

CARRIZO MUNICIPAL SCHOOLS

BOARD POLICY ADOPTED 2007

ENTIRE TABLE OF CONTENTS

**STEVE HARKEY, PRESIDENT
MATT FERGUSON, VICE-PRESIDENT
LISA CRENSHAW-SECRETARY
LEEROY ZAMORA-MEMBER
DENISE HILL-MEMBER**

**CARRIZOZO MUNICIPAL SCHOOLS
BOARD POLICY
TABLE OF CONTENTS**

**SECTION 100
BOARD OF EDUCATION POLICY**

POLICY # PAGE

FORWARD		1
100	PHILOSOPHY	2-3
101	EDUCATIONAL OBJECTIVES	3-4
102	EDUCATIONAL COMMITMENTS	4
103	BOARD OF EDUCATION	4-6
104	MEETINGS OF THE BOARD	6-8
105	OPERATION AND PROCEDURE OF MEETINGS	8-9
106	SUSPENSION OF POLICIES	9
107	ADOPTION OF POLICIES	9
108	AMENDING, ENACTMENT OR REPEALING POLICY	9
109	POWERS & DUTIES OF THE BOARD	9-10
110	CODE OF ETHICS	10-11
111	DISTRIBUTION OF POLICIES	11
112	CHAIN OF COMMAND	11
113	REPORTING ALCOHOL OR SUBSTANCE ABUSE	11-12
114	TAX SHELTERED ANNUITIES	12
115	CARE OF EQUIPMENT	12
116	REPORTING CHILD ABUSE/NEGLECT	12-14
116.3	POLICY GOVERNING COOPERATION BETWEEN LAW ENFORCEMENT AGENCIES & PUBLIC SCHOOLS	14-20
117	CREDIT UNION	20
118	DUI POLICY	20-21
119	EXPENSES	21
120	HEALTH AND ACCIDENT INSURANCE	21-22
121	HOLIDAYS AND ANNUAL LEAVE	22-23
122	COURT OR JURY DUTY	23
123	MATERNITY/PATERNITY LEAVE	23-24
124	MILITARY LEAVE	24
125	PERSONAL LEAVE	24
126	PROFESSIONAL LEAVE	24-25
127	SICK LEAVE	25-26
127A	SICK LEAVE BANK	26
127C	BEREAVEMENT LEAVE	26
127D	FUNERAL LEAVE	27
128	EXTENDED LEAVE OF ABSENCE	27
129	PURCHASES	28
130	PAYMENT OF SALARIES	28
131	SEARCH AND SEIZURE OF EMPLOYEES	28-29
132	SEXUAL HARASSMENT	29-31
133	SOLICITORS	31
134	TITLE VI COMPLIANCE	31-32
135	TITLE IX COMPLIANCE	32

136	PERSONNEL FILES	32-33
137	PARTICIPATION IN POLITICAL ACTIVITIES	34
138	DISTRIBUTION OF INFORMATION	34-35
139	RETIREMENT	35
140	SOCIAL SECURITY AND ERA	35
141	STAFF ASSIGNMENTS	35
142	RESIGNATIONS	36
143	STAFF COMPLAINTS AND GRIEVANCES	36-38
143.5	EMPLOYEE GRIEVANCE PROCEDURE, SECTION 504 AND ADA (AMERICANS WITH DISABILITY ACT)	38-39
144	STAFF INVOLVEMENT IN DECISION MAKING	39
145	EQUAL EMPLOYMENT OPPORTUNITY	39
146	HEALTH REQUIREMENTS	39-40
147	CHECK-OUT PROCEDURES	40
148	WORKERS' COMPENSATION POLICY	40-42
149	DRUG-FREE WORKPLACE POLICY & PROCEDURE	42-44
150	EMPLOYEE ASSISTANCE PROGRAM POLICY	44-45
151	AMERICANS WITH DISABILITY ACT POLICY (ADA)	46
152	EMPLOYMENT RECOMMENDATIONS FOR CURRENT OR FORMER EMPLOYEES OF THE DISTRICT	46-48

**SECTION 200
ADMINISTRATION POLICY**

POLICY #	PAGE	
200	ADMINISTRATIVE CERTIFICATION	1
201	SUPERINTENDENT	1-3
202	PRINCIPAL	3-4
203	EMERGENCY DISMISSAL	4-5
204	FUND RAISING	5
205	SUPERVISION & EVALUATION	6-7
206	EMPLOYMENT GOALS	7

**SECTION 300
CERTIFIED PERSONNEL POLICY**

POLICY #	PAGE	
300	CERTIFIED PERSONNEL	1
301	CONTRACT REQUIREMENTS	1-3
302	SALARY DETERMINATION	3
303	DRESS CODE	3
304	PROMOTION POLICIES	3
305	CONTRACTS	3-4
306	CODE OF ETHICS	4-6
307	DUTIES	6
308	EVALUATION	6-7
310	EVALUATION SCHEDULE	7
311	OBSERVATION CYCLE	7-8
312	ROLE OF THE INDIVIDUAL	8

313	TRANSFERS	9
314	PROFESSIONAL EDUCATION ADVANCEMENT	9-10
315	RE-EMPLOYMENT CYCLE	10-11
316	RE-EMPLOYMENT/TERMINATION	11
317	INSTRUCTORS WITH THREE OR MORE YEARS	12
318	INSTRUCTORS WITH LESS THAN THREE YEARS	12
319	DISCHARGE DURING CONTRACT	12-19

**SECTION 400
CLASSIFIED PERSONNEL POLICY**

POLICY #		PAGE
400	CLASSIFIED PERSONNEL	1
401	DUTIES	1
402	EMPLOYMENT OF CLASSIFIED PERSONNEL	1-3
403	EVALUATION	3-4
404	CODE OF ETHICS	4
405	FAIR LABOR STANDARDS ACT	4-6
406	CONDITIONS OF EMPLOYMENT	6-7
407	SUBSTITUTE TEACHERS	8

**SECTION 500
STUDENT POLICIES**

POLICY #		PAGE
500	ACADEMIC ELIGIBILITY	1-3
501	ADMINISTRATION OF MEDICATIONS	4-5
502	COMMUNICABLE DISEASES	5-8
503	STUDENT IMMUNIZATIONS	8-9
504	COMPULSORY SCHOOL ATTENDANCE	9-14
505	DISMISSAL OF PUPILS	14
506	GRADUATION REQUIREMENTS	15-16
506.7	EARLY GRADUATION	17
506.8	CORRESPONDENCE COURSES	17
507	SENIOR END-OF-SCHOOL ACTIVITIES	17-18
507.4	SENIOR TRIPS	18
508	HOMEWORK POLICY	18
509	HOMEWORK PROCEDURES	18
510	TEXTBOOK POLICY	18
511	TEXTBOOK SELECTION	19
512	JOINT-CUSTODY ARRANGEMENTS	19-21
513	STUDENT RECORDS	21-23
514	STUDENT DISCIPLINE	24-39
514.9	THREATS OF VIOLENCE BY STUDENTS	39-41
515	SEARCHES AND SEIZURES	42
516	ELEMENTARY STUDENTS	43
517	JUNIOR HIGH STUDENTS	44
518	HIGH SCHOOL STUDENTS	44
519	STUDENT RESPONSIBILITY FOR MATERIALS AND EQUIPMENT	44

520	REPORTING RAPE CASES	44-45
521	REMEDICATION, PROMOTION, EXCEPTION	45-46
522	STUDENT ACCIDENTS/ILLNESS	46
523	PROCEDURES FOR STUDENT ACCIDENTS/ILLNESS	46-47
524	PLACEMENT OF STUDENTS FROM NON-ACCREDITED SCHOOLS	47
525	STUDENT ACCIDENT INSURANCE	47
526	PRIOR NOTICE OF POTENTIAL INJURY	47
527	CLUBS AND ORGANIZATIONS	48
528	STUDENTS LEAVING CAMPUS	48
529	SCHOOL DANCES	48
530	SCHOOL SPONSORED TRIPS	48-49
531	STUDENT TRANSPORTATION	49
532	ALCOHOL/DRUG POLICIES & PROCEDURES: STUDENT POLICIES & PROCEDURES	49
533	ALCOHOL/DRUG POLICIES & PROCEDURES: STATE & DISTRICT POLICIES	49-51
534	ENROLLMENT POLICY FOR OUT-OF-DISTRICT STUDENTS	51-54
535	DENIAL OF ENROLLMENT OR OF RE-ENROLLMENT FOR OPEN ENROLLMENT & ENROLLMENT OF OUT-OF-DISTRICT STUDENTS	54-55

**SECTION 600
INSTRUCTIONAL POLICY**

POLICY #		PAGE
600	INSTRUCTION	1
601	REPORTING PROGRESS	1
602	DISPLAY OF THE FLAG	2
603	PLEDGE OF ALLEGIANCE	2
604	WRITING INSTRUCTION	2-3
605	CURRICULUM	3
606	DRIVER EDUCATION	3
607	ADULT EDUCATION	4
608	VOCATIONAL EDUCATION	4
609	ACTIVITIES AND ATHLETICS	4
610	AWARDING OF DIPLOMAS	4-5
611	ACCELERATED PROGRAMS	5
611.4	DUAL (CONCURRENT) ENROLLMENT	5-6
613	EVALUATION OF PROGRAM	6
614	SELECTION OF MEDIA MATERIALS	7-8
615	HOME SCHOOL	8-11
616	STUDENT-PARENT HANDBOOK	11
617	FINAL EXAMS	11
618	HOME BOUND INSTRUCTION	11-12
619	SPECIAL EDUCATION POLICY	12

SECTION 700
OTHER INSTRUCTIONAL POLICY

POLICY #		PAGE
700	BUS INSURANCE	1
701	CAFETERIA SERVICES	2
702	CITIZENS COMPLAINTS	2
703	CONTRACTOR'S REQUIREMENTS	2-3
704	GIFTS AND DONATIONS	3
705	DECLARATION OF OBSOLETE EQUIPMENT	3-4
706	PROCUREMENT CODE	4-6
707	USE OF GROUNDS, FACILITIES & EQUIPMENT AGREEMENT FOR NON-SCHOOL-RELATED USE OF SCHOOL PROPERTY	6-8
708	SCHOOL TRANSPORTATION	8
708.15	ALCOHOL AND DRUG TESTING OF BUS DRIVERS	8-23
708B	SCHOOL VEHICLE USE	23
709	USE OF TRAMPOLINES	23
710	PUBLIC RELATIONS	23-24
711	SCHOOL VISITATION	24
712	EMPLOYEE PERSONNEL DIRECTORY	25
713	PROHIBITED COUNSELING TECHNIQUES	25
714	PER DIEM POLICY	25-26
715	TOBACCO FREE CAMPUS	26
716	POLICY REGARDING WEAPONS IN SCHOOL	27-28
717	EMPLOYER-EMPLOYEE RELATIONS POLICY	29-41
718	WELLNESS POLICY	41-43

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

FORWARD

The Board of Education of the Carrizozo Municipal Schools urges and expects all employees to become familiar with the policies and procedures incorporated herein.

