication will be dispensed according to the School of Dreams Academy medication policy and procedure:

1. Prescription medications will be dispensed in the health office when accompanied by a completed Medication Authorization form, and the medication is in its original pharmacy labeled container.
2. In the case of over-the-counter medication (which includes cough drops), the parent will provide the medication in an original sealed container and complete an "Over the Counter" Medication Authorization form.

A complete copy of this Policy and Procedure can be obtained via the internet at [www.sodacharter.net](http://www.sodacharter.net) or at School of Dreams Academy's School Health Office.

Students who are placed on antibiotics by their physician must remain at home for the first 24 hours of therapy. In the case of a serious illness or accident, every effort will be made to contact the parent or guardian. Parents and/or guardians are responsible for updating the emergency card if there are any changes during the school year. If the student's condition appears to be an emergency, the Los Lunas Emergency Medical System (911) will be called. The decision to transport a student to a local health care facility will be made by the Emergency Medical Staff unless the parent or guardian is present.

### **Lost and Found**

The lost and found is located in the front office (Building 18). Please check the lost and found as soon as possible after having lost an item. Labeling items increases the chance that items will be reclaimed. Any

unclaimed items are donated to a clothing bank at the end of each month. Please make sure that your child's items are clearly marked with their first and last name. This will help us return any lost items. We discourage children from bringing toys to school. The school accepts no responsibility for lost clothing or personal items.

### **Parent and Community Support**

School of Dreams Academy is fortunate to have a very active Parent Teacher Organization to assist students, families, and staff in reaching their goals. In addition, SODA is also supported by School Leadership (School of Dreams Academy's Governing Council) and represents the various constituencies in the school. The council meetings are always open, and teachers, parents and community members are welcome to attend. Call the office at (505) 866-7632 or visit SODA's website ([www.sodacharter.net](http://www.sodacharter.net)) to obtain information regarding upcoming meetings and Zoom links.

### **Community School**

SODA is now designated as a community school. Our school will work together with family, students, educators, and local community members to strengthen student learning and healthy development. Resources for families to navigate any services within the local community will be available as well as a coordinator to help families with this process. Becoming a community school provides our families and student the opportunity of engagement is to connect classroom instruction and expand culturally enriched learning.

### **Personal Possessions**

Please encourage your children to leave their personal possessions/toys at home. They can disrupt the learning environment and create safety problems. Also, there is a risk of items being broken, lost, or stolen. Staff members will confiscate items that are brought to school, and parents will need to pick them up in person within 48 hours.

The school is not responsible for lost or stolen items. The following are some but not all of the items that students may not use at school: fidget spinners, electronic items of any kind to include, but limited to cell phones, cell video phones, video machines, electronic games, videos, radios, MP3 Players, pagers, headphones, laser pointers, cameras; as well as weapons or look alike weapons, squirt guns, chains, trading cards, permanent marking pens, valuable objects, matches, lighters, cigarettes/tobacco, illegal or unauthorized drugs, and any items that are dangerous to the health and safety of other children or adults on our campus. Skateboards, roller blades/skates, in-line skates, and Heelys are not permitted .

All prescription and OTC-Over the Counter medication (including cough drops) must be taken to the Nurse's Office. Any student searches for contraband materials will be done in accordance with District policy. State law allows student's personal property (bags, backpacks, purses, etc.) to be searched based on reasonable suspicion that a student is in possession of illegal or unauthorized materials. Parents/guardians will be notified that the search was done, the reasons, and results of the search.

The school is not responsible for confiscated materials. All items confiscated throughout the year must be picked up no later than 48 hours of notification. Any item not picked up will be donated to charities or discarded. Confiscated weapons look-a-like weapons, and illegal drugs/tobacco will not be returned to parents/guardians. District policy and state law will be followed in reporting these items.

### **Pets on Campus**

Schools are for people. Even the most wonderful pets can pose a threat to students. They may bite, scratch, or cause severe allergic reactions. Special exemptions must be made in advance with administrative approval. Service animals and therapy dogs are approved.

### **Phone Numbers**

All contact information available on our website: [www.sodacharter.net](http://www.sodacharter.net)

### **Recess**

All elementary children go outside to play and are expected to follow playground rules and stay in designated areas. Help your child enjoy outdoor breaks by dressing them appropriately for the various types of New Mexico weather and conditions. Please label clothing in the event the items are found on the playground.

Students will not be called from recess. Please make arrangements to pick up your child outside of recess time (those times will be communicated to families by the student's classroom teacher).

### **Emergency Card**

For the safety of our students and the district policy requirements, it is imperative that student information remain updated via PowerSchool Portal Account and the Emergency Card. In the event of a change of address, telephone number or changes in health issues, please notify the school immediately and update information on-line. Students will only be released to those listed on the card. ID is required to pick up students.

### **Report Cards & Parent Conferences**

School of Dreams Academy reports student progress in a trimester system. Elementary students have scheduled conference times with each teacher two times during the 2025-2026 school year. The dates are: November 10, 2025, and February 06, 2026. Your child's teacher will be looking forward to discussing student academic success with you, so please plan to attend. Report cards will be sent home on dates determined by School of Dreams Academy's Administration and our Governing Council.

We encourage parents to contact their child's teacher at any time regarding academics or other concerns. Teachers may be notified via email to schedule a phone call or schedule a meeting to discuss concerns.

### **Selling Items**

Students may not sell any items on school grounds. This may lead to the disruption of the educational process.

### **Section 504**

Under the provisions of Section 504, Rehabilitation Act of 1973, public schools must make sure that all students, regardless of disability, have equivalent opportunities to participate in a free appropriate public education (FAPE). This provision applies to qualifying disabled students whose disabilities are not so severe as to create IDEA eligibility.

School of Dreams Academy's Section 504/MLSS Coordinator is responsible for overseeing compliance with the provisions of Section 504 and for investigating complaints. For further information, contact SODA's 504 Coordinator, Amanda Saiz, at the School of Dreams Academy Office, 906 Juan Perea Rd., Los Lunas, NM 87031, (505)866-7632 (Extension 127).

## **Special Education Services and Supports**

Students receive individualized support in academic content areas based on needs and IEP goals. The following support services serve children who have been identified through the Special Education Department and who have qualified for an Individualized Education Plan (IEP).

### Speech and Language Therapy:

Speech and Language Pathologists work daily with our children who have qualified through an IEP to receive speech and language therapy.

### Occupational and Physical Therapists:

These therapists work with children who have qualified through an IEP for occupational, recreational, and physical therapy services. Generally, these therapists work with students who have been identified with motor, visual, sensory, or other identified needs.

### Gifted Program:

Students who have been identified through an IEP as being gifted will be able to participate in our gifted program with our teacher of the gifted.

For more detailed information regarding Special Education refer to the Special Education Manual at [www.sodacharter.net](http://www.sodacharter.net)

## **Student Placement and Class Change Policy**

The goal of School of Dreams Academy is to provide the best learning environment possible for your children. Many hours are spent carefully placing students into classes. This is done by teachers with input from the support staff, and administration. Finally, teachers are assigned to classes of students by administration. Teachers do not assign students to teachers. Please do not ask teachers to recommend another teacher for the following year. You may discuss any concerns with the principal. The following is a list of the criteria we use:

- Equity in classrooms with gender, academic ability, special needs, and behavior considerations.
- Separating children who do not get along.
- Class programs such as inclusion, bilingual/EL, teaching style, etc.

In the event that you have concerns about your child's placement, a procedure has been established.

- Please review the following guidelines:
  - No student will change classes within the first three weeks of school.
  - No changes in class placement will be made until parents and classroom teachers have a minimum of two conferences to address the concerns of parent and/or teacher.
  - Parents and the classroom teacher must agree that another placement is what is best for the student.
  - Please note that in that event, placement will be determined by administration, neither parents nor staff may request transfer to a specific teacher.
  - Request a conference with the principal at this time to determine:
    - If a change should be made.
    - If the Student Assistance Team needs to help with strategies.



## **Student Support Services**

School of Dreams Academy offers student support programs that enables students to make powerful contributions and gain important life skills and training. In addition, we have a Student Assistance Team made up of teachers and support staff that work together to recommend interventions for individual students. The Multi-Disciplinary Team has been very effective in meeting the individual needs of students who require additional interventions. Parents are always invited to participate in each of these team meetings.

## **Student Records**

- School of Dreams Academy maintains the following education records directly related to students.
  - Academic records
  - Personal information records
  - Disciplinary records
  - Attendance records
  - Health records
  - Progress records
  - Standardized testing records.
- Access to individual education records is limited to:
  - i) Parents of students under 18
  - ii) Parents of students over 18 if such student is a dependent as defined in the Internal Revenue Code
  - iii) Students
  - iv) Officials of this school district who have a legitimate educational interest.
  - v) State and local officials to whom information is required to be reported.
  - vi) Certain testing organizations
  - vii) Accrediting organizations
  - viii) Appropriate persons in connection with an emergency
  - ix) Pursuant to subpoena or court order
  - x) To any person with the written consent of the parent of students under 18 or the student over 18.
  - xi) To a school or schools in which a student seeks or intends to enroll.
  - xii) School of Dreams Academy's policy requires that educational records be kept to an essential and relevant minimum. Records are reviewed at the end of each school year, and non-essential or irrelevant material is deleted.

School of Dreams Academy's policy limits the right of access to education records to the persons not approved by administration. School of Dreams Academy's policy requires that copies be made available to persons entitled to copies at the cost of 25 cents per page. School of Dreams Academy's policy provides individuals the right to challenge the contents of records. If records contain information on more than one student, the right to inspect relates only to that portion of the records concerning the particular student in question.

Student directory information may be released without prior consent unless the parent or student informs the principal within a reasonable period of time that any or all of the information should not be released without prior consent. Directory information includes:

- The student's name.
- Grade in school.
- Name of school.
- Eligibility and participation in officially recognized activities, including but not limited to fine art exhibits, performing arts programs, other performances, graduation programs and sports events.

- Weight and height of members of athletic teams.
- Honors and awards received.
- Yearbooks.
- Identification in visual media, including photographs, videotapes, and video images, depicting school programs or activities.

