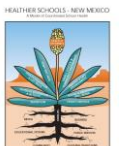


# SCHOOL HEALTH RULES

## CHECK LIST

Category NMAC Reference	Requirement
<b>Asthma</b> <u>NMAC 6.12.2.9</u> <i>Procedures in place when school opens.</i>	<input type="checkbox"/> Schools (whether public or nonpublic) must grant to any student in grades kindergarten through 12 authorization to carry and self-administer health care practitioner prescribed asthma treatment medications and anaphylaxis emergency treatment medication as long as certain conditions are met. The rule outlines the conditions.
<b>Bullying Prevention</b> <u>NMAC 6.12.7</u> <u>(See Bullying Policy Guidance Doc and Bullying Prevention Program Implementation Assurance Form)</u>  <i>Board approval required. An assurance is submitted to the PED every three years, via WebEPSS, in conjunction with three year rotating cycle for site-specific safe school plans</i>	<input type="checkbox"/> Develop and implement a policy that addresses bullying. The policy must include but is not limited to: <ul style="list-style-type: none"> <li>○ Definitions;</li> <li>○ An absolute prohibition against bullying (including cyberbullying as of the 2013-2014 school year);</li> <li>○ Staff training on cyberbullying;</li> <li>○ A method to ensure initial and annual dissemination of the anti-bullying and anti-cyberbullying policy to all students, parents, teachers, administrators and all other school or district employees;</li> <li>○ Procedures for reporting incidents of bullying and cyberbullying which ensure confidentiality to those reporting bullying incidents and protection from reprisal, retaliation or false accusation against victims, witnesses or others with information regarding a bullying incident; and</li> <li>○ Consequences for bullying and cyberbullying which include consideration of compliance with state and federal IDEA requirements; consequences for knowingly making false reports pursuant to the anti-bullying policy; procedures for investigation by administration of incidents reported pursuant to the anti-bullying policy; and a requirement that teachers and other school staff report any incidents of bullying.</li> <li>○ Bullying includes, but is not limited to, hazing, harassment, intimidation or menacing acts of a student which may, but need not be based on the student’s race, color, sex, ethnicity, national origin, religion, disability, age or sexual orientation.</li> </ul> <ul style="list-style-type: none"> <li>○ Include anti-bullying (including anti-cyberbullying) as part of the health education curriculum as set forth in 6.29.1.19 NMAC (content standards - health education).</li> <li>○ Resources at PED’s <b>Stop Bullying in New Mexico Schools</b> website at <a href="http://ped.state.nm.us/ped/PEDAnti-Bullying.html">http://ped.state.nm.us/ped/PEDAnti-Bullying.html</a></li> </ul>



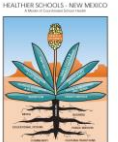
<b>Category</b> <u>NMAC Reference</u>	<b>Requirement</b>
<b>Compulsory School Attendance (Truancy)</b> <u>NMAC 6.10.8</u> <u>(See Attendance Policy Guidance Document)</u> Board approval required. Must be submitted to PED within 10 days of board adoption.	<ul style="list-style-type: none"> <li>○ Develop and implement attendance policies inclusive of:                             <ul style="list-style-type: none"> <li>○ Documentation of attendance;</li> <li>○ Prohibition of suspension and expulsion as punishment for truancy;</li> <li>○ Early identification for non-attending students with follow-up procedures;</li> <li>○ Provision of excused absences for expectant and parenting teens; and</li> <li>○ Specific Native American component/considerations.</li> </ul> </li> </ul>
<b>Corporal Punishment Elimination</b> <u>NMAC 6.11.2</u>	<ul style="list-style-type: none"> <li>○ Eliminates Corporal Punishment</li> </ul>
<b>Diabetes</b> <u>NMAC 6.12.8</u> Procedures in place when school opens.	<ul style="list-style-type: none"> <li>○ Schools (whether public or nonpublic) are required to grant to any student in grades kindergarten through 12 authorization to carry and use equipment and supplies, for storage and disposal of sharps, for self-assessment and for self-administration of diabetes treatment medications prescribed by a health care practitioner as long as certain conditions are met. The rule outlines the conditions.</li> </ul>
<b>Emergency Drills</b> <u>NMAC 6.29.1.7</u> <u>(See Safe Schools Plan Guidance Document)</u> Procedures in place when school opens. An assurance is submitted to the PED every three years, via WebEPSS, in conjunction with three year rotating cycle for site-specific safe school plans.	<ul style="list-style-type: none"> <li>○ Develop and practice emergency drills including fire drills, evacuation drills, and shelter-in-place drills. These emergency drills shall consist of:                             <ul style="list-style-type: none"> <li>○ Nine fire drills,</li> <li>○ Two shelter-in-place drills, and</li> <li>○ One evacuation drill.</li> </ul> </li> <li>○ According to New Mexico Statute – Emergency Drills (Section 22-13-14 NMSA 1978), schools shall conduct:                             <ul style="list-style-type: none"> <li>○ An emergency drill once each week for the first four weeks of the school year and at least once a month thereafter through the end of the school year.</li> </ul> </li> </ul>
<b>Emergency Medications in Schools</b> <u>NMAC 7.30.12</u> (NM Department of	<ul style="list-style-type: none"> <li>☐ This rule allows access to emergency medications (albuterol and epinephrine) in the school setting through use of a stock supply. Stock emergency medications are intended for students who have not been diagnosed with conditions associated with respiratory distress, or anaphylaxis, or who may have been diagnosed but do not have the medication(s) accessible while at school.</li> </ul>