The Board of Education will, at times, adopt, amend or delete specific policies as need may dictate. As a matter of policy and State Board of Education policy, the Board will review policy annually.

Each Carrizozo Municipal School employee will have access to a copy of the School Board Policy Manual. Copies of the School Board Policy Manual will be kept at the superintendent's office, principal's office and the library.

Employees shall be provided an opportunity to participate in the development of policy. All employees are afforded the opportunity to provide input either as individuals directly to the superintendent or collectively as a group. Policy suggestions should be submitted in writing to the office of the superintendent for review before being presented to the School Board for consideration.

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

100 PHILOSOPHY OF THE CARRIZOZO MUNICIPAL SCHOOLS BOARD OF EDUCATION.

- 100.1 All children have equal moral, social, and educational worth.
- 100.2 There are numerous differences which exist among children, and all children should have the opportunity to cultivate their native capacities and become effective, contributing members of our democratic society without discrimination with regard to race, national origin, religion, sex or disability.
- 100.3 The primary purpose of the public schools to provide an educational environment which provides strong basic skills as well as encourages creative and experimental activities.
- 100.4 The Board of Education believes that an excellent academic program can coexist with an excellent athletic and activities program, however, the academic program shall be the main emphasis of the efforts put forth by the Carrizozo Municipal Schools.
- 100.5 Paramount attention will be given to the academic program of children in kindergarten, first, second and third grade. Many of the problems that occur later on in the academic careers of students can be prevented if they are remedied in the early grades.
- 100.6 Constant communication between the public schools and the community is imperative. The schools must provide services and programs which have been identified by the community as important and which will provide the community with informed, self-reliant and self-sustaining individuals.
- 100.7 The Carrizozo Municipal Schools are responsible for educating children with regard to becoming productive, contributing members of society and to provide them with skills which will allow them to deal with daily life and an ever changing society.
- 100.8. The Carrizozo Municipal Schools will provide instruction with regard to developing an understanding of democracy and the responsibilities of citizenship, emphasizing interest and participation in community, state and national affairs.
- 100.9 The Carrizozo Municipal Schools will promote and foster good citizenship, moral and ethical values, honesty, good physical and mental health, conservation, problem solving, wise use of leisure time, good work and study habits, respect for others and for property.
- 100.10 The Carrizozo Municipal Schools curriculum should include programs in the communicative arts, mathematics, science, health, social studies, physical education, technical and vocational education, computer skills, foreign languages and the fine arts.

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

- 100.11 The Carrizozo Municipal Schools will have a fair but firm disciplinary policy to govern students, void of arbitrary and capricious standards which would establish double standards. Students should be vested with rights and responsibilities so as to start building a strong foundation for determining right and wrong.
- 100.12 The total educational experience should include, along with the academic curriculum, instruction that would promote the qualities of loyalty, sensitivity, dependability, drive, sincerity, trustworthiness, integrity, self-discipline, fairness, respect, responsibility, caring, and citizenship.
- 100.13 The Carrizozo Board of Education publicly acknowledges the fact that it lies neither within its responsibility nor within its desire to substitute for or supplant the guidance and love of the student's family. The Board does readily accept the responsibility to provide students with experiences designed to lead them progressively into gaining the knowledge, skills, and attitudes which will enable them to live happy and successful lives.
- 100.14 In assuming this responsibility, the Board believes that the basic commitment of the Carrizozo Municipal Schools should be to develop within each student an awareness of his worth as an individual and to provide each student with a sound educational basis for achieving his/her full human potential.
- 100.15 "School" is a process more than a place and includes the entire world of the learner.
- 100.16 Each individual shall have the opportunity to work at his/her own level in all areas.
- 100.17 Students should learn basic skills in a variety of ways.
- 100.18 Respect and reverence for the uniqueness of every individual shall be the hallmark of the educational environment.

101 EDUCATIONAL OBJECTIVES

- 101.1 Motivated by this belief, the Carrizozo Municipal Schools will maintain an educational program that is responsive to individual student needs. Provision will be made for opportunities to participate and succeed both within the classroom and extra-curricular competition.
- 101.2 The purpose of the educational program at the Carrizozo Municipal Schools will be for each student:
- A. To develop the basic intellectual skills and knowledge necessary to function adequately in society.

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

B. To develop a vocational skill and/or an adequate foundation for additional education.

C. To develop an understanding of democracy and the responsibilities of citizenship, emphasizing interest and participation in community, state, and national affairs.

D. To develop physical well-being, including physical fitness, knowledge of proper nutrition and of adequate personal hygiene.

E. To develop cultural and aesthetic appreciations.

102 EDUCATIONAL COMMITMENTS

102.1 In order to achieve their educational objectives, the Carrizozo Municipal Schools will:

A. Administer appropriate testing to all students to assure that, prior to their graduation from high school, they have attained the basic intellectual skills and knowledge necessary to function adequately in society.

B. Provide adequate counseling services to all students through a counseling program and the classroom teacher.

C. Maintain a school curriculum, adequate to meet the needs of both students and community in each of the following areas:
Communicative Skills, Mathematics, Science, Social Sciences, Fine Arts, Vocational Education, Health Education, and Physical Education.

103 BOARD OF EDUCATION

103.1 Control of the public schools in the district is vested in the Board of Education in accordance with the Constitution and the laws of the State of New Mexico and the rules and regulations issued by the State Department of Education. The Board of Education shall consist of five members elected at - large from the Carrizozo Municipal Schools District.

103.2 As of July 1, 1988, the following will outline the term of office for each board member position and will be indicative of the expiration of the term as well as the year of election:

<u>Position</u>	<u>Year of Expiration</u>	<u>Official</u>
Position One	- 2007	- Steve Harkey
Position Two	- 2007	- Lisa Crenshaw

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

Position Three - 2009 - Denise Hill
Position Four - 2009 - Matt Ferguson
Position Five - 2007 - LeeRoy Zamora

- 103.3 Elections shall be held on the first Tuesday of February during election years. A vacancy on the Board of Education caused by any reason shall be filled by appointment by the remaining board members. The appointee shall serve only until the next regular Board of Education election, when a member shall be elected by the voters for the unexpired term of the member who created the vacancy.
- 103.4 The legal name of the governing body of the Carrizozo Municipal Schools shall be the Carrizozo Municipal Schools Board of Education.
- 103.5 The policies of the Carrizozo Municipal Schools Board of Education shall comply with applicable laws of the State of New Mexico and the United States of America. The Public School Code of the State of New Mexico and all mandatory rules and regulations of the State Board of Education are adhered to in these policies.
- 103.6 The policies of the Carrizozo Municipal Schools Board of Education shall be in agreement with applicable federal acts, regulations and directives.
- 103.7 The organizational makeup of the Carrizozo Municipal Schools Board of Education shall consist of a President, a Vice-president, a Secretary of the Board and two other regular members. The Board shall hold an organizational meeting following each regularly scheduled School Board election.

103.8 DUTIES OF THE OFFICERS

A. The President - It shall be the duty of the president to preside at all meetings of the Board, and affix his/her signature and seal of the Board of Education on all School District documentation that require official status. The President shall also:

1. Call special meetings when needed or at the request of two or more members.
2. Prepare agenda for meetings in concert with the Superintendent.
3. Sign Board approved official documents and warrants.
4. Shall conduct meetings in accordance with the rules of order.

B. The Vice President - The vice president shall perform the duties of the president if for any reason the president is unable to perform his/her duties.

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

C. The Secretary - the secretary shall countersign the minutes of all meetings of the Board, sign all checks, and sign all official school district documents.

D. Members of the Board - are empowered to sign warrants approved by the Board in the absence of the President and/or the Secretary at any official meeting.

103.9 DUTIES OF MEMBERS:

A. Attend Regular and Special Meetings, Work Sessions, etc. to represent the community.

B. Communicate with other board members on issues pertaining to the school.

C. Evaluate and inform the Board of the condition of the school plant.

D. Represent the entire school district.

E. Study and evaluate the annual salary schedule which is recommended by the superintendent.

F. Employ a superintendent and set his/her salary; evaluate performance annually.

104 MEETINGS OF THE BOARD

104.1 The Board will meet at least once a month for the study of reports and the transaction of school business.

104.2 Regular meetings shall be held on the third Tuesday of each month. Regular meetings will be held at 6:00 p.m. Regular meetings must have 10 day prior notification.

104.3 Special meetings as necessary, will be called by the President, or at the request of two members. Time and place for special meetings shall be determined by the President. Special meetings shall be held in accordance with the district Open Meetings Resolution.

104.4 All meetings will be open to the public with the exception of those closed meetings for the following purposes:

A. Issuance, suspension, renewal, or revocation of a License.

B. Personnel matters: which means the discussion of hiring, promotion, demotion, dismissal, assignment of, resignation of, or the investigation or

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

consideration of complaints or charges against any individual public employee. Final actions on personnel must be taken at an open public meeting.

C. The discussion of bargaining strategy preliminary to collective bargaining negotiations and collective bargaining sessions.

D. Threat of litigation or pending litigation in which the Board is or may become a participant; and

E. For the purchase or acquisition of real property or water rights.

104.5 In January of each year, the Carrizozo Municipal Schools Board of Education shall adopt an annual resolution or other announcement at a regularly scheduled open meeting stating its procedure for giving notice of meetings.

104.6 The Superintendent in concert with the President of the Board shall prepare the agenda. Board members are encouraged to contact the Superintendent regarding the following items needed on the agenda.

- * Call to Order
- * Pledge of Allegiance
- * Recognition of Guests
 - a. Public Input
- * Approval of agenda
- * Approval of minutes of preceding meeting/s
- * Superintendent's Report
- * Student Instruction
- * Personnel
- * Transportation
- * Finance and Facilities
- * Board of Education
- * Announcements
- * Adjournment

104.7 The content of the agenda shall be compiled by the Superintendent and his/her staff and delivered to members of the Board preceding the regular meeting date. The news media shall be furnished a summary of the agenda prior to the meeting.