Questions regarding educational records should be directed to the principal of the school the student is attending.

### **Substance Abuse Policy**

It is the position of the School of Dreams Academy that a caring environment is essential in preventing students from becoming involved with harmful substances. Therefore, students in School of Dreams Academy will have the opportunity to develop a positive self-image and achieve their maximum potential in an atmosphere free of substance abuse.

While we recognize that health problems of youth are primarily the responsibility of the home and community, the school shares that responsibility because substance use and/or abuse may lead to problems that interfere with school behavior, learning and achievement. In cooperation with the community, the schools shall endeavor to educate students and staff concerning substance use and/or abuse as well as support alternatives for helping students and their families, including prevention and intervention strategies. In accordance with the New Mexico Board of Education Regulation 81-3, the School of Dreams Academy prohibits students from using, possessing, distributing, or trafficking alcohol and/or other harmful and illegal substances on school property, at the bus stop or at school activities. Students who violate this policy shall be subject to the full range of school and/or district disciplinary measures, in addition to applicable criminal and civil penalties.

### **Telephones**

Please keep in mind the office telephones are for business and not for student use, except in emergencies. Parents should not phone the office to relay messages, except in emergency situations. Unless it is an actual emergency, students will not be taken out of class to receive calls. Make all arrangements with your child prior to the school day. The deadline for non-emergency calls is 2:00 p.m.. **Students will not be pulled out of class the last 30 minutes on any day.**

### **Title IX**

Under the provisions of Title IX, Education Amendments of 1972, public schools must make sure that all students, regardless of gender, have equivalent opportunities to participate in athletics, academics, and training programs. School of Dreams Academy's Title IX Coordinator is responsible for overseeing compliance with the provisions of Title IX and for investigating complaints. For further information, contact SODA's Title IX Coordinator, Donna Jarvis-Thomas, at the School of Dreams Academy's Administration Office, 906 Juan Perea Rd., Los Lunas, NM. 87031, (505) 866-7632 (Extension 129).

### **Transcripts/School Records**

Transcripts/school records will be released to the proper school authority upon receipt of a valid record request release form. School records will be sent directly to the child's next school upon request of records from that school.

## Volunteers

School of Dreams Academy (SODA) actively seeks to create a safe and welcoming environment. However, in keeping with the educational goals of the district and its learning community, its primary responsibility must be to provide a safe and undisrupted learning environment.

### Volunteering at School of Dreams Academy

School of Dreams Academy values the volunteers in our schools who offers experience, cultural diversity, and priceless assistance to our staff and students. We are honored to partner with you as we work to find in each of our students their potential in academics and social-emotional skills.

### Volunteer Opportunities

We have many volunteer opportunities at SODA. Here are just a few:

- Tutoring or mentoring students with their homework
- Listen to children read
- Play educational games with students
- Help students learn another language
- Support special projects or activities
- Chaperone field trips
- Assist with after-school programs
- Provide office support
- Serve on a school council or committee

### Additional Requirements (New):

**All volunteers will be required to complete the HB 128 questionnaire and additional state mandated training prior to final approval to volunteer. It is important that you enter an accurate email address, as you will be sent information on how to complete the state required training. The training includes:**

- Detection and Reporting of Child Abuse and Neglect
- Ethical Misconduct
- Professional Responsibilities
- Sexual Abuse and Assault
- Substance Abuse
- NMSU/CYFD course:

Volunteers who have cleared the background check and received an approval email may be utilized in any capacity with a school, at the discretion of the principal. The background screening is \$59.00 and will be valid for 2 years from the date of the approval. Volunteers must be at least 21 years of age.

*If you are interested in becoming a volunteer for SODA, please complete the application form which is available from School of Dreams Academy's Human Resource Administrator, Donna Thomas or on the website [www.sodacharter.net](http://www.sodacharter.net) Applications will be processed in the order they are received. Please allow up to three business days to process your application. Thank you!*

***\*Please note - Required SafeSchool training courses and a Background Check MUST be completed within 30 days of initial application before you will be eligible to begin volunteering. Once cleared, your volunteer status is good for two years. If you are unable to complete these tasks within the 30 days however, your application will be closed. You may certainly reapply at a later date, but all required training and a new background check will need to be completed again with the new application.***

Wondering if your volunteer clearance is current? School of Dreams Academy's Human Resource Administrator, Donna Thomas (505) 866-7632 (SODA). She can let you know if you are an approved volunteer and when your status will expire. If your background screening is soon to expire, you should receive an email 30 days prior to the expiration date inviting you to reapply.

**Weapons Policy**

The School of Dreams Academy has adopted a Zero Tolerance Weapons Policy to protect students and staff in our schools. School of Dreams Academy must comply with the Gun Free Act or risk losing federal funds. The Federal Government requires our district to prevent anyone from bringing guns to school and requires schools to expel students for one year for carrying guns. Therefore, we are asking for help from the entire community as we commit to keeping weapons, look-a-like weapons, or any other weapon that is a danger to students out of our schools. In the event that this may occur, School of Dreams Academy will contact the Los Lunas Police. Our school policy is simple; no weapons of any kind are allowed at school or on the bus at any time or at any school event. Our intent is to make our school a safe place for all.

**Withdrawals/Transfers**

A student who is withdrawing/transferring from School of Dreams Academy must complete the following procedures (several days advance notice is necessary):

- \*Have parent/guardian permission.
- \*Pick up a withdrawal form from the office.
- \*Return all textbooks to the teacher or administration.
- \*Have the teacher and/or administrator sign the form.
- \*Pay all fines.
- \*Have assigned authorities sign a withdrawal form.

Closely following these procedures will help you avoid problems registering at your child's new school. A withdrawal/transfer cannot be completed until all textbooks, library books, ChromeBook, and fees have been paid/resolved. We will forward student files to the new school as required by law. Copies of files are discouraged and are subject to a 25¢ per sheet copy fee. 24 Hours advance notice is required for copies.



## **Student Records and Student Rights**

### Student Records (FERPA)

## **NOTIFICATION OF RIGHTS FOR SCHOOL OF DREAMS ACADEMY PREKINDERGARTEN, ELEMENTARY, AND SECONDARY STUDENTS**

### **2025-2026 SCHOOL YEAR**

GENERAL RIGHTS UNDER FERPA. The federal Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older or are enrolled in a postsecondary school ("eligible students") certain rights with respect to the student's education records.

These rights are:

1. The right to inspect and review the student's education records within 45 days after the day School of Dreams Academy's Principal receives a request for access. Parents or eligible students should submit to the School of Dreams Academy's principal a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.
2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. Parents or eligible students who wish to ask the school to amend a record should write to the School Principal, clearly identify the part of the record they want changed and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by School of Dreams Academy to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202

EXCEPTIONS TO DISCLOSURE OF PERSONALLY IDENTIFIABLE INFORMATION (PII) WITHOUT PRIOR CONSENT. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the governing council. A school official also may include a volunteer or contractor outside of the school who performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and

maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the school may disclose education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled, if the disclosure is for purposes of the student's enrollment or transfer. School of Dreams Academy will forward these records on request without notifying a parent or eligible student unless the parent or eligible student has notified the Principal in writing within fifteen (15) days of publication of this notice, or fifteen days of enrollment (whichever is later) that prior written consent is necessary.

PII can also be disclosed under Public Education Department regulations, without prior notification or consent, to outside organizations for legitimate educational purposes. "Legitimate educational purposes" are defined as educational opportunities, services and/or information offered or provided by accredited educational entities or professional educational organizations.

**DIRECTORY INFORMATION.** School of Dreams Academy may disclose appropriately designated "directory information" without written consent unless a parent or eligible student has advised the school to the contrary in accordance with School of Dreams Academy's procedures. Directory information is information that is generally not considered harmful or an invasion of privacy if released. The primary purpose of directory information is to allow School of Dreams Academy to include this type of information from student education records in certain school publications. Examples include:

- A playbill, showing our student's role in a drama production
- The annual yearbook
- Honor roll or other recognition lists
- School and district websites and newsletters
- Graduation programs
- Activity sheets, such as for Robotics, FFA, Music Recitals

For the 2025-2026 school year, School of Dreams Academy has designated the following information as directory information:

1. Student's name
2. Grade in school
3. Eligibility and participation in officially recognized activities, including but not limited to fine arts exhibits performing arts programs, other performances, and cultural events
4. Honors and awards received
5. Yearbooks
6. Identification in print, electronic or visual media, including photographs, videotapes, and video images, depicting school programs or activities

In addition, two federal laws require School of Dreams Academy, which receives assistance under the Elementary and Secondary Education Act of 1965 (ESEA), to provide military recruiters, upon request, with the following information – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.

If you do not want School of Dreams Academy to disclose directory information from your child's education records, information for legitimate educational purposes or military recruiters, without your prior written consent, you must notify School of Dreams Academy's Elementary Principal or Secondary Principal where the records are kept in writing within fifteen (15) days of publication of this notice or within fifteen (15) days of enrollment, whichever is later. The objection must state what information the parent or student does not want to be classified as directory information. If no objection is received within the applicable fifteen (15) day period, the information will be classified as directory information until the beginning of the next school year.

A complete list of disclosures of directory information and PII that the school may make without parental consent is on the School of Dreams Academy's website ([sodacharter.net](http://sodacharter.net)) and available at either the Elementary or Secondary School Principal's office.

### **Custody Issues**

Parent/guardian shall be given reasonable access to their children at School of Dreams Academy and to their children's official school records. Exceptions to this will be made in cases where there are court orders restricting the rights of one parent to access a child and/or the child's official school records. It shall be the responsibility of the parent/guardian who has a court order restricting the rights of the other parent/guardian to notify school officials of the conditions of the court order, and to provide school officials with a copy.

School of Dreams Academy will remain neutral in custody cases and will rely on parental agreement or court documents in honoring parental requests. School of Dreams Academy will do their best to abide by parenting plans provided to them but are not responsible to enforce specific pick-up days. In those circumstances where a person other than the parent has been granted legal guardianship, the legal guardian is responsible for notifying the school officials of the conditions of guardianship and for providing the school officials all pertinent written documentation or changes.