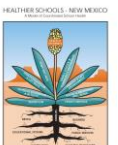
<b>Category</b> <u>NMAC Reference</u>	<b>Requirement</b>
Health Rule)	<input checked="" type="checkbox"/> NMAC 7.30.12 contains specific requirements and information related to: <ul style="list-style-type: none"> <li>o Standing orders</li> <li>o Storage provisions (albuterol and epinephrine)</li> <li>o Disposal</li> <li>o Procurement and maintenance of emergency medications</li> <li>o Training for school districts</li> <li>o Administration of emergency medications (albuterol and epinephrine)                             <ul style="list-style-type: none"> <li>o Prevention of respiratory distress and severe allergic reactions</li> </ul> </li> </ul>
<b>Gun Free Schools Act of 1994</b> <u>Sec. 14601. Gun-Free Requirements</u> Data requirement submission through STARS.	<ul style="list-style-type: none"> <li>o Each State receiving Federal funds under this Act shall have in effect a State law requiring local educational agencies to expel from school for a period of not less than one year a student who is determined to have brought a weapon to a school, except that such State law shall allow the chief administering officer of such local educational agency to modify such expulsion requirement for a student on a case-by-case basis.</li> </ul>
<b>Health Education NMAC:</b> <u>6.12.2.10</u> <u>6.12.6</u> <u>6.12.7</u> <u>6.29.1</u> <u>6.29.6</u> (See Health Education Guidance Document) A Health Education as a Graduation Requirement plan is required to be submitted to PED. A guidance document for submission is available. Plan must be submitted within first semester of operation.	<ul style="list-style-type: none"> <li>o Provide Health Education in all first through twelfth grades' curriculum aligned to the Health Education Content Standards with Benchmarks and Performance Standards.</li> <li>o <u>For all districts and high school charter schools:</u> a health education implementation plan for the 2012-2013 and subsequent school years, including in which grade health education will be required and how the course aligns with the department content and performance standards.                      (Note: This is a graduation requirement- plans are required from Charter schools with any combination of students in grades 9-12.)</li> <li>o A policy that will ensure that parents have the ability to request that their child be exempted from the parts of the health education curriculum that address sexuality education performance standards. The policy shall include, but is not limited to:                             <ul style="list-style-type: none"> <li>o The process for parents to request an exemption from the parts of the health education curriculum that address the sexuality performance standards; and</li> <li>o How alternative lessons are established for the exempted parts of the curriculum.</li> </ul>                     (Note: This is a requirement for Health Education, first through twelfth grades. All Charter schools must have an Opt out policy in place.)                 </li> </ul>
<b>Health Services NMAC:</b>	<input checked="" type="checkbox"/> 6.29.1.11 H. Support services. Districts and charter schools shall provide support service programs which strengthen the instructional program. Required support service programs are: library media, school