104.8 New business, which is not on the agenda, introduced at regular meetings of the Board of Education, will be automatically referred to the Superintendent for staff study, research, and possible inclusion in subsequent agendas.

104.9 The Superintendent will gather, research, and arrange all information on each item of the agenda. The Board members are encouraged to become familiar with all aspects and be prepared to make decisions.

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

- 104.10 An accurate record of all transactions of the Board shall be set forth in the official minute book of the Board. The minutes shall be kept on file in the Superintendent's office as the permanent official records of the school district. The minutes of the preceding meeting/s shall be approved upon motion by the Board, and signed by the President and Secretary of the Board.

105 OPERATION AND PROCEDURE OF BOARD MEETINGS:

105.1 Rules of Order

A. Robert's Rules of Order shall be considered the authority for internal operation of this Board. In matters of procedure not covered by these rules, accepted general practice shall govern.

B. Order of Business.

- 105.2 Voting shall be by voice or by sign. Result of the voting will be recorded in the minutes. Roll call vote shall be recorded for closed sessions in compliance with 10-15-1 (H) (2), NMSA 1978, Article 10, Chapter 15.
- 105.3 A quorum shall be any three (3) members.
- 105.4 The Board of Education shall transact business with professional staff members, other school employees, and patrons of the Carrizozo Schools only through the Superintendent of Schools.
- 105.5 It is the intent of this section that the Board and its members shall deal only through the Superintendent in respect to all matters for which responsible.
- 105.6 Requests from Citizens to Address the Board. Interested people are invited to attend regular meetings of the Board of Education. Informal comments from the public may be addressed to the Board in conjunction with Item III, " Recognition of Guests", as Public Input. This input may be limited to 5 minutes.
- 105.7 As needed by the Board, citizens may be appointed to serve on committees in an advisory capacity. Advisory committees are appointed by a duly made motion at a regular meeting of the Board of Education and such lay advisory committees shall terminate when the designated duty has been completed.
- 105.8 Formal placement of citizens on the agenda. Citizens requesting to be placed on the agenda must make a written request, stating the subject to be presented, to the Superintendent at least two weeks prior to the next scheduled board meeting.

CARRIZO MUNICIPAL SCHOOL - BOARD POLICY

105.9 The Board reserves the right to delay or not take action on any item brought before it.

105.10 The news media is invited to attend all meetings of the Board of Education except closed sessions.

106 SUSPENSION OF POLICIES

106.1 The policies of the Board of Education may be suspended upon the unanimous vote of members present at the time the suspension is under consideration.

107 ADOPTION OF POLICIES

107.1 The Board shall review and adopt the board policies each year.

108 AMENDING, ENACTMENT, OR REPEALING OF POLICIES

108.1. At any regular meeting of the Board of Education, any policy may be enacted, amended, or repealed by the majority vote of the full Board membership, providing the suggested amendment was placed on the agenda in the Board meeting notice.

109 POWERS AND DUTIES OF THE BOARD

_____ Section 22-5-4 NMSB 1978 (being Laws 1967, Chapter 16, section 28, as amended) is amended to read:

109.1 A local school board shall have the following powers or duties:

- A. subject to the rules of the state board, develop educational policies for the school district;
- B. employ a local superintendent for the school district and fix his salary;
- C. review and approve the school district budget;
- D. acquire, lease and dispose of property;
- E. have the capacity to sue and be sued;
- F. acquire property by eminent domain pursuant to the procedures provided in the Eminent Domain Code;
- G. issue general obligation bonds of the school district;
- H. provide for the repair and maintain all property belonging to the school district;
- I. for good cause and upon order of the district court, subpoena witnesses and documents in connection with a hearing concerning any powers or duties of the local school boards;
- J. except for expenditures for salaries, contract for the expenditure of money according to the provisions of the Procurement code;
- K. adopt rules pertaining to the administration of all powers or duties of the local school board;
- L. accept or reject any charitable gift, grant, devise or bequest. The particular gift,

CARRIZO MUNICIPAL SCHOOL - BOARD POLICY

grant, devise or bequest accepted shall be considered an asset of the school district or the public school to which it is given; and

- M. offer and , upon compliance with the conditions of such offer, pay rewards for information leading to the arrest and conviction or other appropriate disciplinary disposition by the courts or juvenile authorities of offenders in case of theft, defacement or destruction of school district property. All such rewards shall be paid from school district funds in accordance with rules promulgated by the state board.
- N. participate in mandatory yearly board training courses that explains state board rules, department policies and procedures, statutory powers and duties of local school bards, legal concepts pertaining to public schools, finance and budget and other matters deemed relevant by the NMSA/PED

110 CODE OF ETHICS

110.1 Code of Ethics for New Mexico School Board Members. A good board member:

- A. Keeps an open mind, and carefully considers all sides of a problem before reaching a decision.
- B. Helps to determine policy but leaves the carrying out of policy to the professional staff.
- C. Interprets and supports the policy to the community after it has been developed.
- D. Renders all decisions in open, public meetings, making use of executive sessions only to protect an individual's personal problems or to protect the best interests of the school district.
- E. Acts in the capacity of a board member only during legally constituted sessions of the Board, or when given a special assignment by the total board.
- F. Approves the employment of school personnel only on the recommendation of the Superintendent.
- G. Leaves the administration of school personnel to the Superintendent and his staff.
- H. Makes criticism of school employees only to the Superintendent.
- I. Respects the rights and views of fellow board members and makes no disparaging remarks in or out of meetings about other members of the Board or about their opinions.

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

J. Believes in the fundamental importance of public education in a democracy.

K. Believes that the education of the pupil is the basic purpose of the school.

L. Hears and receives staff and patron's complaints and/or recommendations only after the complaints and recommendations have cleared through proper channels.

M. Communicates with school personnel on school matters through the Superintendent's office.

111 DISTRIBUTION OF POLICIES

- 111.1 Each regular school district employee shall have access to a copy of the policies of the Carrizozo Municipal Schools Board of Education.
- 111.2 Each employee is expected to become familiar with the school district policies and be responsible for observing all provisions of the policies.
- 111.3 The principal will have at least one staff meeting with all personnel devoted to review, explanation, and to answer questions regarding board policies. This meeting shall be held prior to October 1 of each school year. Orientation of new personnel hired after the yearly review shall include a review and explanation of board policies.
- 111.4 Copies of board policy will be kept at the superintendent's office, in the principal's office and in the library for the express purpose of public availability.

112 CHAIN OF COMMAND

- 112.1 The Board of Education deals with staff members through channels established by the Superintendent of Schools.
- 112.2 The standard channel of command is from the student, para-professional, non-certified person to the teacher, to the principal, to the supervisor, to the Superintendent, and to the Board of Education.
- 112.3 Anyone in violation of this policy will be subject to disciplinary action.

113 PROCEDURE FOR REPORTING OF KNOWN OR SUSPECTED USE OR ABUSE OF ALCOHOL OR DRUGS BY STUDENTS

- 113.1 Statutory Basis: Section 22-5-4.4, N.M.S.A. 1978 requires that school employees who know or in good faith suspect any student of using or abusing alcohol or drugs shall report such use or abuse pursuant to procedures established by their local School Board. So long as such report is made in good faith, the reporting school employee shall be immune from any civil damages for his or her action. This policy is enacted to provide a procedure to be followed

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

by all School District employees in reporting known or suspected use or abuse of alcohol or drugs by students.

- 113.2 **Duty to Report:** All school employees have a mandatory, non-discretionary duty to report known or suspected alcohol or drug use or abuse by any student of the District.
- 113.3 **Administrator to Whom Reports Should be Made:** All reports made hereunder shall be to the Superintendent and/or Principal ("the responsible school officials").
- 113.4 **Timely Reporting:** Reports required hereunder shall be made within a reasonable time after the employee first learns or suspects the use or abuse of drugs or alcohol by a student.
- 113.5 **Duty to Investigate:** It is not the duty of the school employee making the required report to conduct an investigation to determine whether or not the student identified has in fact used or abused drugs or alcohol. The duty to investigate shall be upon the responsible school official to whom the report is made; provided, however, that the reporting employee shall cooperate with the responsible school official during the course of any investigation.
- 113.6 **Failure to Report:** The failure of any school employee to report knowledge or suspicion of student alcohol or drug use or abuse in a timely manner may be cause for discipline of the employee.

114 TAX SHELTERED ANNUITIES

- 114.1 The Board of Education has approved the business office to provide deductions for tax sheltered annuity programs and other legally permissible savings plans for all school employees.
- 114.2 The amount of the annuity will be deducted from the employee's salary and will be forwarded to the annuity company.
- 114.3 All companies issuing annuities through the payroll deduction plan must be approved by the administration.

115 CARE OF EQUIPMENT

- 115.1 Each employee shall be responsible for the proper care of all equipment, supplies, and materials entrusted to his/her care and within his/her area of responsibility.

116 REPORTING SUSPECTED CHILD ABUSE/NEGLECT CASES:

- 116.1 Any teacher or other employee of the Carrizozo Municipal School District has the legal obligation to report suspected cases of child abuse/neglect. New Mexico statute 32-1-15 A. states:

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

A. Any licensed physician, resident, or intern examining, attending, or treating a child, any law enforcement officer, registered nurse, visiting nurse, school teacher or social worker acting in his official capacity or any other person knowing or suspecting that a child is an abused or a neglected child shall report the matter immediately to (1) the criminal prosecution division of the district attorney's office, (2) the county social services office of the Human Services Department, or (3) the juvenile probation services office of the local district court.

B. Any employee acting in good faith in reporting child abuse/neglect is afforded protection by law and Carrizozo Municipal Schools' liability insurance program. New Mexico Statute 32-1-16 B and C states:

1. Anyone reporting an instance of alleged child neglect or abuse or participating in a judicial proceeding brought as a result of a report required by Section 32-1-15 NMSA 1978 is presumed to be acting in good faith and shall be immune from liability, civil or criminal, that might otherwise be incurred or imposed by law, unless the person acted in bad faith or with malicious purpose.

C. If it is deemed necessary for a staff member of the Social Services Office to interview a child at school, the interview will be arranged through the school principal and will follow the policy as outlined in 116.3 V.