### **Student Rights**

#### **Protection of Pupil Rights ("PPRA") Notice**

PPRA affords parents of elementary and secondary students certain rights regarding the conduct of surveys, collection, and use of information for marketing purposes, and certain physical exams. These include, but are not limited to, the right to:

- *Consent* before students is required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)–
  1. Political affiliations or beliefs of the student or student's parent
  2. Mental or psychological problems of the student or student's family
  3. Sex behavior or attitudes
  4. Illegal, anti-social, self-incriminating, or demeaning behavior
  5. Critical appraisals of others with whom respondents have close family relationships,
  6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers, Religious practices, affiliations, or beliefs of the student or student's parent
  7. Income, other than as required by law to determine program eligibility
- *Receive notice and an opportunity to opt a student out of –*
  1. Any other protected information survey, regardless of funding
  2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law
  3. Activities involving collection, disclosure, or use of personal information collected from students for marketing or to sell or otherwise distribute the information to others. (This does not apply to the collection, disclosure, or use of personal information collected

from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions.)

- *Inspect*, upon request and before administration or use –
  1. Protected information surveys of students and surveys created by a third party
  2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes
  3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law. School of Dreams Academy has adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. School of Dreams Academy will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. School of Dreams Academy will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation in the specific activity or survey.

School of Dreams Academy will make this notification to parents at the beginning of the school year if the School of Dreams Academy has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this direct notification requirement:

- Collection, disclosure, or use of personal information collected from students for marketing, sales, or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202

#### Section 504

Under the provisions of Section 504, Rehabilitation Act of 1973, public schools must make sure that all students, regardless of disability, have equivalent opportunities to participate in a free appropriate public education (FAPE). **This provision applies** to qualifying disabled students whose disabilities are not so severe as to create IDEA eligibility. School of Dreams Academy's Section 504 Compliance Officer is responsible for overseeing compliance with the provisions of Section 504 and for investigating complaints. For further information, contact the School of Dreams Academy 504 Coordinator, Donna Thomas at School of Dreams Academy (505) 866-3672, Ext. 129.

#### Title IX

Under the provisions of Title IX, Education Amendments of 1972, public schools must make sure that all students, regardless of gender, have equivalent opportunities to participate in athletics, academics, and training programs. School of Dreams Academy's Title IX Coordinator is responsible for overseeing compliance with the provisions of Title IX and for investigating complaints. For further information, contact School of Dreams Academy Title IX Coordinator, Donna Jarvis at School of Dreams Academy (505) 866-3672, Ext. 129.



## **School of Dreams Academy Special Education Handbook**

### **Section I**

#### **A. Diagnostic Testing**

Students who are referred for testing by a Student Assistance Team (“SAT”), a written parental request or referred as a result of Child Find operations must first be evaluated to determine whether the student has a disability as identified under the IDEA. This first formal diagnostic evaluation “the initial evaluation” requires informed prior written parental consent to conduct. The initial evaluation must be completed within sixty (60) calendar days of the date of parental consent. Any re-evaluation also requires informed written parental consent secured prior to the re-evaluation taking place. The initial evaluation should provide the IEP team with: (a) information it will need to determine whether a student has a disability and requires special education and related services; (b) information regarding the student’s present levels of educational and functional performance; (c) information to assist in determining educational needs, including accommodations and services.

#### **B. Initial Evaluations**

School of Dreams Academy will conduct a full and individual initial evaluation before providing special education and related services. Either a parent or the school may begin the request for an initial evaluation to determine eligibility. Before a student is determined eligible for receipt of special education and related services.

- An evaluation for determination of eligibility must be completed within sixty (60) days of receiving parental consent for the evaluation.
- If a parent initially refuses to sign consent, “the sixty (60)” day limit begins to run only when the consent is signed.
- Before any initial evaluation, the parent must provide informed written consent to the testing. The consent to testing is not consent to initial placement.
- If there is no consent to testing, the School of Dreams may file a complaint for a due process hearing.
- If the parent refuses to consent or fails to respond to a request for consent, the School of Dreams has no further obligation. However, there should be clear documentation of the School of Dreams’ efforts to obtain consent, including copies of correspondence or documentation of phone calls made to the parent. A certified letter should be sent to the parent advising that his or her nonresponse or refusal to consent is considered a refusal of services; and the child will not be considered a student with a disability for any disciplinary or educational purposes.
- The evaluation/assessment must provide for: Assessing in all areas of suspected disability (including health and development including vision and hearing; Selection of evaluation tools that are not racially, culturally, or linguistically discriminatory; Are administered in the language or form most likely to yield accurate information regarding what the student knows and can do academically, developmentally and functionally; Selection of assessment tools that assess specific areas of educational need; Ensure that there are a variety of tools and strategies are used to gather relevant functional and development information; Information provided by the parent; Include information on how the student is involved in and progressing in the general curriculum. Identify any accommodations in test administration that may be necessary. Assessments/evaluations must be administered by qualified personnel as specified in the instructions provided by the producers of the assessment tool.

### C. Reevaluations

Generally, the purposes of a re-evaluation is to determine: Whether the student continues to be a child with a disability and continues to require the provision of special education services and/or related services; Whether the student may have an additional or different disability; Whether the student is not adequately progressing in achieving the goals and objectives set forth in his/her IEP; and; Whether the student's current special education and related services are appropriate. The determination to conduct or not conduct a re-evaluation that meets all of the elements of an initial evaluation must be made by an IEP team. This should be done at the annual IEP meeting prior to the time the triennial evaluation would be due. In order to determine the scope of the re-evaluation the IEP team must review existing data, current classroom observation and assessments, teacher and related service provider information, and decide what assessments are or are not necessary for making the determinations set forth above. During re-evaluations School of Dreams Academy determines that the student's educational needs, including performance, warrant a re-evaluation; or the parent or teacher requests a re-evaluation. Limitations on re-evaluation — re-evaluations shall be performed: Not more frequently than once a year unless the parent and School of Dreams agree. At least once every three (3) years, unless the parent and School of Dreams agree that one is not necessary. If there is a determination by the IEP team and other qualified professionals that no additional data is needed, the IEP team will notify the student's parents in the Prior Written Notice and IEP of: The determination and the reason for the determination, including the existing data reviewed, a summary of the student's current classroom based on assessments, a summary of the staff observations, a review of progress towards previous goals, a summary of present levels of performance, results of any other assessments that have provided the information needed to determine a re-evaluation is not warranted; and The right to request an assessment to determine whether the student continues to be a student with a disability and what types of services would be appropriate. School of Dreams Academy will conduct a Review of Existing Evaluation Data prior to additional evaluation taking place. The team will review performance-based assessments, benchmarks, and other current data. If the student is a special education student and the three-year reevaluation is due within the next 12 months, the Annual IEP Committee may conduct the Review of Existing Evaluation Data and plan the evaluation during that Annual IEP Meeting. Otherwise, the Eligibility Determination Team (EDT) will meet to plan the evaluation prior to the 3-year due date. The Case Manager or Diagnostician will contact all other service providers prior to the Annual IEP to gather input and to work toward consolidating all required evaluations into one comprehensive Full and Individual Evaluation for the student, including Speech, OT/PT, etc. This information must be documented on the Prior Written Notice.

### D. Evaluation Procedures

The evaluation/assessment must provide for: Assessing in all areas of suspected disability (including health and development, vision and hearing); Selection of evaluation tools that are not racially, culturally or linguistically discriminatory; Are administered in the language or form most likely to yield accurate information regarding what the student knows and can do academically, developmentally and functionally; Selection of assessment tools that assess specific areas of educational need; Ensure that there are a variety of tools and strategies used to gather relevant functional and developmental information; Information provided by the parent; Information on how the student is involved and progressing in the general curriculum. Identify any accommodations in test administration that may be necessary. Assessments/evaluations must be administered by qualified personnel as specified in the instructions provided by the producers of the assessment tool. The evaluation should not use any one single measure as the only basis for determining eligibility or determining the appropriate educational program. As part of any evaluation or re-evaluation, the IEP team and evaluators should review any existing evaluation data on the child, including Information provided by the parent; Current classroom performance information, including observations of the student in the school setting by teachers and

other staff; and Statewide and District wide assessments. Based on the review of the information listed above, the IEP team and evaluators should make a decision regarding what additional information is needed for a determination of: Whether the student is a student with a disability and whether the educational needs of the student require special education services. In the case of a re-evaluation, whether the student continues to qualify for receipt of services. The student's present level of academic achievement and related developmental needs. Whether the current level and scope of services should be modified in order for the student to meet the goals set out in the IEP. Screening to determine instructional strategies is not to be considered an evaluation for eligibility for special education or related services.

#### E. Evaluation Reports

The diagnostic evaluation report should contain Student information: Name; Student Identification Number; Date of birth; Primary language or mode of communication. Identification of assessment tools: Dates given; Administered by whom, Whether administered under conditions not consistent with those provided by the producer of the test, and the evaluators' opinion on the impact to the validity of the test results. Findings of previous assessments/evaluations. Description of student's relevant behavior and relationship of that behavior to student's academic and functional skills. Relevant health, developmental, and medical findings, including source of information. Student's performance on state and district wide assessments. Name and title of person who wrote the report and the date the report was completed. All diagnostic reports will be given parents and interpreted to make sure parents and family have a complete understanding.

#### F. Ancillary Reports

The diagnostic evaluation report can include ancillary reports from occupational therapy, speech therapy, physical therapy, social work, school psychologist etc. Ancillary reports can also be stand-alone reports depending on if services are being added after the initial evaluation has been conducted. Parents can request ancillary evaluations just as they would initial or re-evaluations. All ancillary reports should contain Student information: Name; Student Identification Number; Date of birth; Primary language or mode of communication. Identification of assessment tools: Dates given; Administered by whom, Whether administered under conditions not consistent with those provided by the producer of the test, and the evaluators' opinion on the impact to the validity of the test results. Findings of previous assessments/evaluations. Name and title of person who wrote the report and the date the report was completed. All ancillary reports will be given parents and interpreted to make sure parents and family have a complete understanding.

### Section II

#### A. Eligibility Categories

There is a total of 14 eligibility categories in which a student can be eligible for special education services. An initial evaluation is conducted in order to determine which category or if any are needed for a student who is referred through the Student Assistance Team or parent request.

