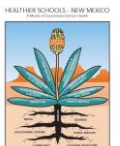


# SCHOOL HEALTH RULES

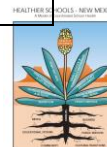
## CHECK LIST

Category NMAC Reference	Requirement
<b>Asthma</b> <a href="#">NMAC 6.12.2.9</a> <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>Attendance for Success</b> <a href="#">House Bill 236</a> <a href="#">Chaptered</a> <a href="#">Chronic Absenteeism</a> <a href="#">Presentation</a>	<input type="checkbox"/> Providing for the prevention of absences and earlier intervention of students who are absent or chronically absent.
<b>Bullying Prevention</b> <a href="#">NMAC 6.12.7</a> <a href="#">(See Safe Schools for All Student Act and the Safe Schools for All Students Policy framework</a>  <i>Board approval required. An assurance is submitted to the PED every three years as part of Safe Schools Plans.</i>	Shall adopt bullying prevention policies that: <ul style="list-style-type: none"> <li>○ Prevent Instances of Bullying and Cyberbullying 1 )on school property, 2) at sponsored events, 3) and on sponsored transportation</li> <li>○ Include definitions as set forth by Act</li> <li>○ Include a statement prohibit bullying</li> <li>○ Prohibit retaliation against reporters or witnesses:</li> <li>○ Include a list of consequences exclusive of suspension or expulsion that are 1) designed to correct behavior, 2) prevent further occurrences and 3) protect the target of the bullying. These consequences are to be developmentally appropriate and take past behavior into consideration.</li> <li>○ Include procedures for reporting bullying and reporting instances of retaliation for reporting</li> <li>○ Contain reporting Procedures that are 1) anonymous, 2) provide for verbal in reporting persons preferred language, 3) allows that parents may file reports and 4) that school staff who witness bullying must report within 2 days</li> <li>○ Require an administrator must 1) investigate all reports of bullying, cyber- bullying and retaliation, 2) have procedures for notification of parents/guardians, 3) include an appeal process for both student accused and target and 4) develop a safety support plan to protect against further acts of bullying.</li> <li>○ The policy is to be included in the student handbook and on the district/school website in a</li> </ul>

Healthy Kids Make Better Students.



<b>Category</b> <u>NMAC Reference</u>	<b>Requirement</b>
	<p>developmentally and culturally appropriate language.</p> <ul style="list-style-type: none"> <li>○ Establish 1) a prevention program for students aligned with Health Education Content Standards, 2)</li> <li>○ provide annual training from 20-21 SY forward for all school personnel with significant contact with students, 3) provide information regarding the policy in new employee training and 4) identify a point of contact for all bullying related concerns.</li> </ul>
<p><b>Corporal Punishment Elimination</b>  <a href="#">NMAC 7.20.11</a></p>	<ul style="list-style-type: none"> <li>○ Eliminates Corporal Punishment</li> </ul>
<p><b>Diabetes</b>  <a href="#">NMAC 6.12.8</a>  <i>Procedures in place when school opens.</i></p>	<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>
<p><b>Emergency Drills</b>  <a href="#">NMAC 6.29.1.7</a>  <a href="#">(See Safe Schools Plan Guidance Document)</a>  <i>Procedures in place when school opens. An assurance is submitted in conjunction with three year rotating cycle for site-specific Safe Schools Plans.</i></p>	<p>An emergency drill shall be conducted in each public and private school once a week during the first four weeks of the school year. Of these:</p> <ul style="list-style-type: none"> <li>○ One (1) shall be shelter-in-place that includes preparation to respond to an active shooter;</li> <li>○ One (1) shall be an evacuation drill;</li> <li>○ Two (2) shall be fire drills.</li> </ul> <p>During the rest of the school year, each school shall conduct at least four (4) additional emergency drills, at least two (2) of which shall be fire drills.</p> <p>In locations where a fire department is maintained, a member of the fire department shall be requested to be in attendance for the purpose of giving instruction and constructive criticism.</p>
<p><b>Emergency Medications in Schools</b>  <a href="#">NMAC 7.30.12</a>                      (NM Department of Health Rule)</p>	<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> <li>☐ NMAC 7.30.12 contains specific requirements and information related to:</li> </ul>