D. The following definitions of a neglected and an abused child are taken from New Mexico 32-1-3 L and M. Please note that educational neglect is clearly included:

1. Neglected Child: means a child:
 - a. who has been abandoned by his parent, guardian or custodian;
 - b. who is without proper parental care and control or subsistence, education, medical or other care or control necessary for his well-being because of the faults or habits of his parent, guardian or custodian or his neglect or refusal, when able to do so, to provide them;
 - c. whose parent, guardian or custodian is unable to discharge his responsibilities to and for the child because of incarceration, hospitalization or other physical or mental incapacity; or
 - d. who has been placed for care or adoption in violation of the law; provided that nothing in the children's Code shall be construed to imply that a child who is being provided with treatment by spiritual means alone through prayer, in accordance with the tenets and practices of a recognized church or religious denomination, by a duly accredited practitioner thereof, is for that reason alone a neglected child within the meaning of the Children's Code.

CARRIZO MUNICIPAL SCHOOL - BOARD POLICY

2. "Abused child" means a child:

a. who has been physically, emotionally or psychologically abused by his parent, guardian or custodian, or

b. who has been sexually abused or exploited by his parent, guardian or custodian as used in this paragraph:

(1). "sexual abuse" means rape, criminal sexual penetration, incest, and sexual molestation as those acts are defined by state law; and

(2). "sexual exploitation" includes allowing, permitting, or encouraging, a child to engage in prostitution and allowing, permitting, encouraging or engaging a child in obscene or pornographic photographing, filming, or depicting a child for commercial purposes as those acts are defined by state law; or

c. whose parent, guardian or custodian has knowingly, intentionally or negligently placed the child in a situation that may endanger his life or health; or

d. whose parent, guardian or custodian has knowingly or intentionally tortured, cruelly confined, or cruelly punished him; provided that nothing in the Children's Code shall be construed to imply that a child who is being provided with treatment by spiritual means alone through prayer, in accordance with the tenets and practices of a recognized church or religious denomination, by a duly accredited practitioner thereof, is for that reason alone an abused child within the meaning of the Children's Code.

116.2 The county social services office is required to notify the person making the report within five days after the report is made that an investigation is being conducted. Such notice will be mailed directly to the referring party.

116.3 POLICY GOVERNING COOPERATION BETWEEN LAW ENFORCEMENT AGENCIES AND PUBLIC SCHOOLS

The following policy shall be observed in connection with all contacts by law enforcement with students. A copy of this policy shall be provided to all licensed personnel, who shall be responsible for observing it. A copy of this policy also shall be provided to all local law enforcement and social services agencies so that mutual cooperation may be promoted.

CARRIZO MUNICIPAL SCHOOL - BOARD POLICY

The following provisions govern school personnel's cooperation with law enforcement and social services agencies with regard to criminal law enforcement and child abuse investigations, and are not in derogation of the customary authority of school administrators to conduct interviews and investigations, or otherwise to take action as part of the enforcement of school discipline and order.

I. OFFICIAL CONTACT WITH STUDENTS IN SCHOOLS

A. Administrative Authorization Required: Law enforcement officers, including investigators employed by public agencies authorized to investigate child abuse, may not be permitted contact with any student except by the building principal or his/her designee, or by the Superintendent, and pursuant to the procedures and requirements set forth in this policy.

B. Verification, Documentation, and Parental Notification Procedures: Prior to any student being produced by a school principal for any contact with officers, the principal or his/her designee shall:

1. Write down the name, badge number, and agency of the officer(s), together with the date and time of appearance,

2. Confirm by telephone with the agency that employs the officer(s), their identity and authorization in seeking contact with the student, and record the name and position of the person confirming such information; and

- a. in instances in which the officer(s) have appeared at the school to interview or make an arrest of a student for suspected criminal activity, the principal shall also determine and write down the agency justification for conducting an interview or arrest of a student at school when such criminal activity has not been:

- (i) committed at the school,
- (ii) committed during school sponsored activities,
- (iii) committed on school grounds, or
- (iv) when such criminal activity involves crimes committed at the school for which assistance has not been requested by the principal or superintendent; and

- b. in instances in which the officer(s) is acting pursuant to an arrest warrant, a

- c. search warrant, or other court document, the principal or superintendent shall obtain a copy of such document whenever it is legally permissible to do so.

3. Contact the student's parent(s) or guardian, notify them of the contact, and record time of notification and the name of the person notified;

- a. If upon the initial request for contact by the officer(s) or agency, the principal or superintendent is directed by either not to attempt to notify the student's parent(s) or guardian or to obtain the attendance of the student's parent(s) or guardian,

CARRIZO MUNICIPAL SCHOOL - BOARD POLICY

- (i) that direction should be added to the information recorded by the principal pursuant to this section, and
 - (ii) the officer should be asked to sign the statement; and
 - (iii) if the officer refuses to sign the statement, the principal should note on the statement that the officer refused to sign.
4. A law enforcement officer may conduct an investigation within the school building and upon school grounds and interview students as possible witnesses in the principal's office or other administrative office.
5. The principal or his/her designee shall be present during the interview.
6. Reasonable attempts shall be made to keep the identity of those interviewed confidential.
7. Neither the principal nor his/her designee shall disclose any written statements made or the content of statements given during the interview, except he/she may disclose statements made or the content of statements given during the interview to;
 - (a) the student interviewed and to his/her attorney or parents,
 - (b) to the district attorney, or other law enforcement agencies; and
 - (c) if the principal deems it appropriate to legitimate disciplinary goals, to other school officials.
8. If the investigation focuses on a particular student as a suspect of a crime, the school principal and the police officer shall follow the general guidelines herein set forth with respect to interrogation, search, and arrest. In addition, the principal shall follow the advice of rights provisions of Section II. g. below.
9. The principal or superintendent shall not, in any event, prevent the appropriate law enforcement agency from serving or executing court process (i.e. summons, warrant, subpoena or court orders upon school grounds during school time, provided that the procedures set forth in Section I are first observed. The principal or superintendent may also designate a reasonable time and place for law enforcement contact with students, including for service of process upon students under his control, in order to ensure that the educational process is not disrupted.

II. INTERROGATION OF STUDENT SUSPECTS IN SCHOOL

1. By or for Police: If the law enforcement officers deem it necessary to interrogate student suspects in school during school hours or school sponsored activities, and if criminal prosecution is anticipated by the law enforcement officers, no interrogation shall commence unless;
 - a. A parent or guardian is present to counsel the student; or

CARRIZO MUNICIPAL SCHOOL - BOARD POLICY

b. The student suspect has been advised of his basic rights and, understanding those rights, has knowingly and voluntarily waived those rights as follows:

(i) Before interrogation, the police officer shall

-advise the student of the nature of the crime for which he or she is a suspect,

-advise the student that he or she has the right to remain silent, that anything he or she says may be used against him or her in criminal or juvenile court and that he or she has the right to have an attorney present, or a court-appointed attorney if the parents are indigent, and the student or parent may stop the interrogation at any time, in order to obtain an attorney and have him or her present at further interrogations.

c. The school administrator or designee cannot waive these rights on behalf of the student, nor may he or she compel the student to submit to an interview or interrogation.

d. The school administrator shall use his or her discretion and his or her knowledge of a student's age and mental or physical condition and shall not permit interrogation in an instance in which a parent is not present and the administrator does not believe that the student can knowingly, intelligently, and voluntarily waive his or her rights.

e. It is not the responsibility of the school administrator to advise the student suspect of his or her basic rights as set forth in the Children's Code,

f. The school administrator shall not permit a student suspect age thirteen or under to be photographed or finger-printed unless the law enforcement officer presents a court order authorizing it.

g. If a student is being interviewed by a school administrator at the request or instigation of the police for law enforcement purposes, the interrogation may be conducted only if;

-the student is advised of his constitutional rights,

-the student knowingly, intelligently and voluntarily waives his constitutional rights; and

-a reasonable attempt to notify his parents is made before the interrogation takes place.

III. ARRESTS OF STUDENTS IN SCHOOLS

1. General Policy: It should not ordinarily be necessary for police officers to arrest students at school during school hours for criminal activity not committed at the school, during school sponsored activities, or on school grounds, or for crimes committed at the school for which assistance has **not** been requested by the administrator.

CARRIZO MUNICIPAL SCHOOL - BOARD POLICY

2. Arrests with Advance Notice: In cases where a law enforcement agency deems it necessary to arrest a student during school hours or activities at school, the agency should notify the administrator of the intended arrest prior to dispatching officers to the school, and the principal should request that a non-uniformed officer make the arrest if possible or that the services of school security officers be used if available.

3. Arrests in Emergency Circumstances: In emergency situations, where the immediate arrest of a student is deemed necessary by the police. including instances where the commission of a felony or serious breach of the peace has been witnessed by a police officer or if the police officer is in "pursuit" of the student for such crime, the police shall be entitled to take action to arrest the student on school property without a warrant.

a. In cases in which an arrest of a student has been made in an emergency situation in which the police have taken custody of a student without providing school authorities the opportunity to conduct the Verification, Documentation, and Parental Notification Procedures mentioned in this policy, school authorities shall make every reasonable effort to have the arresting officer comply with the aforementioned procedures **before** removing the student from school grounds.

b. If the student has been removed from school grounds by law enforcement officers prior to compliance with the Verification, Documentation, and Parental Notification Procedures, school authorities shall contact the arresting agency and complete the Verification, Documentation, and Parental Notification Procedures as soon as possible after learning of the removal.

IV. SEARCH AND SEIZURE

A. By Police - On Request of School Authorities.

1. Exigent Circumstances: Upon request of a school principal, police officers may make a general search of students' lockers and desks, or students' automobiles on school property, for drugs, weapons, or items of an illegal or prohibited nature if, in the principal's judgment, public health or safety is threatened.

2. Non-exigent Circumstances: If a principal has received reliable information, which he/she believes to be true, that evidence of a non-school-related crime or stolen goods is located in a certain student's locker, desk, or in a student's or a non-student's automobile parked on school property, and there is no immediate threat to the health or safety of student or employees, he/she shall request police assistance for a search by the police pursuant to a search warrant.

B. By Police - Without Request of School Authorities.

CARRIZO MUNICIPAL SCHOOL - BOARD POLICY

1. Police officers may not search a student's locker, desk or automobile unless they have a search warrant, or a knowing intelligent, and voluntary consent is given by the student.
2. A student's person may not be searched in school unless:
 - (a) police have a search warrant, or
 - (b) the student is under arrest, or
 - (c) the police are acting upon probable cause to believe that the student is concealing contraband, or
 - (d) a knowing, intelligent, and voluntary consent is given by the student.
3. Notwithstanding the foregoing, a search of a student's person, locker, automobile on school grounds, or desk, may be conducted by any police officer on school grounds during school hours if emergency circumstances exist and the police are acting upon probable cause to believe that the health and safety of the student or of others requires a search.
4. A school official may not consent to a warrant-less search of a student's locker, desk, or automobile, by police unless police are acting at the direction and under the supervision of the school administration.
5. The student, is then available, shall be present during any search of his locker, desk, automobile.
6. In all searches authorized by this section, the principal or his/her designee shall accompany the officer(s) in conducting such searches.