- (1) Autism: Autism means a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age three that adversely affects a child's educational performance. Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences. Autism does not apply if a child's educational performance is adversely affected primarily because the

child has an emotional disturbance as defined in 34 CFR Sec. 300.8(c)(4). A child who manifests the characteristics of autism after age three could be identified as having autism if the criteria described in 34 CFR Sec. 300.8(c)(1)(i) are satisfied. (34 CFR Sec. 300.8(c)(1))

- (2) Deaf-Blindness means concomitant hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for children with deafness or children with blindness. (34 CFR Sec. 300.8(c)(2))
- (3) Developmental Delay: Developmental delay means a child who is experiencing developmental delays, as defined by the State and as measured by appropriate diagnostic instruments and procedures, in one or more of the following areas: physical development, cognitive development, communication development, social or emotional development, or adaptive development; and who, by reason thereof, needs special education and related services. The eligibility category may be applicable for children aged three through nine (or any subset of that age range). (34 CFR Sec. 300.8(b)) In New Mexico, developmental delay (DD) is called developmentally delayed and means a child aged 3 through 9 (or who will turn 3 at any time during the school year) with documented delays in development which are at least two standard deviations below the mean on a standardized test instrument or 30 percent below chronological age; and who, in the professional judgment of the IEP team and one or more qualified evaluators, needs special education and related services in at least one of the following areas: communication development, cognitive development, physical development, social or emotional development, or adaptive development. A child with a disability who only needs a related service, as defined under 34 CFR Sec. 300.34, and not special education as defined under 34 CFR Sec. 300.39(a)(2)(i), is not eligible under IDEA, and is not eligible to receive related services. Subsection F (2) of 6.31.2.10 NMAC establishes that the use of the DD classification for children aged three through nine may be used at the option of individual local education agencies (LEA) but may only be used for children who do not qualify for special education under any other IDEA disability category. If an LEA chooses to use the eligibility category of DD, they must make that eligibility category available for children aged three through nine and cannot limit the eligibility to a different age range. Children who are found eligible under the category of DD must be reevaluated during the school year in which they turn nine and will no longer be eligible in this category when they become 10. A child who does not qualify under any other IDEA eligibility category at age 10 will no longer be eligible for special education and related services.
1. Emotional Disturbance: Emotional disturbance means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child's educational performance:
    - An inability to learn which cannot be explained by intellectual, sensory, or other health factors.
    - An inability to build or maintain satisfactory interpersonal relationships with peers and teachers.
    - Inappropriate types of behavior or feelings under normal circumstances.
    - A general pervasive mood of unhappiness or depression.
    - A tendency to develop physical symptoms or fears associated with personal or school problems. Emotional disturbance includes schizophrenia. The term does not apply to children who are socially maladjusted unless it is determined that they (also) have an emotional disturbance under paragraph 34 CFR Sec. 300.8(c)(4)(i). (34 CFR Sec. 300.8(c)(4))

2. **Hearing Impairment, including Deafness:** Deafness means a hearing impairment that is so severe that the child is impaired in processing linguistic information through hearing, with or without amplification that adversely affects a child's educational performance. (34 CFR Sec. 300.8(c)(3)) Hearing impairment means an impairment in hearing, whether permanent or fluctuating, that adversely affects a child's educational performance but that is not included under the definition of deafness in this section. (34 CFR Sec. 300.8(c)(5)) In New Mexico, the terms deafness and hearing impairment are combined into one eligibility category called Hearing Impairment, including Deafness. (Subsection B (2) of 6.31.2.7 NMAC).
3. **Intellectual Disability:** Intellectual disability means significantly sub-average general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period that adversely affects a child's educational performance. (34 CFR Sec. 300.8(c)(6)) On October 5, 2010, President Obama signed Rosa's Law (S. 2781), effectively replacing the term 'mental retardation' in Federal law with 'intellectual disability.'
4. **Multiple Disabilities:** Multiple disabilities mean concomitant impairments (such as intellectual disability and blindness or intellectual disability and orthopedic impairment), the combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments. Multiple disabilities do not include deaf blindness. (34 CFR Sec. 300.8(c)(7)) Children eligible for special education and related services under the category of multiple disabilities (MD) must meet the eligibility criteria in two or more Individuals with Disabilities Education Act (IDEA) categories. This eligibility category is characterized by the need for extensive and/or pervasive intensities of educational supports and, as such, is an extremely low-incidence category. It involves complex, inseparable interactions between two or more disabilities, and it is neither possible nor appropriate to designate the disabilities within this category as primary and secondary.
5. **Orthopedic Impairment:** Orthopedic impairment means a severe orthopedic impairment that adversely affects a child's educational performance. The term includes impairments caused by a congenital anomaly, impairments caused by disease (e.g., poliomyelitis, bone tuberculosis), and impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns that cause contractures). (34 CFR Sec. 300.8(c)(8))
6. **Other Health Impairment:** Other health impairment means having limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that is due to chronic or acute health problems such as asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, sickle cell anemia, and Tourette Syndrome; and adversely affects the child's educational performance. (34 CFR Sec. 300.8(c)(9))
7. **Specific Learning Disability:** Specific learning disability means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction,

dyslexia, and developmental aphasia. Specific learning disability does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of intellectual disability, of emotional disturbance, or of environmental, cultural, or economic disadvantage. (34 CFR Sec. 300.8(c)(10)) Subsection B of 6.31.2.7 NMAC, defines dyslexia as “a condition of neurological origin that is characterized by difficulty with accurate or fluent word recognition and by poor spelling and decoding abilities, which characteristics typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction and may result in problems in reading comprehension and reduced reading experience that may impede the growth of vocabulary and background knowledge.” The New Mexico Public Education Department highly recommends that the EDT use the information in the New Mexico Differential Diagnosis for Dyslexia Worksheet included in this manual to document decisions related to the identification of dyslexia in children with known or suspected specific learning disability (SLD). A SLD is a disability rooted in a neurological processing deficit (e.g., auditory processing, memory, processing speed, phonological processing, visual/perceptual processing, etc.) and results in significant academic underachievement despite sustained, high-quality, scientific, research-based instruction and intervention. SLD may be manifested in the following areas:

- Basic reading skills
- Reading fluency skills
- Reading comprehension skills
- Written expression
- Mathematics calculation
- Mathematics problem solving
- Oral expression
- Listening comprehension

SLD is unique to the individual and is not the result of exclusionary factors. In order to identify SLD, the following three elements must be documented:

1. The child demonstrates significant academic underachievement that is documented and supported by a pattern of strengths and weaknesses in performance and/or achievement. This underachievement persists despite sustained, high-quality, scientific, research-based instruction and intervention.
2. There is evidence of basic neurological processing deficit(s). There should be a research-based connection between the academic weakness and the identified neurological processing deficits. The following list of neurological processing deficits (and research-based related academic areas) should not be viewed to be all-inclusive but is provided as a starting point to guide aid EDTs in considering the most likely connections between neurological processing and academic areas.
  - Visual spatial processing (e.g., math problem solving)
    - o Non-verbal reasoning
    - o Left-right visual orientation
    - o Visual discrimination
    - o Visual-motor integration

- o Visual-spatial perception and reasoning
- o Visual memory
  - Language processing (e.g., basic reading skills, reading fluency, reading comprehension, math problem solving, oral expression, listening comprehension) *Reminder: This section does not refer to the presence of a language disorder. Instead, it is highlighting underlying neurological processing deficits that may be impacting specific academic areas.)*
- o Auditory processing
- o Phonological processing
- o Sound discrimination
- o Verbal comprehension
- o Verbal reasoning
  - Working memory (e.g., basic reading skills, reading fluency, reading comprehension, math problem solving, oral expression, listening comprehension)
- o Short-term memory
- o Memory span
  - Long-term storage and retrieval (e.g., basic reading skills, reading fluency, reading comprehension, math calculation, oral expression)
- o Long term (permanent) memory (visual, verbal, motor, historical)
- o Sound-symbol correspondence
- o Rapid automatic naming
- o Word retrieval fluency
  - Fluid reasoning (e.g., reading comprehension, math calculation, math problem solving, written expression, oral expression, listening comprehension)
- o Cognitive fluency/speed/efficiency
- o Deductive/inductive reasoning
- o Inference
- o Non-verbal reasoning
- o Problem-solving
- o Sequential processing
- o Simultaneous processing
- o Verbal reasoning
  - Processing speed (e.g., basic reading skills, reading fluency, math calculation, written expression, oral expression, listening comprehension)
- o Cognitive fluency/speed/efficiency
- o Rapid automatic naming
  - Phonological awareness (rhyming, phoneme segmentation, deletion, elision, isolation, blending, matching, and substitution) (e.g., basic reading skills, listening comprehension)
- o Auditory processing
- o Phonological processing
- o Sound awareness
  - Sensorimotor function (*Note: Although sensorimotor function is not a basic psychological process, these skills provide the foundation for other psychological processes and may be contributing factors for difficulties in*

*areas such as math calculation and written expression. It is essential to include the expertise of other specialists when a child demonstrates any indication that he may have impaired sensorimotor function, as indicated by poor performance on assessments requiring motor function (e.g., visual-motor assessments, coding/cancellation tasks, etc.).*

- Attention (e.g., basic reading skills, reading fluency, reading comprehension, math calculation, math problem solving, written expression, oral expression, listening comprehension)
  - o Attention span
  - o Sustained attention
  - o Selective attention
  - o Divided attention
  - o Shifting attention
- Orthographic processing (e.g., basic reading skills, reading fluency, math calculation)
- Executive functions (e.g., basic reading skills, reading fluency, reading comprehension, math calculation, math problem solving, written expression, oral expression, listening comprehension)

It is imperative that EDTs include specialists, such as speech-language pathologists and occupational therapists, early in the assessment process to assist in conducting parts of this evaluation. For example, an SLP will likely need to be involved when any of the language and/or verbal processing areas are suspected to be impacted and an OT will likely need to be involved when attention, executive functioning, motor, and/or visual processing areas are suspected to be impacted.