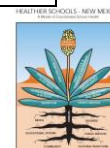
<b>Category</b> <u>NMAC Reference</u>	<b>Requirement</b>
	<ul style="list-style-type: none"> <li>o Standing orders</li> <li>o Storage provisions (albuterol and epinephrine)</li> <li>o Disposal</li> <li>o Procurement and maintenance of emergency medications</li> <li>o Training for school districts</li> <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>
<p><b>Gun Free Schools Act of 1994</b>  <a href="#">NMAC 6.12.4</a>                      Sec. 14601. Gun-Free Requirements                      Data requirement submission through STARS.</p>	<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>
<p><b>Health Education</b>                      NMAC:  <a href="#">6.12.2.10</a>  <a href="#">6.12.6</a>  <a href="#">6.29.1</a>  <a href="#">6.29.6</a>  <a href="#">Health Standards Supplement Guide</a></p>	<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>Category</b> <u>NMAC Reference</u>	<b>Requirement</b>
<b>Health Services</b> <u>NMAC:</u> <a href="#">6.12.6</a> <a href="#">6.29.1</a>	<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 counseling and health services. Support services shall: <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>
<b>Homeless Student Education</b> <a href="#">NMAC 6.10.3</a> <a href="#">McKinney-Vento</a> <a href="#">Homeless Assistance Act: 42 U.S.C. 11431-11436</a> Local boards must approve policies per McKinney-Vento act. Homeless data is required to be submitted in STARS (information comes out every fall). <a href="https://webnew.ped.state.nm.us/bureaus/student-success-wellness/mckinney-vento/">https://webnew.ped.state.nm.us/bureaus/student-success-wellness/mckinney-vento/</a>	<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>



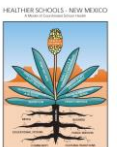
<b>Category</b> <u>NMAC Reference</u>	<b>Requirement</b>
<b>Human Immunodeficiency Virus (HIV)</b> <a href="#">NMAC 6.12.2.10</a>	<ul style="list-style-type: none"> <li>○ Provide instruction about HIV (included in the Health Education Curriculum).</li> <li>○ A policy that:                             <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>Immunizations</b> <a href="#">NMAC 6.12.2.8</a> (See <a href="#">Health Services Rule</a> )	<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.                             <ul style="list-style-type: none"> <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> </li> </ul>
<b>Lifesaving Skills (CPR)</b> <a href="#">NMAC 6.29.1.11</a>	<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> NMAC: <a href="#">6.12.5</a> <a href="#">6.12.6</a> (See <a href="#">Wellness Policy Formation and Implementation Guide</a> )	<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>Category</b> NMAC Reference	<b>Requirement</b>
<b>Pest Control</b> <a href="#">NMAC 6.29.1.9</a> An assurance is submitted to the PED every three years in conjunction with 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>Physical Activity</b> <a href="#">NMAC 6.12.6</a> (See <a href="#">Wellness Policy Formation and Implementation Guide</a> )	<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> NMAC: <a href="#">6.12.5</a> <a href="#">6.29.1</a> <a href="#">6.29.9</a>	<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> NMAC: <a href="#">6.29.1</a> <a href="#">6.12.6</a> PED has developed a three year rotating review cycle. <a href="#">Safe Schools web page</a>	<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>Category</b> <u>NMAC Reference</u>	<b>Requirement</b>
<b>School Athletic Equity</b> <a href="#">NMAC 6.13.4</a> <a href="#">Find forms and information here</a> 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>School Health Advisory Council (SHAC)</b> <a href="#">NMAC 6.12.6</a> <a href="#">Wellness Policy web page</a> Each local board of education is to establish and maintain a SHAC.	<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>☐ 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>
<b>Social and Emotional Wellbeing</b> NMAC: <a href="#">6.12.6</a> <a href="#">6.29.1</a>	<ul style="list-style-type: none"> <li>○ A plan addressing the behavioral health needs of all students.</li> </ul>
<b>Staff Wellness</b> NMAC: <a href="#">6.12.6</a> <a href="#">Wellness Policy</a>	<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>



<b>Category</b> <u>NMAC Reference</u>	<b>Requirement</b>
<p><b>Tobacco, Alcohol and Drug Free School Districts</b>  <a href="#">NMAC 6.12.4</a>                      Local 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.</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> <li>○ Provisions for enforcement of this policy.</li> </ul> </li> </ul> <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>  <a href="#">NMAC 6.19.3</a>                      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>





<b>Category</b> <u>NMAC Reference</u>	<b>Requirement</b>
<b>Vision Screening</b> <a href="#">NMAC 7.30.11</a>	<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>
<b>Wellness Policies</b> <a href="#">NMAC 6.12.6</a> <a href="#">Wellness Policy web page</a> Policies are to be submitted to the PED.	<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> <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> </li> <li>○ School Health Advisory Council</li> <li>○ A plan for measuring implementation and evaluation of the Wellness Policy (Healthy Schools Report Card)</li> <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> <li>○ Due for review at the time of the triennial Administrative Review</li> </ul>