V. CHILD PROTECTIVE AGENCY CONTACTS

A. Duty to Report Suspected Child Abuse and Neglect:

Pursuant to Section 32-1-15 NMSA 1978, it is the duty of any school nurse and school teacher or administrator who know or suspects that a child is or has been abused or neglected upon penalty of fine to report this information immediately to either (1) the criminal prosecution division of the district attorney's office, (2) the county social services office of the Human Services Department, or (3) the juvenile probation services office of the local district court. School employees and officials shall cooperate with investigators of the above-named agencies investigating suspected instances of child abuse and neglect, subject to the safeguards and procedures provided by this policy.

B. Investigations of Child Abuse and Neglect:

1. Verification, Documentation, and Parental Notification Requirements:

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

Investigators employed by public agencies authorized to investigate child abuse, including those seeking to remove students from school for purposes of maintaining protective custody as part of a child-abuse investigation, are subject to the Verification, Documentation, and Parental Notification Procedures set forth in

Section I, except:

(a) In observing the Verification, Documentation and Parental Notification Procedures, the school Principal or designee shall determine from the investigator whether it is appropriate to notify the parent or guardian about the requested interview or the removal of the student from the school;

(b) In the event the investigator directs that such notice not be given, as in cases where a parent or close family member is the suspected abuser, the principal shall record such direction as part of the Verification, Documentation and Parental Notification Procedures.

117 CREDIT UNION

117.1 Employees may participate in the Loco Credit Union. The Board has authorized payroll deductions for members participating in the credit union.

118 DUI (DRIVING UNDER THE INFLUENCE) POLICY

118.1 The Carrizozo Municipal Schools Board of Education policy for employees who are convicted of, plead guilty or nolo contendere to DUI which occurred other than on school time and/or property shall:

A. no longer be allowed to drive a school vehicle until they are again properly licensed;

B. immediately report this fact to the superintendent; and

C. be allowed one and only one DUI and retain a job with the Carrizozo Municipal Schools.

118.2 Employees whose driving record renders them uninsurable by the District's insurance carrier shall:

A. not drive the Schools' vehicle for any reason while on work time or in the capacity of a school employee until they are deemed insurable by the District's insurance carrier:

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

B. be transferred to a position that does not require driving, if one is available. Employees that are deemed uninsurable, and for which there is no position available, will be terminated; and

C. be allowed one and only one occasion of uninsurable status and retain a job with Carrizozo Municipal Schools.

118.3. Employees that have to drive for school business but lose their driver's license and do not report this to the superintendent before reporting to work on the first working day following the incident, and drive a school vehicle, will be terminated.

118.4 The Superintendent in case of 118.2 and 118.3 shall:

A. cause a written record of the incident to be entered in the employee's personnel file.

B. notify the Board of Education of the incident and action taken.

119 EXPENSES

119.1 Board of Education members shall not receive any compensation for their services; however, they may claim expenses incurred in travel and per diem in accordance with state regulations governing these items.

120 HEALTH AND ACCIDENT INSURANCE

120.1 Every eligible employee is offered the opportunity to participate in group health and life insurance programs extended by the Board of Education.

120.2 "Eligible Employee": Those employees who are contracted employees paid on an annual contract amount basis as provided for by the appropriate salary schedule for the position, who are recommended, and approved by the Board of Education for employment. "Excluded are the following: long-term and short-term substitute employees, part-time employees; contracted seasonal employees; probationary employees paid on a time card basis; employees not eligible for membership in the Educational Retirement Act.

120.3 The Board will pay part of employee's insurance premium based on salary. The percent of allowable premium payments shall be per statute.

120.4 Insurance for retirees and employees on leave:

A. Stipulations necessary for retired Carrizozo Municipal Schools employees to qualify for continuing group coverage of insurance through the Carrizozo Municipal Schools:

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

1. The employee must meet all requirements to qualify for retirement pursuant to the New Mexico Educational Retirement Act, and New Mexico Public School Insurance Authority Regulations.
2. The retiree must pay the full premium as established; Carrizozo Municipal Schools will not participate in sharing of premium payments.
3. Employees who are granted a medical leave of absence will be allowed to remain in the group medical plan for a period of one year after the leave has been approved, and must pay the full premium, unless otherwise provided by NMPSIA regulations or Federal (COBRA) Regulations.
4. Employees accepting employment during the approved leave from the Carrizozo Municipal Schools will be expected to secure medical coverage with their new employers. Carrizozo Municipal Schools may cancel all privileges of participation in the medical plan at this time unless prior approval has been granted to remain under the Carrizozo Municipal Schools' group for the duration of the leave.
5. Employees who become ill during the course of a current contract and cannot return to work, as certified by a doctor, will be allowed to remain in the group until the end of the contract period.

120.5 "On the job accidents" and occupational sickness are compensable to the extent of required and necessary medical expenses and to limited weekly benefits as prescribed by the State Labor Commission and set forth in the New Mexico Worker's Compensation Law.

121 HOLIDAYS AND ANNUAL LEAVE

- 121.1 Paid holidays and annual leave for certified and classified personnel, who qualify, will include the generally recognized holidays, such as: Fourth of July, Labor Day, Thanksgiving Day, Christmas Day, New Year's Day, Good Friday, and Memorial Day, if they fall within the contract period, or otherwise stipulated by the Superintendent.
- 121.2 All certified or contract employees working on a twelve month contract will be granted annual leave. This leave will be specified in the employees contract.
- 121.3 No annual leave will be granted until the employee has been on contract for a period of at least six (6) months.
- 121.4 Twelve month contract employees shall be permitted to, accumulate, and carry forward from one calendar year to the next, no more than two (2) years worth of accumulated leave. Schedules for taking annual leave shall be approved by the Superintendent or his/her designee.
- 121.5 At the time of termination, an employee may not be paid for accrued annual leave.

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

- 121.6 All requests for annual leave shall be made in writing to the immediate supervisor and then to the Superintendent of Schools.
- 121.7 A record of all annual leave shall become a part of the employee's personnel record. The record shall contain these elements:
- A. Leave days credited.
 - B. Leave days taken, debited, inclusive date(s).
 - C. Leave days remaining.
 - D. Copies of all approved days requested and taken.

122 COURT OR JURY DUTY LEAVE

- 122.1 An employee summoned for jury duty and subpoenaed for court appearance will be approved for leave and will be paid full daily rates. The employee will reimburse the District any amount paid the employee for services rendered to the courts less any mileage received.

123 MATERNITY/PATERNITY LEAVE

- 123.1 Maternity/paternity leave is a period of approved absence because of temporary disability resulting from pregnancy, childbirth and convalescence.
- 123.2 It is the responsibility of the expectant parent to notify the superintendent, in writing, as soon as the pregnancy has definitely been determined and of her intention to exercise one of the following options:
- Option A: The employee may elect to use her/his accumulated sick leave days for maternity/paternity absences, or
- Option B: Leave without pay may be taken for specified inclusive dates as determined by the employee and her/his personal physician. Such leave may be extended upon the request of the employee, or
- Option C: The employee may apply a specified number of accumulated sick leave days to maternity/paternity leave and thereafter go on leave without pay. In the case of adoption, the employee shall notify the Superintendent, at the earliest possible date, or the approval of adoption, and the need to care for the child.
- 123.3 Notification of intent to return to work shall be delivered to the Office of the Superintendent at least twenty-five (25) calendar days prior to the anticipated date of return. In the event the employee fails to report for employment or request an extension of leave by the time designated, a permanent replacement may be employed and the employee shall no longer

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

have re-employment rights. An employee may return sooner than twenty-five (25) days from the date of delivery upon doctor's release for full duty.

- 123.4 The employee options for adoption of a child will be the same as for maternity leave except that private decisions concerning the necessary length of such leave shall be made by the employee and the appropriate adoptive agency.
- 123.5 Should the Superintendent have reason to doubt the employee's ability to continue performing work duties, the employee shall be required to furnish a doctor's certificate certifying that the employee may safely continue. In such event, the District shall require the employee to hold the District, management and board harmless from any liability from damages caused by the employee's continued work.
- 123.6 The employee may continue to participate in the hospitalization plan at the established District policy rate while still carried on the payroll. The employee may continue to participate by paying 100% of the premium when dropped from the payroll.

124 MILITARY LEAVE

- 124.1 Leave for compulsory military service will be granted for the period of compulsory service.
- 124.2 The employee will be assured of employment at the end of the compulsory military service if he is qualified for a position.
- 124.3 The employee will retain all rights during the period of military service which shall include: insurance rights, accumulated sick leave, years of experience on the salary schedule and retirement rights as covered by State Law.

125 PERSONAL LEAVE

- 125.1 Employees who are on a contractual basis may be granted a maximum of two (2) days personal leave during the year; only one (1) day may be granted at a time except as special needs arise. That determination will be made on a case-by-case basis. Days taken for personal leave may be chargeable against accumulated sick leave for the individual employee.
- 125.2 Request for personal leave must be submitted to the superintendent or principal , in writing, on the proper form, at least five calendar days prior to the time of absence, unless a documented emergency exists.
- 125.3 Leave will be granted only after approval by the superintendent.
- 125.4 Personal leave is not cumulative.
- 125.5 Personal leave will not be granted for work days immediately preceding or following the opening or closing day of school nor for the day prior to or the day after a school holiday.

CARRIZO MUNICIPAL SCHOOL - BOARD POLICY

126 **PROFESSIONAL LEAVE**

- 126.1 Professional leave exists for the purpose of attending professional meetings, workshops, and seminars directly related to the individual's job and which will benefit the educational program of the district.
- 126.2 The superintendent or principal may authorize professional leave for all personnel.
- 126.3 Requests for professional leave may be a part of the employee's professional development plan.
- 126.4 The request for professional leave should include appropriate information enabling the principal to do the necessary fiscal and personnel planning to accommodate the leave. Such requests should also include a brief statement of benefit to the district.
- 126.5 Requests for professional leave by staff members should be submitted to the superintendent or principal by each individual desiring professional leave, at least ten days before the activity with relevant documentation, unless emergency or unusual circumstances preclude the ten day prior notice.