3. The child's challenges are not caused by following exclusionary factors:

- Lack of appropriate instruction in reading;
- Lack of appropriate instruction in math;
- Limited English proficiency
- Visual, hearing, or motor disability;
- Intellectual disability;
- Emotional disturbance;
- Cultural factors; or
- Environmental or economic factors.

There may be an overlap between the SLD category and the speech or language impairment category in the area of language. Oral expression and listening



comprehension are academic areas and should be treated as such in the evaluation process. The information provided through a speech-language evaluation may support the presence of a specific learning disability.

8. **Speech or Language Impairment:** A speech or language impairment means a communication disorder, such as stuttering, impaired articulation, a language impairment, or a voice impairment that adversely affects a child's educational performance. (34 CFR Sec. 300.8(c)(11))
9. **Traumatic Brain Injury:** Traumatic brain injury means an acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects a child's educational performance. Traumatic brain injury applies to open or closed head injuries resulting in impairments in one or more areas, such as cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem-solving; sensory, perceptual, and motor abilities; psychosocial behavior; physical functions; information processing; and speech. Traumatic brain injury does not apply to brain injuries that are congenital or degenerative, or to brain injuries induced by birth trauma. (34CFR Sec. 300.8(c)(12))
10. **Visual Impairment, including blindness:** A visual impairment, including blindness, means an impairment in vision that, even with correction, adversely affects a child's educational performance. The term includes both partial sight and blindness. (34 CFR Sec. 300.8(c)(13))
11. **Gifted:** As used in 6.31.2.12 NMAC, "gifted child" means a school-age person as defined in Subsection D of Sec. 22-13-6 NMSA 1978 whose intellectual ability paired with subject matter aptitude/achievement, creativity/divergent thinking, or problem-solving/critical thinking meets the eligibility criteria in 6.31.2.12 NMAC and for whom a properly- constituted IEP team determines that special education services are required to meet the child's educational needs. "Intellectual ability" means a score two standard deviations above the mean as defined by the test author on a properly administered intelligence measure. The test administrator must also consider the standard error of measure (SEM) in the determination of whether or not criteria have been met in this area. "Subject matter aptitude/achievement" means superior academic performance on a total subject area score on a standardized measure, or as documented by information from other sources as specified in Paragraph (2) of Subsection C of 6.31.2.12 NMAC. "Creativity/divergent thinking" means outstanding performance on a test of creativity/ divergent thinking, or in creativity/divergent thinking as documented by information from other sources as specified in Paragraph (2) of Subsection C of 6.31.2.12 NMAC. "Problem-solving/critical thinking" means outstanding performance on a test of problem-solving/critical thinking, or in problem-solving/critical thinking as documented by information from other sources as specified in Paragraph (2) of Subsection B of 6.31.2.12 NMAC. For students with "factors" as specified in Paragraph (2) of Subsection E of 6.31.2.12 NMAC, the impact of these factors shall be documented, and alternative methods will be used to determine the student's eligibility. While some commonalities exist across giftedness, one size does not fit all. According to the National Association of Gifted Children (NAGC), gifted learners

exhibit different characteristics, traits, and ways to express their giftedness. Various issues must be considered for identification<sup>1</sup>:

- Giftedness is dynamic, not static. Identification needs to occur over time, with multiple opportunities to exhibit gifts. One test at a specific point in time should not dictate whether someone is identified as gifted.
- Giftedness is represented through all racial, ethnic, income levels, and exceptionality groups. Underrepresentation is widely spread. It's estimated that African American, Hispanic American, and Native American students are underrepresented by at least 50% in programs for the gifted.
- Giftedness may be exhibited within a specific interest or category—and even a specific interest within that category. Professionals must seek ways to gather examples across various domains and contexts.
- Early identification in school improves the likelihood that gifts will be developed into talents.

12. When evaluating giftedness, some populations may need additional factors to be considered when looking at the scores as defined in 6.31.3.7 NMAC. Some factors, such as home language, culture, socio-economic status, disability, etc., may depress scores and cause inequity in identification. [Alternative protocols](#) may be necessary and can be requested through the New Mexico Public Education Department. (6.31.3.11 NMAC)

The six (6) areas of gifted need and evaluation are:

- General Intellectual Ability— means having exceptional capability or potential recognized through cognitive processes, such as memory, reasoning, rate of learning, spatial reasoning, ability to find and solve problems, ability to manipulate abstract ideas, and ability to make connections, which is demonstrated by scoring in the ninety-fifth percentile or above on standardized cognitive ability tests.
- Creative or Divergent Thinking— means having exceptional capability or potential to solve a problem or reach a decision using strategies that deviate from commonly used or previously taught strategies, which is demonstrated by achieving an advanced level on performance assessments or scoring in the ninety-fifth percentile or above on standardized tests of creative or divergent thinking.
- Problem Solving or Critical Thinking— means having outstanding capabilities to analyze a problem and engage in solutions-oriented performance, which is demonstrated by achieving an advanced level on problem-solving or critical thinking performance assessments or scoring in the ninety-fifth percentile or above on standardized problem-solving assessments.
- Specific Aptitude or Achievement— means having exceptional capability in subject areas, such as having a strong knowledge base or the ability to ask insightful, pertinent questions within the discipline, and achievement at an advanced level on performance assessments or state standardized achievement tests. Specific aptitude subject areas include all subject areas for which educational standards for students have been adopted in Chapter 29 of Title 6 NMAC.
- Artistic Ability— means having exceptional capability or potential in visual art, theater, music, or dance. Artistic ability is demonstrated by achieving an advanced level on a performance assessment or scoring in the ninety-fifth percentile or above on standardized arts assessments.

- Leadership Ability—means having exceptional capability or potential to influence, inspire, and empower groups demonstrated by achieving an advanced level on leadership ability performance assessments or scoring in the ninety-fifth percentile or above on standardized leadership tests.
13. The systematic process for gifted identification involves three steps:
- Referral and universal screening
  - Building a body of evidence and qualification
  - Determination of eligibility and design of individualized gifted programming

## B. Eligibility Determination

After the assessment/evaluation, the group of qualified professionals including the parent will meet to determine whether a student is a student with a disability. If the student meets the criteria for one of the listed exceptionalities, the EDT team then must determine whether by reason of such a disability the student required special education or related services. Once this determination is made the educational needs of the student will be made by a team of qualified professionals and the parent of the student. A student shall not be found to be eligible for receipt of special education services if the determinant factor is either: Lack of appropriate instruction in reading, including the essential components of reading instruction. Essential components of reading instruction mean explicit and systemic instruction in: Phonemic awareness; Phonics; Vocabulary development; Reading fluency, including oral reading skills; Reading comprehension strategies. Lack of instruction in mathematics: or Limited English proficiency. Before determining that a student no longer qualifies for special education services, the district must evaluate the student, unless the student's eligibility has terminated because either the student has graduated with a regular diploma; or the student's age exceeds the age of eligibility. Discontinuation of services is based on the IEP committee's decisions that the student has mastered the goals and objectives, there is no longer an educational need, and the student no longer qualifies as a student with a disability based on current evaluation information. In rare cases, there may be a medical reason for the parent to request discontinuation of services temporarily or permanently. School of Dreams Academy will continue to offer a free appropriate public education (FAPE) to an eligible student with a disability as required by the IDEA regulations.

C. Does Not Qualify Procedures: The Eligibility team can determine that a child is not eligible for special education and related services under the eligibility being considered. There are four reasons why this may be the case, so in addition to checking the box that indicates that the EDT has made this determination, they must also indicate the specific reason for this determination.

1. **The first reason that a child may be found not eligible for special education and related services under a specific category is simply that the EDT has determined that the child didn't meet the eligibility criteria of that category.** In other words, under the section of the worksheet titled "determine the presence of a disability," the EDT indicated "No" to at least one question, documenting that the child is not a child with that disability, as defined by IDEA and NMAC. In addition, by checking this box, the EDT is indicating that the child also doesn't meet eligibility criteria under any other eligibility category.
2. **The second reason that a child may be found not eligible for special education and related services under this category is that the EDT has determined that the child is not a child with this specific disability, but did meet eligibility criteria under another eligibility category.** For example, an EDT may be considering the eligibility categories of hearing impairment, including deafness, and other health impairment. If the evaluation and assessment data indicated that the child doesn't meet criteria for a hearing impairment but was eligible under the category of other health impairment, the EDT would

check this box. They would need to be sure to complete the other health impairment eligibility determination worksheet to finalize the documentation of their decision.

3. **The third reason that a child may be found not eligible for special education and related services under this category is that the EDT has determined that, although the child has that specific disability, according to IDEA and NMAC, another eligibility category better describes the reason that the child needs specially designed instruction.** For example, a child may meet eligibility criteria for a hearing impairment, including deafness, and a specific learning disability. In this example, the EDT would need to determine which of those two disabilities **best describes** the reason that the child requires specially designed instruction. As discussed previously, the role of the EDT is to identify the **primary reason**, or determinant factor, for the child's difficulties with educational performance. Even if the child demonstrates more than one disability, the EDT must identify one disability as the primary reason that the child needs specially designed instruction. EDTs must remember that a child's eligibility does not drive or dictate the child's ultimate educational placement or the services he may receive under an IEP. The IEP team makes those decisions after the identification of appropriate goals. This third reason allows the EDT to document that yes, the child has a hearing impairment; however, his educational needs are primarily the result of a specific learning disability. In some districts, this could provide documentation for the identification of specific learning disability as the child's primary disability and hearing impairment, including deafness, as his secondary disability.
4. **Finally, the fourth reason that a child may be found not eligible for special education and related services under a particular category is that the EDT has determined that, although the child has that specific disability, he doesn't require specially designed instruction as a result of that disability.** In other words, the EDT determined that the child met criteria for a hearing impairment, including deafness, on the "determine the presence of a disability" section of the worksheet. However, when they addressed the "determine the need for specially designed instruction" questions, they answered "No" to all three questions. EDTs should document this particular decision only when the child meets eligibility criteria for that eligibility category, does not demonstrate a need for specially designed instruction as a result of that disability, **and** is not eligible under any other eligibility category.