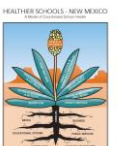
<b>Category</b> <u>NMAC Reference</u>	<b>Requirement</b>
<p><u>6.12.2</u>  <u>6.12.6</u>  <u>6.29.1</u>                      (See <a href="#">Wellness Policy Guidance Document</a>)</p>	<p>counseling and health services. Support services shall:</p> <ol style="list-style-type: none"> <li>(1) have a written, delivered and assessed program, K-12;</li> <li>(2) provide licensed staff to develop and supervise the program;</li> <li>(3) be assessed as part of the EPSS process; and</li> <li>(4) support the local curriculum and EPSS.</li> </ol>
<p><b>Homeless Education</b>                      NMAC 6.10.3  <a href="#">McKinney-Vento Homeless Assistance Act: 42 U.S.C. 11431-11436</a>                      (See <a href="#">Homeless Policy Guidance Document</a>)</p> <p>Local boards must approve polices per McKinney-Vento act. Homeless data is required to be submitted in STARS (information comes out every fall).</p>	<ul style="list-style-type: none"> <li>○ In the case of a complaint filed pursuant to the McKinney-Vento Education for Homeless Children and Youth Act, relating to a dispute not resolved at the district level, the Local Education Agency (LEA) shall forward PED’s dispute resolution process form along with the LEA’s written explanation of the school’s decision to PED’s homeless liaison within 5 calendar days of the LEA’s final decision.</li> <li>○ The McKinney Vento Act requires all state and local education agencies to develop, review and revise their policies to remove barriers to the enrollment and retention in school of children and youth experiencing homelessness.</li> <li>○ Every LEA must designate an appropriate staff person as a local homeless education liaison. McKinney-Vento Act local liaisons must ensure that:                             <ul style="list-style-type: none"> <li>○ Children and youth in homeless situations are identified;</li> <li>○ Homeless students enroll in, and have full and equal opportunity to succeed in school;</li> <li>○ Homeless students/families receive educational services for which they are eligible (Head Start, preschool programs, referrals to health and other appropriate services etc.)</li> <li>○ Parents/guardians of homeless students are informed of educational/related opportunities available to their children, and given chances to join in education;</li> <li>○ Parents, guardians, and unaccompanied youth are fully informed of all available transportation services including the option of transporting the homeless student to the school of origin;</li> <li>○ Enrollment disputes are mediated in accordance with the requirements of the Act; and</li> <li>○ Public notice of the educational rights of homeless students is disseminated to locations where homeless congregate.</li> </ul> </li> </ul>
<p><b>Human Immunodeficiency Virus (HIV)</b>                      NMAC 6.12.2.10                      (See <a href="#">Health Education Guidance Document</a>)</p>	<ul style="list-style-type: none"> <li>○ Provide instruction about HIV (included in the Health Education Curriculum).</li> <li>○ A policy that:                             <ul style="list-style-type: none"> <li>○ Ensures that all students with HIV/AIDS have appropriate access to public education and that their rights to privacy are protected; and</li> <li>○ Ensures that the rights to privacy of all school employees infected with HIV are protected.</li> </ul> </li> </ul>



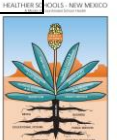
<b>Category</b> <u>NMAC Reference</u>	<b>Requirement</b>
<b>Immunizations</b> <u>NMAC 6.12.2.8</u> (See Health Services Rule)	<ul style="list-style-type: none"> <li>○ Ensure all enrolled students have satisfactory evidence of commencement or completion of immunization in accordance with the immunization schedule and rules and regulations of the Public Health Division, Department of Health.</li> <li>○ These records are confidential and must be maintained by the school.</li> <li>○ Exemption Process (certificate from physician attesting immunization would seriously endanger the life or health of child or certification expressing religious teaching requires reliance upon prayer or spiritual means alone for healing).</li> <li>○ McKinney-Vento Homeless Education exception</li> </ul>
<b>Lifesaving Skills (CPR)</b> <u>NMAC 6.29.1.11</u>	<ul style="list-style-type: none"> <li>○ In ninth through twelfth grade, all health education courses shall include lifesaving skills training that follows nationally recognized guidelines for hands-on psychomotor skills cardiopulmonary resuscitation training. Students shall be trained to:                             <ul style="list-style-type: none"> <li>○ recognize the signs of a heart attack;</li> <li>○ use an automated external defibrillator; and</li> <li>○ perform the Heimlich maneuver for choking victims.</li> </ul> </li> </ul>
<b>Nutrition: Competitive Food Sales</b> <u>NMAC:</u> <u>6.12.5 NMAC</u> <u>6.12.6 NMAC</u> (See Wellness Policy Guidance Document)	<ul style="list-style-type: none"> <li>○ Guidelines for a la carte offerings.</li> <li>○ Guidelines for school sponsored fundraisers during the normal school hours including the stipulation that no fundraiser may be conducted in competition with school meals in the food service area during meal service. A fundraiser may be conducted only for up to one school day on two occasions per semester or trimester term in a school that participates in United States department of agriculture school meal programs.</li> </ul>
<b>Pest Control</b> <u>NMAC 6.29.1.9.O.6</u> An assurance is submitted to the PED every three years, via WebEPSS, in conjunction with three year rotating cycle for site-specific safe school plans.	<ul style="list-style-type: none"> <li>○ Develop procedures for the implementation of pest management with consideration for reducing the possible impact of pesticide use on human health and the environment, including people with special sensitivities to pesticides (part of Safe Schools Plan).</li> </ul>