127 **SICK LEAVE**

- 127.1 Sick leave of absence with pay is a benefit to school employees to protect the health and welfare of both employees and pupils. Employees are encouraged to use their leave when they are ill to enable them to regain and remain in good health. Sick leave is to be used primarily for the illness of the employee. However, an employee who is absent from his/her duties because of an illness of a member of his/her immediate family shall be allowed sick leave for the purpose of attending to the ill person. This leave should be taken only when other arrangements cannot be made for the care of the ill person.
- 127.2 All full time employees on nine (9) month contracts will be allowed one day of sick leave per calendar month, including August, for a total of 10 sick leave days, with unlimited accumulation.
- 127.3 Employees on an extended contract will be allowed one day per month for each month of employment.
- 127.4 Leave used above that allowed by this policy will be deducted at the rate of pay specified in the employee's yearly contract.
- 127.5 Over two (2) consecutive days of sick leave may require a signed statement from a doctor.
- 127.6 Sick leave for part-time teachers shall be pro-rated according to the length of their contracts.

CARRIZO MUNICIPAL SCHOOL - BOARD POLICY

- 127.7 At the time of termination or retirement, an employee may not be paid for any accumulated, unused sick leave.
- 127.8 Sick leave benefits shall not be paid during any period for which an employee is eligible for worker's compensation payments unless the employee has elected in writing to assign or pay his worker's compensation payment to the district for the period during which the sick leave benefits are paid. In no event shall an employee be entitled to both sick leave benefits and worker's compensation payments during the same period.

127-A SICK LEAVE BANK

- 127.7 The intent of the Sick Leave Bank is to provide an employee additional Sick Leave when a Catastrophic illness occurs that requires extended hospitalization/treatment or home confinement of the employee/or immediate family. Regular maternity leave is not eligible.
- 127.8 Employee's (at their own option) may donate days to the Sick Leave Bank.
- 127.9 Employees wanting to donate to the Sick Leave Bank may do so at any time. (form will be provided).
- 127.10 Donations to the Sick Leave Bank are not refundable.
- 127.11 An employee who withdraws sick days from the Sick Leave Bank will not be required to pay back those days.
- 127.12 Upon an employee separation/termination (what ever the cause) any unused accumulated leave cannot be donated to the Sick Leave Bank.
- 127.13 All accrued leave (sick, personal, vacation etc.) must be used before the school employee is eligible to receive days from the Sick Leave Bank.
- 127.14 The employee or his/her designee must request in writing the approximate days needed. This request must be accompanied by an attending physician's statement.
- 127.15 The Sick Leave Bank committee composed of five staff members, superintendent or principal shall determine the decision to grant days from the Sick Leave Bank.

127-C BEREAVEMENT LEAVE

- 127.17 In the case of death in the immediate family the employee shall be allowed leave with full pay for up to three (3) working days immediately following the date of such death. The immediate family is defined to include: husband, wife, child, grandchild, parents, grandparents, sister, brother, father-in-law, mother-in-law, son-in-law, daughter-in-law,

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

brother-in-law and sister-in-law. If requested, two (2) additional days leave with pay may be granted when travel out of town is required.

- 127.18 In extenuating circumstances, additional days may be granted by the superintendent; such days will be charged to earned sick leave.

127-D FUNERAL LEAVE

- 127.20 Employees may be excused without loss of pay, for a period up to four (4) hours, to attend funeral services of relatives other than those defined as immediate family in the bereavement leave and/or friends provided prior approval is given.

- 127.21 Circumstances may deem it appropriate for the superintendent to authorize closure of school or a particular building so staff and students may attend services.

128 EXTENDED LEAVE OF ABSENCE

- 128.1 Extended leave of absence is leave taken by employees for periods of time substantially beyond those allowed in normal leave categories. An extended leave may be recommended by the superintendent to the board of education for the purpose of study, travel, an unusual opportunity for professional improvement, or for reasons of health of the employee or a member of his/her immediate family. Other extraordinary circumstances may be interpreted as cause for leave at the discretion of the board of education.
- 128.2 Leaves shall be determined on an individual basis by the Board of Education. Request shall be directed to the superintendent, in writing, specifying beginning and ending dates of proposed leave and the reason for the request.
- 128.3 Persons granted leave will retain accumulated sick leave, but will not gain in experience on the salary schedule.
- 128.4 Persons granted leave may continue to participate in the health and accident insurance program while on leave, provided they pay 100% of the premium.
- 128.5 This leave will be limited to a maximum of one year unless extended by the Board of Education.
- 128.6 The re-employment will be contingent upon the availability of a position with the district for which the employee is eligible, certified and qualified to assume.
- 128.7 Requests for re-employment must be made, in writing, sixty (60) days prior to the beginning of the next school year.

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

- 128.8 Leaves of absence will not be granted for an employee to accept other employment or to go into business.
- 128.9 Persons granted leave shall not accrue any rights or privileges not granted to other employees.

129 PURCHASES

- 129.1 All purchases made by employees in the name of Carrizozo Municipal Schools, individual units, clubs, organizations, or programs shall be accomplished with a duly authorized purchase order only.

130 PAYMENT OF SALARIES

- 130.1 All personnel on contract will be paid twice monthly.
- 130.2 There will be no advance pay checks issued, except as verified as an emergency and approved by the superintendent.
- 130.3 No funds will be issued for services that have not been rendered, as is specified in the Procurement Code.
- 130.4 Payroll deductions for payment of dues for professional organizations may be authorized by the Superintendent.
- 130.5 Part time, occasional, substitutes, those without contracts and ancillary personnel will be paid on or about the 15th day of month.

131 SEARCH AND SEIZURE POLICY FOR EMPLOYEES

- 131.1 The Board of Education, Carrizozo Municipal Schools, desires, in accordance with state statute and regulation to enhance the attainment of educational goals, to provide a drug-free environment for the ultimate benefit, welfare, and safety of the students it serves.
- 131.2 The actions of all employees have an indirect and direct influence and effect, by their job performance and comportment, upon the total atmosphere of an educational institution, and, therefore, upon the safety, welfare, and ultimate attainment of educational goals and objectives of the School District.
- 131.3 As a condition, either implied, verbal, or written, of their continued employment, employees agree to adhere to and abide by the wishes, desires, regulations, and policies established by the Board of Education and not to detract from the achievement of stated goals and objectives of providing a drug/alcohol-free environment.

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

- 131.4 Carrizozo Municipal Schools hereby advises all employees that the District will be utilizing, as one means of drug and alcohol detection, the services of a drug-sniffing dog. The dog may be used within all buildings or property belonging to or under the control of the School District. The dog may also be used to detect drugs or alcohol which may be within the property, brought within the buildings or property belonging to or under the control of the School District, by an employee(s).
- 131.5 When and if the dog alerts to any property belonging to the School District or under its control such as school buses, but under the use and control or possession of an employee, the immediate supervisor will:
- A. Remove, with due discretion, the employee from the immediate vicinity of the article, building, or work area.
 - B. Notify the police or appropriate law enforcement officer with jurisdiction in that area to search the property of building, or absent a law enforcement officer, the immediate supervisor will, in the presence of an adult witness, cause a search to be conducted.
 - C. Evidence obtained as a result of the search will be turned over to the proper law enforcement agency.
 - D. If the employee is in the presence of students, the supervisor/principal will, with due discretion, invite the adult to his/her office and remove him/her from contact with students and other adults.
 - E. As a matter of general practice, the person or personal articles such as purses, briefcases, or automobiles belonging to employees, will not be searched by school personnel unless probable cause, such as the immediate, clear and present danger to the person or persons in the vicinity, exists. In all cases of reasonable suspicion or probable cause, the proper law enforcement agency will be notified and advised of the circumstances.
 - F. Should the subsequent investigation and search, of desk or property alerted to; reveal that the adult was in possession or control of drugs/alcohol, he/she will be suspended from duty with pay and recommended to the Board of Education for discharge or remain in suspension until the Superintendent decides to return the adult to a duty station for the remainder of the contract.

132 SEXUAL HARASSMENT

The Carrizozo Board of Education forbids harassment of any employee on the basis of sex. Sexual harassment is a prohibited personnel practice. The intent of this policy regarding conduct between employees is clear and straightforward: No employee of the school district may engage in any conduct of a sexual nature with any student, regardless of the student's age, ability to consent, or actual consent. No employee may engage in

CARRIZO MUNICIPAL SCHOOL - BOARD POLICY

any conduct of a sexual nature with another employee which is unwanted, unwelcome, and uninvited.

A. Definitions and Standards of Conduct.

Between an employee and a student, sexual harassment is any conduct of a sexual nature. Between employees, sexual harassment is unwelcome, unwanted and uninvited conduct of a sexual nature. Specific definitions follow:

1. Conduct of a Sexual Nature:

Conduct of a sexual nature may include, but is not limited to:

- *verbal or physical sexual advances, including subtle pressure for sexual activity;
- *sexually oriented touching, pinching, patting, pulling at clothing;
- *showing or giving sexual pictures, photographs, illustrations, messages or notes;
- *writing graffiti of a sexual nature on school property;
- *comments or name-calling to or about an employee regarding alleged physical or personal characteristics of a sexual nature;
- *sexually-oriented kidding, teasing, and jokes of a sexual nature; any harassing conduct to which an employee is subjected because of or regarding the employees sex;
- *demands for sexual favors, accompanied by implied or overt promises of preferential treatment, or threats concerning an individual's employment status.

2. Standard of Conduct for Employee to Student:

No employee may engage in conduct of a sexual nature with a student at any time or under any circumstances, regardless of whether such conduct takes place on school property or in connection with any school sponsored activity.

3. Standard of Conduct for an Employee:

Unwanted, un welcomed, and uninvited conduct of a sexual nature:

- a. Verbal or physical conduct of a sexual nature by one employee to another may constitute sexual harassment when the allegedly harassed employee has indicated, by his or her conduct, that the conduct is un welcomed, or when the conduct, by its nature, is clearly un welcomed or inappropriate.

CARRIZO MUNICIPAL SCHOOL - BOARD POLICY

b. An employee who has initially welcomed conduct of a sexual nature by active participation must give specific notice to the alleged harasser that such conduct is no longer welcome in order for any such subsequent conduct to be deemed un welcomed, unwanted, and uninvited.

4. Reporting, Investigation, and Sanctions:

a. Any employee who believes he/she has been sexually harassed should report the incident to their supervisor and/or the Superintendent.

b. Reporting by Employees is mandatory when any employee receives any report of sexual harassment of a student, whether the report is given by a student, a parent, or another employee. The superintendent must be notified of such report, regardless of whether the individual receiving the report considers the report credible or significant.