### Section III

#### A. IEP Documents

The IEP team will use the set of forms available on the Public Education Department website or the web based, computer-based program which includes at a minimum the following sections and is compliance with the federal and state regulations:

- A. Present levels of educational and functional performance
- B. Goals and Objectives
- C. LRE considerations
- D. Service Schedule
- E. Testing Considerations
- F. Prior Written Notice
- G. Special Considerations
- H. Transition Planning

Each participating agency must keep a record of parties obtaining access to education records collected, maintained, or used under Part B of the Act (except access by parents and authorized employees of the participating agency), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records. One official at each participating agency must assume responsibility

for ensuring the confidentiality of any personally identifiable information. All persons collecting or using personally identifiable information must receive training or instruction regarding the State's policies and procedures under §300.123 and 34 CFR Part 99. School of Dreams will maintain, for public inspection, a current listing of the names and positions of those employees within the agency who may have access to personally identifiable information. Each child who receives special education and related services must have an Individualized Education Program each year the student is eligible. Each IEP must be designed for one student and must be a truly individualized document. The IEP creates an opportunity for teachers, parents, school administrators, related services personnel, and students (when appropriate) to work together to improve educational results for children with disabilities. The IEP is the cornerstone of a quality education for each child with a disability. To create an effective IEP, parents, teachers, other school staff, and often the student, must come together to look closely at the student's unique needs. As members of the IEP team these individuals pool knowledge, experience, and commitment to design an educational program that will help the student be involved in and progress in, the general curriculum. The IEP guides the delivery of special education supports and services for the student with a disability. Without a doubt, writing and implementing an effective IEP requires teamwork. The IEP development is one of the most critical elements in ensuring effective teaching, learning, and better results for all children with disabilities. The guide is designed to help teachers, aides, administrators, ancillary service personnel, and anyone involved in the education of a child with a disability to develop and carry out an IEP. The manner in which an IEP team meeting is conducted often determines its effectiveness. The process should ensure that: The focus is on the student; All participants are viewed as having important contributions; Communications are in a style and manner that is both understanding and respectful; That the needs of the student guide the decisions made at the meeting; That these decisions can and will be implemented, as the policy requirements are met. The Individualized Educational Program is a written document that communicates School of Dreams offer of a free appropriate public education and is developed, reviewed, and revised in accordance with federal and state law and agreed to by a team, at a meeting of parents and professional. The IEP addresses: Whether the student is eligible for special education and related services. A statement of the student's present levels of performance. A statement of measurable annual goals, including academic and functional goals. The goals should be designed to meet the student's needs that result from his or her disability: and The goals should enable the student to be involved in, and to progress in the general education curriculum; All previous goals should be reviewed to determine whether the goals or objectives have been met or not. If they have not been met a review of the reasons for the lack of progress should be discussed and the viability of the goal determined by the IEP team. If it is not an appropriate goal it should be changed. If it remains an appropriate goal determine if the process for implementation needs change. For preschool children goals should be developed from the preschool curriculum. For each goal the team should determine the date (month/year) that it is anticipated that the objective will be achieved. A statement of how the student's progress towards the goals will be measured and when that progress will be reported to the parent. Determine the types of general education, special education and related services providers who will be responsible for instructing the student on the goals/objectives. Based on peer-reviewed research, a statement of the special education and related service needed for the student, and of the practicable extent to which such services will be provided. If the child is blind or visually impaired the IEP team must determine if the student requires instruction in Braille and the use of Braille. If the student is having behavioral problems not considered serious (occasionally occurring) then consider developing a behavior goal. If the student is having behavioral problems that are serious and interfere with daily learning, then the IEP team should consider developing a Behavior Intervention Plan after conducting a functional Behavioral Assessment. A statement of the program modifications or supports for school personnel that will be provided for the student. The projected date for the beginning of the services and modifications described in the IEP, and the duration of those services. If no date can be provided, explain why in the PWN. The IEP should be reviewed regularly, but not less than once a year, in order to determine whether the student

is achieving the annual goals. Revise the IEP as appropriate to address any lack of expected progress, the results of any reevaluation, information provided by the parent(s); the student's anticipated needs, or other matters. An IEP is not: A guarantee that a student will achieve the goals and objectives set forth in their IEP; A vehicle for specifying the methodologies teachers and other professionals will use with the student. A documentation of the use of specific personnel or specific facilities. What happens after the IEP is as important as what happens during the creation of the IEP itself.

## B. IEP Writing

- i. **Student Profile:** a comprehensive look at a student's strengths and concerns from parents, teachers, ancillary staff, related providers and if applicable the student
- ii. **Meeting Participants:** All staff that is needed to provide input into the IEP is listed. This included but is not limited to a general education teacher, a special education teacher, a LEA, the parent(s), the student if necessary and all related service providers.
- iii. **Special Factors:** This section of the IEP addresses if a student is visually impaired, if the student has special oral or written communication needs, if the student is deaf or hard of hearing, if the student is limited English proficient, if the student has assistive technology needs or exhibits behaviors that impede their learning or that of others. It Give particular attention to the sections dealing with English language proficiency and assistive technology needs. Consider the language needs of the student as needs relate to the IEP, if at all. In the case of a child whose behavior impedes his learning or that of others, the teams should consider the use of positive behavioral interventions. If the team decides that an FBA needs to be conducted, include a time frame for completion of the FBA and the development of the BIP and identify who is responsible for conducting the FBA. The IEP team needs to consider all of the possible discipline provisions set forth in the IEP and check the applicable box(es). A BIP does not mean that a student cannot be required to follow the school-wide discipline plan. An FBA is generally an approach that incorporates a variety of techniques and strategies to diagnose the causes of and identify likely interventions to address the behavior. An FBA should identify the biological, social, affective, and environmental factors that begin, maintain or end the behavior. Generally, disciplinary sanctions should be consistent with the intervention strategies set out in the student's BIP. Nevertheless, students with disabilities are not immune from normal school disciplinary rules, provided those rules are administered in a nondiscriminatory manner and are not inconsistent with the student's IEP. School of Dreams Academy must ensure that any disciplinary action taken with respect to the student has no adverse effect on the goals and objectives of the IEP and is not applied in a discriminatory manner in violation of Section 504.
- iv. **ESY/ Testing Accommodations:** Specific changes made to the way that a student with an IEP would take state and district assessments. Allowing them to demonstrate their knowledge of their academic abilities without certain constraints. Examples can include but are not limited to extended time,

enlarged text, paper-based versions, text-to-speech, speech-to-text and small group.

- v. Measurable Post Secondary Goals: this lists specific actions that will be taken after high school in order for a student's desired outcomes to become a reality. Measurable post-secondary goals are based off of student's interests, strengths, needs and preferences.
- vi. Graduation Options: Includes a standard high school diploma option, a modified diploma option or an ability pathway option for students who have a disability. A projected date of graduation is given. A decision is made by the IEP deciding if the student is on target to graduate and what will be done in order to make sure all efforts are made in order to get the student to graduate. The team will also describe how the program of study aligns with the students' post-secondary goals as well as state standards.
- vii. Course of Study: Secondary students are given required classes and taken classes. This allows students and parents to both be aware of what classes have been completed, what classes need to be completed and if there are any missing credits that will be needed in order to graduate.
- viii. Accommodations/Modifications: Accommodations are changes as to how the student demonstrates mastery of skills associated with meeting standards. Modifications are changes to the content of instruction. Ensure that accommodations and modifications are carried out in full in the general education setting. Make sure you choose the right accommodation to fit the student's needs but be careful not to give an unfair advantage to any student(s). Consider the following possible accommodations or modifications: Setting; Timing; Schedule; Presentation; Response.
- ix. Goals/ Present levels of Performance: The Present Levels of Educational Performance helps describe any problems that interfere with the student's education. The PLP can assist in developing annual goals for the student. For each performance area in which the student requires support. Staff must develop a narrative statement that establishes a baseline for the student's present level of performance in that area. The statement should be written in measurable terms that allow for monitoring and reporting on the progress the student is making. This information usually comes from the evaluation results, such as classroom tests and assignments, individual tests given to decide eligibility for services or during re-evaluation, and observations made by parents, teachers, related service providers, and other school staff. The statement about current performance includes how the student's disability affects his or her involvement and progress in the general curriculum. This is also where IEP goals and objectives are listed. Goals may be academic, social or behavioral needs, physical needs, or other educational needs. The goals must be measurable, meaning that it must be possible to measure whether the student has achieved the goals. IDEA 2004 requires the development of annual academic and functional goals. The definition of "functional" is not in the proposed regulations. IDEA 2004 eliminates the requirement that an IEP include benchmarks or short-term objectives except for students with disabilities who take alternate assessments aligned to alternate achievement standards. An Annual Goal is a statement that

describes what a child with a disability reasonably can accomplish within a twelve-month time period in the special education program. Short-term objectives should be written in a sequential order to reflect a progression through the various skills needed to meet the goal. The goals and objectives are used to look both prospectively at what a student reasonably can be expected to achieve and retrospectively at whether the student has achieved that goal/objective. As a general rule, there should be at least one goal for each area of need. Be careful not to create too many.