<b>Category</b> <u>NMAC Reference</u>	<b>Requirement</b>
<b>Physical Activity</b> <u>NMAC 6.12.6</u> (See Wellness Policy Guidance Document)	<ul style="list-style-type: none"> <li>○ Guidelines to provide physical activity opportunities to students before, during and/or after school.</li> </ul>
<b>Physical Education</b> <u>NMAC:</u> <u>6.12.6</u> <u>6.29.1</u> <u>6.29.9</u>	<ul style="list-style-type: none"> <li>○ Provide Physical Education in the following grades:                             <ul style="list-style-type: none"> <li>○ All first through eighth grades</li> <li>○ one unit in physical education, as determined by each school district, which may include a physical education program that meets state content and performance standards or participation in marching band, junior reserve officers’ training corps or interscholastic sports sanctioned by the New Mexico activities association.</li> </ul> </li> </ul>
<b>Safe Schools Plan</b> <u>NMAC:</u> <u>6.29.1</u> <u>6.12.6</u> (See Safe School Plan Guidance Document) PED has developed a three year rotating review cycle. However, emergency response must be in place when doors open and full plan within 2 <sup>nd</sup> semester of operation.	<ul style="list-style-type: none"> <li>○ School safety plans at each school building including but not limited to:                             <ul style="list-style-type: none"> <li>○ School Policy and Procedures,</li> <li>○ Prevention Policy and Procedures,</li> <li>○ Emergency Operation Plan including:                                     <ul style="list-style-type: none"> <li>● Prevention,</li> <li>● Protection,</li> <li>● Mitigation,</li> <li>● Response, and</li> <li>● Recovery.</li> </ul> </li> </ul> </li> </ul>
<b>School Athletic Equity</b> <u>NMAC:</u> <u>6.13.4</u> (See Athletic Equity Act forms) Required Yearly with submission to the PED	<ul style="list-style-type: none"> <li>● The School Athletics Equity Act pertains to schools which have an <u>athletics program for grades seven through twelve</u>. The rule/law outlines data that must be submitted to the PED annually (due August 30<sup>th</sup> of year following given school year) including a Title IX assurance.</li> </ul>



<b>Category</b> <u>NMAC Reference</u>	<b>Requirement</b>
<p><b>School Health Advisory Council (SHAC)</b>  <u>NMAC 6.12.6</u>  <u>(See Wellness Policy Guidance Document)</u></p> <p>Each local board of education is to establish and maintain a SHAC.</p>	<ul style="list-style-type: none"> <li>○ Establish and maintain a SHAC. The SHACs are responsible to:                             <ul style="list-style-type: none"> <li>○ Meet at least two times annually; and</li> <li>○ Make recommendations to the board in the development or revision; implementation; and evaluation of the Wellness Policy.</li> </ul> </li> <li><input type="checkbox"/> The SHAC must consists of:                             <ul style="list-style-type: none"> <li>○ Parent(s)</li> <li>○ School food authority personnel</li> <li>○ School board member(s)</li> <li>○ School administrator(s)</li> <li>○ School Staff</li> <li>○ Student(s)</li> <li>○ Community member(s)</li> </ul> </li> </ul>
<p><b>Social and Emotional Wellbeing</b>  <u>NMAC:</u>  <u>6.12.6</u>  <u>6.29.1</u>  <u>(See Wellness Policy Guidance Document)</u></p>	<ul style="list-style-type: none"> <li>○ A plan addressing the behavioral health needs of all students.</li> </ul>
<p><b>Staff Wellness</b>  <u>NMAC:</u>  <u>6.12.6</u>  <u>(See Wellness Policy Guidance Document)</u></p>	<ul style="list-style-type: none"> <li>○ A plan addressing the staff wellness needs of all school staff that minimally ensures an equitable work environment and meets the American with Disabilities Act, Part III.</li> </ul>
<p><b>Tobacco, Alcohol and Drug Free School Districts</b>  <u>NMAC 6.12.4</u>                      Local board approval required. An assurance is submitted to the PED every three years, via WebEPSS, in</p>	<ul style="list-style-type: none"> <li>○ A policy that includes:                             <ul style="list-style-type: none"> <li>○ Prohibiting tobacco, alcoholic beverage possession or use, and illicit drug possession or use by students, school staff, parents, and school visitors in school buildings, on school property, and at school functions away from school property;</li> <li>○ Procedures for communicating this policy to students, school staff, parents, school visitors and the community; and</li> </ul> </li> <li>○ Provisions for enforcement of this policy.</li> </ul>