5. Investigation:

School officials are required by law to investigate all complaints. The Superintendent or his or her designee will conduct an appropriate and prompt investigation. The employee may be asked to put the complaint in written form for clarification and investigative purposes.

6. Sanctions:

A. Employees:

Any employee found to have engaged in conduct of a sexual nature with a student/employee shall be subject of sanctions, including, but not limited to, warning, or reprimand, suspension, or termination, subject to any applicable procedural requirements.

133 SOLICITORS

133.1 No solicitations will be allowed on school property without prior approval of the building principal or administration.

133.2 Solicitations, when approved by the principal or administration, should normally be conducted before or after school.

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

133.3 Selling and advertising on school property shall not take from the educational program. Any selling and/or advertising shall be permitted only then when it is of direct benefit to the education of the students.

134 TITLE VI COMPLIANCE OF CIVIL RIGHTS ACT OF 1964

134.1 The Carrizozo Municipal Schools Board of Education hereby agrees that it will comply with the regulations of Title VI of the Civil Rights Act of 1964. In accordance with Title VI of the Act no person in the United States shall, on the basis of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance from the Department; and HEREBY GIVES ASSURANCE THAT it will immediately take any measures necessary to effectuate this agreement.

135 TITLE IX (Title VII of the 1964 Civil Rights Act prohibits discrimination on the basis of sex.)

135.1 Congress adopted Title IX of the Education Amendments of 1972, and local school districts are required by law to comply with the rules and regulations of Title IX which says: "No person in the United States shall on the basis of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance."

135.2 The Carrizozo Municipal Schools Board of Education will take all necessary steps to comply with said rules and regulations.

135.3 The Board will take all actions necessary to comply within the time limits set forth in said rules and regulations.

135.4 The Board will evaluate all current policies and practices concerning the admission of students, treatment of students and employment of both academic and non-academic personnel.

135.5 The Board will make necessary changes in policies or practices upon discovery of policies or practices which do not meet the requirements of Title IX.

135.6 The board designates the Superintendent as the contact person regarding Title IX compliance activities.

135.7 The Board will implement specific and continuing procedures to notify students, parents of students, employees and sources of referral of applicants for employment and all professional organizations or other organizations that the requirement not to discriminate extends to all educational programs, activities and employment, and that inquiries concerning Title IX and its rules and regulations may be referred to the school district officer designated, or to the Director of Civil Rights of the Department of Health, Education and Welfare.

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

136 PERSONNEL FILES

136.1 A personnel file shall be maintained for each employee which shall contain, but not be limited to, the following:

A. Documents required by state law:

1. Birth certificate or proof of birth date.
2. Health certificate.
3. Teaching and/or administrative certificate.
(Certified personnel only)
4. Official college transcripts.

B. Documents related to the employment record.

C. Documents related to evaluations.

D. Documents related to recommendations for future employment.

E. Other documents as approved by the Superintendent.

136.2 Staff members will be made aware of material placed in evaluative and factual personnel records. The opportunity will be made available for individual access to personal files, including the opportunity to add material to the file. All material in evaluative files should be dated and signed by the person originating the document before inclusion in the record.

136.3 Request for removal of items from file.

A. Any requests for removal of items from the personnel file shall be made in writing to the Superintendent of Schools.

136.4 Examining personnel file.

A. Any employee may examine his/her personnel file during normal working hours under the supervision of the Principal or Superintendent. The schedule for examinations and the number of examinations by any individual may be limited by the availability and duty schedules of these administrators.

136.5 Removal of file records.

A. No items may be altered or removed from the personnel file by the individual examining his/her file.

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

136.6 Personnel records of the district are not classified as public records and are not open to public inspection. The use of the personnel file will be limited to the employee and his/her designated representative, the supervisory Principal, the Superintendent or his/her designated representative, and the Board. Individual use of the file by any of the above will be through the offices of the Superintendent or of the Principal.

137 PARTICIPATION IN POLITICAL ACTIVITIES

- 137.1 The Board will not attempt to regulate employee participation in the political process, unless it interferes with the performance of duties. Participation will be regulated only by federal and state laws.
- 137.2 Any employee who seeks political office shall continue to fulfill all obligations of his/her position and consider the welfare of the students and the District foremost as he/she pursues his/her political activities.
- 137.3 An employee shall not use his/her professional position to further his/her political ambitions.
- 137.4 Any employee elected to a political office that requires time away from the job responsibilities will request leave, and consideration for leave will be on an individual basis by the Superintendent of Schools.
- 137.5 The District shall not pay an employee for absences due to running for office or while serving in any political office.

138 DISTRIBUTION OF INFORMATION

- 138.1 No information (papers, pamphlets, magazines, etc.) shall be distributed in any school facility without prior approval of the Superintendent.
- 138.2 Publication and Distribution of Non-school Materials, Papers, Pamphlets, Etc.:
- A. The use of school time, material, equipment, and facilities to write, print, and/or copy this type of material is strictly prohibited.
 - B. The distribution of such materials in any school facility is strictly prohibited, as otherwise provided in school policy.
 - C. The distribution of unofficial newspapers, magazines, etc., by the staff of the Carrizozo Municipal Schools shall be treated as follows:
 - 1. Requests for permission to distribute shall be made in writing and submitted to the unit principal who will grant or deny permission to distribute within five days

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

after receiving the request. If permission is granted, specific times and places will be stipulated in the approval notice. Distribution of any material falling within the categories below shall be prohibited:

- a. Subject matter that clearly threatens the educational process.
 - b. Subject matter that is likely to promote the commission of unlawful acts.
 - c. Subject matter that is likely to endanger the mental or physical well-being of students.
2. All printed matter distributed or circulated on school property shall bear the name of the sponsoring organization or individual.
 3. Written permission to distribute any item or copy of material is limited to that item or copy, and does not allow continuous distribution unless so stipulated in the approval notice.

139 RETIREMENT

- 139.1 All regular employees are required to participate in the educational retirement program.
- 139.2 Those employees requesting retirement status should notify the Board of Education of their intention to retire at least thirty (30) calendar days prior to the time they wish to commence their retirement.
- 139.3 It is the responsibility of the employee to apply for retirement and fulfill all responsibilities regarding the process of retiring.
- 139.4 Carrizozo Municipal Schools employees going on retirement status will be allowed to maintain their medical insurance coverage by remaining in the group and paying the full premiums for coverage. Procedures for implementation, which may change, will be determined and set forth by the Carrizozo Municipal Schools Administrative Office.

140 SOCIAL SECURITY and ERA

- 140.1 All personnel must participate in the Federal Social Security Program.
- 140.2 Educational Retirement Act: All personnel shall participate in ERA at the rate established by statute.

141 STAFF ASSIGNMENTS

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

- 141.1 The assignments of personnel shall be made by the Superintendent and/or Principal.
- 141.2 There shall be no seniority status accorded to extra-curricular duty assignments.
- 141.3 All conditions of the contract must be met for continued employment.
- 141.4 The Superintendent of Schools retains the right to suspend employees with or without pay when there has been an arrest and charge of a felony concerning an employee.

142 RESIGNATIONS

- 142.1 Resignation of employees must be submitted to the Superintendent of Schools in written form. The 30 day required notice period begins when the resignation is stamped received by the Superintendent.

143 STAFF COMPLAINTS AND GRIEVANCES

- 143.1 An individual grievance policy is herein established by the Board of Education of the Carrizozo Municipal School District, to assure all employees that procedures are available for the presentation and adjustment of grievances; a grievance being defined as that which is alleged to be in conflict with established board policy.
- 143.2 The grievance procedure cannot be used by an employee in matters of evaluation, reduction-in-force, or termination notice. The grievance procedure cannot be used in personnel actions regarding amendments to employee contracts or special increment addendum or college hours credited for movement on the salary schedule. The grievance procedure cannot be used in administrative decisions concerning such matters as transfers, assignments, and other decisions necessary to fulfill Board policies.

A. The above named items will be settled through the normal chain of administrative procedure.

- 1. The purpose of this procedure is to secure, at the lowest possible level, equitable solutions to the problems which, from time to time, arise affecting employees. All parties agree that these proceedings will be kept confidential and informal as may be appropriate at any level of the proceedings.
- 2. General provisions for the grievance procedure are:
 - a. Any step in the procedure may be the last step.
 - b. Grievances will be heard at times agreeable to the parties concerned.
 - c. The time limit may be modified by mutual agreement of the employee and the supervisor or committee involved.

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

d. There must be an attempt to resolve the grievance on an informal basis before initiating formal proceedings.

e. In the event that a grievance is not resolved on an informal basis between an employee and a supervisor, the following procedure shall be used:

(1) Time limits : A formal grievance shall be filed as soon as possible, but in no case later than five (5) working days after disclosure of the facts giving rise to the grievance. All grievances will be filed as stated in Step 1 below. Failure at any step to communicate a decision to the grievant within the specified time limit shall allow the grievant to appeal to the next step. Likewise, failure by the grievant at any step to appeal within the specified time limit shall be considered acceptance of the decision at that step.

(2) Formal procedural steps: The actual procedural steps to be followed in a grievance shall consist of the following:

(a) The employee will present the grievance in writing to his/her immediate supervisor who will arrange for a meeting to take place within four (4) working days after receipt of the grievance. The employee and the immediate supervisor will be present at the meeting. Both parties may each have one representative at this meeting. The immediate supervisor must provide the aggrieved employee with a written answer within two (2) working days.

(b) If the grievance is not resolved at Step 1, the employee has five (5) working days in which to file an appeal to the Grievance Committee.* The committee shall arrange a meeting within five (5) working days of receipt of the appeal. A review of the decision made at Step 1 will be made. Both parties shall have the right to be represented by counsel and offer other witnesses in their behalf. Upon conclusion of the meeting the committee will have three (3) working days in which to provide their written decision.

(c) If the grievance is not resolved at Step 2, the employee has five (5) working days in which to file an appeal to the Superintendent of Schools. The Superintendent shall arrange a meeting within five (5) working days after receipt of the appeal. A review of the decision made at Step 2 will be made. Both parties shall have the right to be represented by counsel and offer other witnesses on their behalf. The

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

Superintendent may establish a review panel as deemed appropriate. Upon conclusion of the meeting, the Superintendent will have three (3) working days in which to provide the employee with his written decision.