- x. **Transition Services:** In New Mexico, a transition Plan must be developed not later than the first IEP in effect when the student is 14 or in the 8<sup>th</sup> grade, whichever comes first. This transition Plan must be updated annually. Under IDEA 2004, the Transition Plan must have “appropriate measurable postsecondary goals” based upon age-appropriate transition assessments related to training, education, employment, and (where appropriate) independent living skills. The IDEA requires IEP teams to carefully consider each student’s goals after public school, what services are needed to assist the student in reaching his or her post-secondary goals, and whether the student is progressing toward those goals. In addition to the required IEP attendees, district should consider whether to invite a representative of an outside agency if appropriate if that may be responsible for providing or paying for transition services addressed in the IEP. An IEP team may proceed with its meeting without the student if: The student has been invited and declines to attend; and The school has taken other steps to ensure that the student’s preferences and interests are considered. School of Dreams Academy must advise the parent that the purpose of the meeting is to discuss transition, that the student is invited, and that one or more other agencies that may be responsible for providing or paying for transition services in the IEP are invited, and that any agency invited to participate may send a representative to the meeting. The following transition information needs to be included in the IEP: A statement of the transition service needs under the applicable components of the IEP that focus on the student’s course of study; Needed transition services, including any linkages to outside agencies; and one year before the student reaches the age of eighteen (18), parental rights will be transferred to the student on his or her 18<sup>th</sup> birthday.
- xi. **Medical and Significant Health:** Medical and significant health page allows for the IEP team to be aware of any medication or significant health problems that a student may have. This section includes any health or emergency evacuation plans if necessary. The IEP team is also made aware of any special education transportation that may be needed and if so, it will also list if any special equipment is needed for transportation.
- xii. **Schedule of Services:** Establishes what services a student will receive and the duration of those services. Within the schedule of services, the least restrictive environment is covered. The principle of least restrictive environment requires that placement in a special class or separate schooling should only occur when the nature or severity of the student’s disability is such that education in the general education class with appropriate accommodations. Modifications, services and supports cannot be achieved



satisfactorily. School of Dreams must provide a continuum of services. While considering the various placements along the continuum, remember to consider whether the goals and objectives as written can reasonable be met in the proposed placement. LRE extends to all aspects of the student's educational program, including nonacademic and extracurricular activities. In providing for nonacademic and extracurricular services and activities (including meals, recess periods, and the services and activities themselves), School of Dreams shall ensure that each child with a disability participates with nondisabled children in those services and activities to the maximum extend appropriate. The number of services to be provided must be sufficiently stated so that the level of commitment by School of Dreams Academy is clear to all IEP team members.

- xiii. Progress Documentation: The child's progress toward the annual goal is measured, as stated in the IEP. His or her parents are regularly informed of their child's progress and whether that progress is enough for the child to achieve the goals by the end of the year. These progress reports must be given to parents at least as often as parents are informed of their nondisabled children's progress.
- xiv. Prior Written Notice: The prior written notices are to ensure that parents/guardians are provided with all relevant information that was involved in the IEP meeting. Allowing parents to be fully informed about what actions were proposed, accepted and/or rejected in regard to the special education services their child will receive. Essential the PWN is a notification of all proposed changes and/or necessary items related to the IEP, evaluations and related services.
- xv. Consent for Services: A parent's signature is required as a written agreement between the School of Dreams and the parents to provide what was agreed upon within the IEP meeting. A parent/guardian will sign saying that understand and approve of the special education services that outlined in the Prior written notice and give the School of Dreams Academy permission to provide those services.

### C) IEP Services

As soon as possible following the development of the IEP, the school makes sure that the child's IEP is being carried out as it was written. "As soon as possible" is defined as being within five school days of the IEP meeting. Parents are given a copy of the IEP. Each of the child's teachers and service providers have access to the IEP and knows his or her specific responsibilities for carrying out the IEP. This includes the accommodations, modifications, and supports that must be provided to the child, in keeping with the IEP.

### D) IEP Meetings

School of Dreams Academy must take steps to ensure that one or both of the parents of a child with a disability are present at each IEP Team meeting or are afforded the opportunity' to participate, including- Notifying parents of the meeting early enough to ensure that they will have an opportunity' to attend; and Scheduling the meeting at a mutually agreed on time and place. Have everyone in attendance identify themselves and their role in the IEP meeting. Advise advocates that they can assist the parent, but that they cannot act in the parent's place. If the meeting becomes contentious, consider taking a short break or tabling the meeting to get direction from the administration. Begin the meeting on time.

Ask the parents if they have received and understand their rights and procedural safeguards. If the student has reached the age of eighteen (18) and not been determined incompetent by a court under state law, all the rights, roles, responsibilities and communication pertaining to the parent described in this manual are conveyed to the student. Beginning with the year the student reaches the age of fourteen (14) and at each annual review after that time, the IEP team must discuss not only transition, but also the Pathways to Graduation and what the requirements are for graduation under each pathway. The discussion should include the difference between the various pathways, the course requirements and the course of study

#### E) IEP Addendums

A detailed addition of information is added to the original IEP to clarify existing points, make minor adjustments to the student's educational plan that was agreed on originally. A separate meeting is needed however this meeting can be held over the phone if the parents/guardians agree. All changes are documented in the Prior written notice, so both the parents and School of Dreams are aware of the changes and agree to provide the new changes.

#### F) IEP Annual Reviews

The child's IEP is reviewed by the IEP team at least once a year, or more often if the parents or school ask for a review. If necessary, the IEP is revised. Parents, as team members, must be invited to attend these meetings. Parents can make suggestions for changes, can agree or disagree with the IEP goals, and can agree or disagree with the placement. If parents do not agree with the IEP or the placement, they may discuss their concerns with other members of the IEP team and try to work out an agreement. There are several options, including additional testing, an independent educational evaluation, asking for mediation (if available) or a due process hearing. The parents may also file a complaint with the state education agency.

#### 5) Functional Behavior Assessments

An FBA must be done if one has not already been done when: A student is removed for more than ten (10) school days in a year for the first time; When School of Dreams Academy begins a removal that constitutes a change in placement; or When a student is placed in an alternative interim setting for drugs or weapons violations.

##### a) Procedures for Conducting an FBA

There is no one procedure for conducting an FBA, but the FBA must include information about the situational, environmental and behavioral circumstances of the behavior. The persons conducting the FBA must meet to develop an assessment plan within ten (10) business days of the triggering event.

- Who conducts an FBA? The IDEA specifies that it is the IEP Team who conducts an FBA. With specialized training, experience and support, special and general education teachers, counselors and administrators could conduct an FBA. Most school districts use a social worker or a psychologist. Ensure the relevant members (including the general education teacher) participate in providing information for the FBA and develop the BIP: target the specific behavior that is impeding learning by clearly defining and describing the observable behavior(s). Obtain information from a variety of sources including but not limited to: discussions, interviews, records, and direct observation. Also use any standardized instruments if available. Determine duration, frequency, and intensity of any patterns of behavior. Identify and describe any antecedents - events that logically serve as the stimulus for the behavior. Identify and describe any consequences - this is the action that is following and causes the student to maintain specific behavior - determine effectiveness of each. Determine the purpose of the student's behavior - usually to get something, avoid or escape something, or to control the antecedent

event. Describe the relationship of the behavior to the event and provide possible variables that can be changed in the setting or the situation. Develop the behavioral intervention plan and accommodations (BIP). Teach alternatives to the behavior and include positive reinforcement along with consequences. Consistently implement, allow enough time for the behavioral intervention plan and accommodations to work, and then review as needed.

#### 6) Behavior Intervention Plan

A BIP is a written, specific, purposeful and organized plan that describes positive behavioral interventions and other strategies that will be implemented to address goals for a student's social, emotional and behavioral development within the context of the IEP process. In addition, for students whose behavior prompts disciplinary action by the school, the BIP addresses the behavior(s) of concern that led to conducting a functional behavioral assessment. Implementation of a BIP is an issue under both Section 504 and the IDEA, particularly with regard to students whose classroom behavior is disruptive. A student's Section 504 placement team is required to develop a behavioral management plan whenever the team determines that disability-related behavior problems interfere with the student's ability to benefit from special education or related services. Including the IEP directly in the IEP document is not mandatory but is permissible. The BIP does not prevent the school district from calling the police. The standard of appropriateness for a BIP is whether the plan is reasonably calculated to allow the student to benefit from his educational program in the least restrictive environment ("LRE"), without unduly disrupting other students. The BIP should include: A summary of relevant and determinative information gathered from a functional analysis assessment; An objective and measurable description of the targeted maladaptive behavior (s) and replacement positive behavior(s); The individual student's goals and objectives specific to the behavior; A detailed description of the behavioral interventions to be used and the circumstances for their use; Specific schedules for recording the frequency of the use of the interventions and the frequency of the targeted and replacement behaviors, including specific criteria for discontinuing the use of the intervention for lack of effectiveness or replacing it with an identified and specified alternative; The criteria, by which the procedure will be faded or phased out, or less intense/frequent restrictive behavioral intervention schedules or techniques will be used; Those behavioral interventions which will be used in the home, residential facility, work site, or other non-educational settings; and Specific dates for periodic review by the IEP team. When evaluating whether an FBA and BIP are in place and current, ensure that they: Identify important, controllable, causal functional relationships applicable to a specific set of target behaviors for an individual student; Are multimodal, each behavior typically has multiple causes contributing differentially to the expression of the behavior; Describe the expected outcomes and goals for the plan; Specify the interventions used to achieve the goals; Specify the person who is responsible for specific interventions; and Specify a review date.

#### 7) Revocation of Services

Students receiving special education services can have those services revoked if a parent/guardian decides they do not want their child to receive these services anymore, they no longer want their child to have an IEP or a disability eligibility. Parents can formally withdraw their consent for special education services at any time. Parents/guardians can revoke services by signing a revocation form. The revocation form states what services are being revoked and a Prior written notice is provided to state which and why the services are being revoked.

#### 8) Staff Training

Annually, staff are trained on how to provide accommodations and modifications to students who are on an IEP. Staff is trained on where to find IEP information, who to contact if they have questions and the procedures needed to get a student who is suspected of having a disability support. Additionally, staff is provided training on how to deal with behavior and the use of restraint.

#### 9) Preschool Programs

Special Education is a state and federally funded program to serve children who are eligible for services. Families and qualified professionals work together to identify the child's educationally related program strengths and needs. School of Dreams Academy's Child Find works with early intervention providers to meet the needs of children who are eligible for services and are transitioning from early intervention services to the

public schools. More information can be found in our Parent and Child Rights in Special Education Procedural Safeguards Notice.

#### Special Education Procedures Plan

Supports are in place to help identify any special needs of our Pre-Kindergarten children early in the process of them becoming a student at School of Dreams Academy. School of Dreams Academy's Faculty and Staff believe that all students have special gifts. Therefore, we work diligently to provide specific learning opportunities throughout all instruction and play.

School of Dreams Academy understands that changes can be difficult for those children transitioning from Early Intervention to a classroom setting so we make every effort to prepare them for transitioning from home to preschool. Pre-Kindergarten students at School of Dreams Academy have inclusive access to school-wide activities. They participate in spirit days, Extended Learning Days, robotics, music, dance, and art throughout the school year.