<b>Category</b> <u>NMAC Reference</u>	<b>Requirement</b>
<p>conjunction with three year rotating cycle for site-specific safe school plans.</p>	<p>“Tobacco” means substances that include, but are not limited to cigarettes, cigars, chewing tobacco, dipping tobacco, snuff and <u>similar substances</u> (districts, in many cases, have strengthened their own policy to be inclusive of e-cigarettes.)</p>
<p><b>Unsafe School Choice Option</b>  <u>NMAC 6.19.3</u>                       Reported in STARS</p>	<ul style="list-style-type: none"> <li>○ The department identifies persistently dangerous schools as follows:                             <ol style="list-style-type: none"> <li>1) For three (3) consecutive school years, the school has experienced expulsions for greater than five percent (5%) of the student enrollment for incidents reported in the school district’s “safe schools report,” as required by Section 22-10A-33, NMSA 1978, under the violence and vandalism codes and definitions - violence codes 01 through 06 “assault and battery”; <b>and</b></li> <li>2) The school has expelled one or more student (s) for knowingly bringing a weapon to school in violation of Section 22-5-4.7, NMSA 1978, and/or any policy of the district implementing this provision (violence and vandalism codes and definitions - firearms possession codes 61 through 63).</li> </ol> </li> <li>○ If identified as persistently dangerous, the district/charter school must send the department the persistently dangerous school corrective action plan(s) for approval within twenty (20) school days from the date that the district has been notified by the department that the school has been designated as persistently dangerous.</li> <li>○ Provisions for a safe public school choice option to students attending persistently dangerous schools.</li> <li>○ Provisions for a safe public school choice option to students who have been victims of a violent criminal offense.</li> </ul>
<p><b>Vision Screening</b>  <u>NMAC 7.30.11</u></p>	<ul style="list-style-type: none"> <li>○ Public school students enrolled in prekindergarten, K, 1<sup>st</sup> and 3<sup>rd</sup> grades shall have a vision screening test administered, unless the parent (guardian) affirmatively prohibits the screening.</li> <li>○ The parent (guardian) is notified of school vision screening to include the date and location of screening. The parent (guardian) shall have an opportunity to prohibit the screening for the student.</li> <li>○ A school nurse or the nurse’s designee, a primary care health provider or a trained lay eye screener must administer the screening tests.</li> <li><input type="checkbox"/> Establishes vision screening standards, screening methods, results notifications, and referral processes.</li> </ul>
<p><b>Wellness Policies</b></p>	<ul style="list-style-type: none"> <li>○ Policies that include components related to the Coordinated School Health Approach:                             <ul style="list-style-type: none"> <li>○ Health Education and Life Skills</li> <li>○ Physical Education and Activity</li> </ul> </li> </ul>





<b>Category</b> <u>NMAC Reference</u>	<b>Requirement</b>
<p><u>NMAC:</u>  <u>6.12.6</u>                      (See Wellness Policy Guidance Document and Related Categories)                      Requires board approval. Policies are to be submitted to the PED.</p>	<ul style="list-style-type: none"> <li>○ Social and Emotional Wellbeing</li> <li>○ Healthy and Safe Environment</li> <li>○ Staff Wellness</li> <li>○ Health Services</li> <li>○ Nutrition</li> <li>○ Family, School and Community Partnership</li> </ul>
	<ul style="list-style-type: none"> <li>○ School Health Advisory Council</li> </ul>
	<ul style="list-style-type: none"> <li>○ A plan for measuring implementation and evaluation of the Wellness Policy (Healthy Schools Report Card)</li> </ul>
	<ul style="list-style-type: none"> <li>○ Designate one or more persons within the school district, or at each school, as appropriate, charged with operational responsibility for ensuring that each school fulfills the district’s Wellness Policy.</li> </ul>
	<ul style="list-style-type: none"> <li>○ Safe School Plans (3 year cycle)</li> </ul>