#### *Ancillary Staff in the Classroom*

In order to help children with special needs, School of Dreams Academy employs speech and language therapists, occupational therapists, physical therapists, bilingual instructor, and a social worker. Their presence in the classroom provides a natural environment in which all the children can learn new skills in the way they use their bodies to move and the way they use language to communicate their wants and needs. Children with special needs may also be seen on a pull-out basis outside of the preschool classroom. These professionals meet regularly with your child's classroom teacher to plan classroom activities.

#### Individualized Educational Plan (IEP)

Parent(s)/Guardian(s) are to attend all IEP meetings and will participate by providing school personnel with any information that will assist in planning an effective educational plan for the child. School representatives will provide facts from testing results and provide guidance through the IEP to ensure a clear understanding of the process.

Once an IEP is in place for a child, teachers immediately implement the modifications stated on the IEP to support the learning needs of the child. The Pre-Kindergarten program is designed to be inclusive in addition to providing opportunities for peers to be role models in our Preschool classrooms. Any child entering the School of Dreams Academy with a current Individualized Education Plan (IEP) will be directed to go to our Special Education Pre-Kindergarten Diagnostician or Child Find Coordinator for the IEP to be reviewed. The student will continue with these services until an IEP meeting is held. At that point any changes recommended during the meeting will be implemented as required.

#### Special Education Preschool Program (DD 3Y and DD 4Y PreK)

The Special Education Preschool program is designed for preschool children with special needs who are between the ages of three and five. The children must meet New Mexico eligibility requirements for special education. Children who have Individualized Education Plans (IEPs) which designate speech and language therapy, occupational therapy, social work, and/or physical therapy will receive these therapies within the classroom environment and/or pull-out therapy as indicated in the IEP during the school day. The Preschool classroom staff also implement strategies and techniques recommended by the therapists.

A student who is eligible for the Special Education Preschool Program will attend School of Dreams Academy with typically developing peers and will receive special education and therapy services as identified on the child's Individualized Education Program (IEP). Transportation is provided by the School of Dreams Academy (SODA) for children who live or are receiving daycare within the Los Lunas boundaries and have an IEP. Homebound services are available to children who qualify and whose IEP indicates the need for such services.

### School of Dreams Academy Early Childhood Programs

The School of Dreams Academy (SODA) provides early childhood programs to young children who are three to five years old. School of Dreams Academy implements the US Department of Education Policy Statement on Inclusion of Children with Disabilities in Early Childhood Programs (September 14, 2015). School of Dreams Academy's early childhood programs are diligently working toward providing inclusion services to all children with disabilities, together with their peers without disabilities. We hold high expectations and intentionally promote participation in all learning and social activities. We facilitate individualized accommodations and use evidence-based services that support and foster each child's development (cognitive, language, communication, physical, behavioral, social-emotional, friendships with peers, and a sense of belonging).

The following early childhood programs work collaboratively to ensure all children participate in developmentally appropriate learning opportunities:

### New Mexico Pre-Kindergarten Program

The New Mexico Pre-Kindergarten Program is a state funded, developmentally appropriate school readiness program. School of Dreams Academy's PreK program administrators must ensure that all of their budget and finance policies, tasks comply with their contract or grant agreement with ECECD. The program provides a comprehensive program for four-year-old children. Children who qualify for the program must be three or four years of age by September 1<sup>st</sup> of the current school year. The New Mexico Pre-Kindergarten includes children with special needs. Attendance at parent meetings and a developmental screening of the child is required for participation in the program and is administered by the New Mexico Pre-Kindergarten staff. Applications are available beginning in the Spring for the following school year. Space in this program is limited to two classrooms of 3- and 4-year-olds; 16 students in each classroom. Transportation is the parent's responsibility for the New Mexico Pre-Kindergarten Program.

### Peer Model Preschool Program

The Peer Model Program is designed for preschool children whose families are seeking a readiness program for their child prior to kindergarten. These students are role models for students participating in the Early Childhood Special Education Preschool Program. Children selected for the Peer Model Program are screened and must demonstrate age appropriate social, adaptive, speech and language, fine motor, and gross motor skills. They must be toilet trained. Priority will be given to children who turn 4 by September 1<sup>st</sup> but consideration may be given to students who turn 4 before December 31<sup>st</sup>. Space in this program is limited.

### Child Find Screenings and Evaluations

Child Find is part of the Individuals with Disabilities Education Act (IDEA) that requires states to identify, locate and evaluate all children with disabilities ages 3-21 who need special education services. School of Dreams Academy conducts screening and evaluations of preschool-aged children who are suspected of having developmental delays or disabilities in one or more of the following areas: Communication Skills, Cognitive skills, Motor skills, Daily Living Skills, Social/Emotional Skills, Vision, Hearing, and/or Orthopedic needs. Any parent/guardian with concerns about their child's development (speaking, understanding language, learning, eye-hand coordination, movement, socialization, hearing, vision, or any other developmental concern) may contact Child Find for a screening. A child must be at least 3 years old but not eligible for kindergarten. Parent(s)/Guardian(s) must sign consent before the screening can take place. The screening takes about 45 minutes. The screener(s) will play with your child using developmental screening tools. You will be asked questions about activities your child may be doing at home or in childcare. Children will also have their vision and hearing screened. The screener(s) will then talk with the parents/caregivers about the outcomes of the screening and any next steps to be taken. This may include further evaluation(s) or referrals to other community services.

Students attending New Mexico School of Dreams Academy's Preschool who do not have an IEP, are required to complete a screening which will be completed by the classroom staff. A screening helps to discover a child's strengths and to determine if there are areas of concern that may need further evaluations.

Through this screening, families will work together with staff to look at all areas of development. This screening will be completed during the first three months of attendance. The screening looks at skills in the area of language, fine motor, gross motor, self-help, and social-emotional skills. Articulation skills (speech sounds) will be screened, if needed.

#### 10) Complaint Procedures

Requirements for complaints filed with the Special Education Bureau.

(a) The SEB of the department shall accept and investigate complaints from organizations or individuals that raise issues within the scope of this procedure. The complaint must: (i) be in writing; (ii) be submitted to the SEB (or to the secretary of education, in the case of a complaint against the department); (iii) be signed by the complainant or a designated representative and have the complainant's contact information; (iv) if alleging violations with respect to a specific child, include the name and address of the child and the school the child is attending; (v) include a statement that the department or a public agency has violated a requirement of an applicable state or federal law or regulation; (vi) contain a statement of the facts on which the allegation of violation is based; and (vii) include a description of a proposed resolution of the problem to the extent known. Any complaint that does not contain each of these elements will be declined, with an explanation for the SEB's decision and further guidance, as appropriate.

(b) If the complaint alleges violations with respect to a specific child, the complaint must include the information required by 34 CFR 300.153(b)(4).

(c) The party filing the complaint must forward a copy of the complaint to the public agency serving the child at the same time the party files the complaint with the SEB of the department.

(d) Pursuant to 34 CFR Sec. 300.153(c), the complaint must allege a violation that occurred not more than one year before the date the complaint is received by the SEB in accordance with Subparagraph (a) of Paragraph

(2) of Subsection H of 6.3 1.2.13 NMAC.

#### DUE PROCESS COMPLAINT

I. Subsection I of 6.31.2.13 NMAC establishes procedures governing impartial due process hearings for the following types of cases:

(a) requests for due process in IDEA cases governed by 34 CFR Secs. 300.506-300.518 and 300.530-300.532; and

(b) claims for gifted services

II. Bases for requesting hearing. A parent or public agency may initiate an impartial due process hearing on the following matters:

(a) the public agency proposes to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child;

(b) the public agency refuses to initiate or change the identification, evaluation or educational placement of the child or the provision of FAPE to the child;

(c) the public agency proposes or refuses to initiate or change the identification, evaluation or educational placement of, or services to, a child who needs or may need gifted services.

### III. Bases for requesting expedited hearing

(a) Pursuant to 34 CFR Sec. 300.532 and 20 Usc Sec. 1415(k)(3), a parent may request an expedited hearing to review any decision regarding placement or a manifestation determination under 34 CFR Secs. 300.530-300.531.

(b) Pursuant to 34 CFR Sec. 300.532(c) and 20 usc Sec. 1415(k)(3), a public agency may request an expedited hearing if it believes that maintaining the current placement of a child is substantially likely to result in injury to the child or others.

Request for hearing. A parent requesting a due process hearing shall transmit written notice of the request to the public agency whose actions are in question and to the SEB of the department. A public agency requesting a due process hearing shall transmit written notice of the request to the parent(s) and to the SEB of the department. The written request shall state with specificity the nature of the dispute and shall include:

(a) the name of the child;

(b) the address of the residence of the child (or available contact information in the case of a homeless child);

(c) the name of the school the child is attending.

(d) the name of the public agency, if known;

(e) the name and address of the party making the request (or available contact information in the case of a homeless party);

(f) a description of the nature of the problem of the child relating to the proposed or refused initiation or change, including facts relating to the problem;

(g) a proposed resolution of the problem to the extent known and available to the party requesting the hearing at the time;

IV. Duties of the hearing officer. The hearing officer shall excuse himself or herself from serving in a hearing in which he or she believes a personal or professional bias or interest exists which conflicts with his or her objectivity. The hearing officer shall:

(a) make a determination regarding the sufficiency of a request for due process within 5 days of receipt of any notice of insufficiency, and notify the parties of this determination in writing;

(b) schedule an initial prehearing conference within 14 days of commencement of the timeline for a due process hearing, or as soon as reasonably practicable in an expedited case pursuant to Paragraph (12) of Subsection I of 6.31.2.13 NMAC below;

(c) reach a decision, which shall include written findings of fact, conclusions of law, and reasons for these findings and conclusions and shall be based solely on evidence presented at the hearing;

(d) transmit the decision to the parties and to the SEB within 45 days of the commencement of the timeline for the hearing, unless a specific extension of time has been granted by the hearing officer at the request of a party to the hearing, or at the joint request of the parties where the reason for the request is to permit the parties to pursue an ADR option; for an expedited hearing, no extensions or exceptions beyond the timeframe provided in Subparagraph (a) of Paragraph (19) of Subsection I of 6.31.2.13 NMAC