(d) If the grievance is not resolved at Step 3, the grievant may submit in writing an appeal to the Board of Education. The written request for a hearing by the Board will be submitted to the Superintendent within ten (10) working days after conclusion of Step 3. The Board will secure the file and review all records involved in all steps. No new evidence shall be introduced at Step 4. The Board shall make a decision within thirty (30) calendar days. The decision of the Board will be binding on all parties.

143.3 At any time the person initiating the grievance may consent to the termination of the proceedings.

143.4 *The Grievance Committee shall be made up of appropriate administrators, coordinators, and staff as appointed by the Superintendent.

143.5 EMPLOYEE GRIEVANCE PROCEDURE, SECTION 504 & ADA

143.5 Purpose:

The purpose of this directive is to comply with the federal regulations of Section 504 of the Rehabilitation Act and the Americans with Disabilities Act, which prohibits discrimination based on disability.

Procedure:

A complaint regarding a violation of law and Carrizozo Municipal Schools board policy 143 in an employment decision shall be subject to a grievance procedure that provides for the prompt and equitable resolution of the dispute. The grievance procedure shall follow these steps:

1. The grievant shall file a written complaint, stating the specific facts of his/her grievance and the alleged discriminatory act, with the Section 504 Compliance Officer or the ADA Coordinator.
2. The Compliance Officer/ADA Coordinator shall make all reasonable efforts to resolve the matter informally at the administrative level most immediate to the complaint.
3. In the event that the complaint cannot be resolved informally, the Compliance Officer, in conjunction with the Director of the Equal Employment Opportunity Office, shall convene an informal hearing no later than ten (10) working days after the filing of the complaint. At said hearing, both the grievant and the administrator responsible for the disputed action may present

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

testimony and documents relevant to the complaint. Witnesses may be called and cross-examined. Detailed minutes of the hearing shall be made and kept. A copy of the minutes shall be made available to each party. Within ten (10) working days of the hearing, the Compliance Officer/ADA Coordinator and the Director of the Equal Employment Opportunity Office shall provide a written copy of their determination to both parties.

4. The grievant may appeal the outcome of the hearing within ten (10) working days of the receipt of the determination. The appeal shall be in writing and attached to copies of the original complaint, the minutes of the hearing and the written determination. The Superintendent of Schools may, at his/her discretion convene within ten (10) working days a second hearing at which the parties may be present additional testimony and argument.

5. Within ten (10) working days of the second hearing, the Superintendent shall provide both parties with a written decision.

6. If at this point the grievance has not been satisfactorily resolved, further appeal may be made to the Office of Civil Rights, Department of Education, Washington, D.C. 20201.

Employees of the District shall be informed of Section 504, ADA and relevant Carrizozo Municipal Schools policy, and that a complaint may be filed without reprisal by the Board or any of its employees or agents. The grievant shall be notified of his/her rights of appeal at each step of the process.

144. STAFF INVOLVEMENT IN DECISION MAKING

144.1 In the development of district policies, the Board shall seek the judgment and counsel of appropriate personnel before adopting such policies.

144.2 Members of the Carrizozo Teachers Association or individual staff members may initiate consideration of policies which will be processed through the Superintendent's Advisory Committee and administrative channels and, whenever appropriate, will be considered and acted upon by the Board.

144.3 The School Council Committee will be made up of 3 staff members 3 parents 1 business person and student rep for the purpose of school based decision-making and to involve parents in their children's education. Members must be elected to serve on the council

145 EQUAL EMPLOYMENT OPPORTUNITY

145.1 The Carrizozo Municipal Schools complies with state and federal fair employment practices:

- 1) laws prohibiting discrimination on the basis of an individual's sex, or minority status,
- 2) equal opportunity in employment, and

CARRIZO MUNICIPAL SCHOOL - BOARD POLICY

3) does not discriminate on the basis of race, national origin, religion, age, sex, marital status or disability.

146 HEALTH REQUIREMENTS

146.1 All persons employed, including cafeteria and bus drivers, shall present to the Superintendent upon their initial employment a certificate from a duly licensed physician to the effect that they are free from tuberculosis in a transmissible form. The certificate must be secured within thirty (30) days of employment.

147 CHECK-OUT PROCEDURES:

147.1 All terminated and discharged employees or employees who resign shall follow the check-out procedures established by the district.

147.2 Employees who fail to follow and complete these procedures may have their final paychecks withheld for no longer than five (5) calendar days.*

147.3 Employees who fail to turn in keys, equipment or other property belonging to the schools after the five (5) day period shall be reported to the District Attorney's Office for prosecution as provided by law.

*See Section 5-4-4, NMSA, 1978.

148 WORKERS' COMPENSATION POLICY

148.1 Reporting of injury.

A. An immediate report to the employee's immediate supervisor is required whenever an employee is injured or becomes ill due to a work-related accident or illness. Failure to report (except where the employee's injury or illness is of such severity that a report cannot be made) will constitute a violation of this policy. Failure to report an injury or illness within thirty (30) days will result in denial of all worker's compensation benefits as provided by law.

148.2 The immediate supervisor shall complete the Employer's First Report and provide this report to the district's business office. The Employer's First Report shall then be filed within seven (7) days of the date of injury with the Workers' Compensation Administration, and a copy sent to New Mexico Public Schools Insurance Authority.

A. The employee will properly execute a Medical Authorization which will be provided to NMPSIA with the Employer's First Report copy.

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

148.3 Medical Services for Injured Employees.

A. The district has arranged for medical services to be provided by the following medical providers:

B. Employees must select from this list of providers for initial treatment. Should specialized treatment or services be recommended by the initial treating physician, the Health Care Provider requirements of the NMPSIA will be adhered to. Failure to seek treatment from these approved medical providers may result in denial of benefits to the employee.

148.4 Workman's Compensation Benefits.

A. There is a seven (7) day waiting period where no compensation benefits will be paid. (An employee may elect to draw sick leave benefits during this seven day waiting period).

B. On the 21st day following the injury, provided the employee cannot work as certified by the treating physician, compensation benefits will be paid as required by law at two-thirds (2/3) of gross weekly wage. Wage benefits will continue as long as the employee continues to be medically released from work or for as long as the law provides. Where an employee elects to draw sick leave benefits during the seven day waiting period and the employee remains medically released from work at the 28th day, the Worker's Compensation benefits for the seven day waiting period will be paid to the district, which in turn shall, if the employee has utilized sick leave benefits, credit the employee's sick leave account with up to five days.

C. It is required by law that Worker's Compensation benefits are primary and shall be paid to the employee without regard to other available benefits. The employee will not receive more than 100% of Worker's Compensation benefits as provided by statute. The employee may not draw sick leave benefits or vacation benefits for the same period of time as when drawing Worker's Compensation benefits. An employee's right to receive benefits from other insurance sources does not modify the right to Worker's Compensation benefits.

D. Worker's Compensation benefits shall be paid to the employee as required by law, but shall be paid in care of the school district by the NMPSIA.

148.5 Employees with pre-existing injury.

A. District workers compensation premiums escalate rapidly and this impairs the districts ability to pay for other services. One way to fight the rising cost is to shift the costs of caring for pre-existing worker injuries from district rates to a pool rate. The State of New Mexico has established the subsequent injury fund. The purpose of the fund is to spread

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

the risk of workers compensation payments paid previously impaired workers on account of a prior injury, to all employers. The aim is to eliminate the natural inducement of employers to not hire the previously impaired for insurance reasons. The Carrizozo School District, as are other employers, is assessed a percentage of indemnity and medical payments (3%) which goes to the fund. The fund is for the purpose of providing worker's compensation coverage of employees who suffer a physical impairment prior to employment with the Carrizozo School District. Whether or not this existing impairment was job related does not matter.

B. By following the provisions of the Act, the Carrizozo Municipal Schools can cut costs of worker's compensation insurance in the future. The district shall:

1. In the employment application inquire as to any impairment whether as a result of a job related accident or not and whether congenital or accidental in origin.
2. Review all past worker's compensation claims or past claims for disability (duty and non-duty) benefits of current employees.
3. During personnel evaluations inquiries of all employees, will be made, as to pre-existing physical impairments.
4. With regard to all pre-existing physical impairments, a Certificate of Pre-existing Impairment shall be executed as a condition of employment or continued employment. The attending physician will have the form and file and if not, the form or requirements for it can be secured from the Superintendent of Insurance. The certificate must be provided by a physician Licensed to practice medicine in the State of New Mexico or any bordering State. If such physician cannot give a Certificate, then an independent medical examination (IME) is required. All certificates must be filed with the:
Superintendent of Insurance
P.O. Drawer 1269
Santa Fe, New Mexico 87504

149 DRUG-FREE WORKPLACE POLICY AND PROCEDURE

149.1 DRUG-FREE SCHOOLS AND CAMPUSES AND DRUG-FREE WORKPLACE

The purpose of this policy is to insure a drug-free environment for all employees, to establish a drug awareness program for all school district personnel, and to provide assurances to state and federal government agencies that the school district is complying with the requirements of the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1986, as amended in 1989, and all regulations promulgated thereunder.

1. The Carrizozo School District prohibits the employees of the district from unlawfully manufacturing, distributing, dispensing, possessing or using alcohol or controlled substances in

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

the workplace. Violation of this prohibition may result in termination of employment with the district or other appropriate disciplinary action, including referral to law enforcement.

2. "Controlled substance" shall mean any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, or any other controlled substance, as defined in schedules I through V of Section 202 of the Controlled Substances Act (21 USC 812) and as further defined by regulation 21 CFR 1300.11 through 1300.15.3 "Workplace" is defined as the site for the performance of work done in connection with employment, and shall include any place where work of the school district is performed, including a school building or other premises, any school owned vehicle or any other approved vehicle used to transport students to and from school or school activities, and off school property during any school sponsored or school approved activity, event or function where students are under the supervision of the school district.
 3. Any employee who is convicted of a violation of a criminal drug statute occurring in the workplace shall, within five (5) days of the date of such conviction, notify his immediate supervisor in writing of such conviction. The school district, upon receiving such written notice, shall take one of the following actions within thirty (30) days:
 - a) impose appropriate personnel action against the employee up to and including termination of employment; or
 - b) require the employee to participate satisfactorily in a drug abuse assistance, counseling or rehabilitation program approved for such purposes by a federal state, local health, law enforcement, or other appropriate agency.
 4. A drug awareness program shall be established within the school district to inform all employees about:
 - a) the dangers of drug abuse in the workplace;
 - b) the school district policy of maintaining a drug-free workplace;
 - c) any available drug counseling, rehabilitation, and assistance program;
 - d) the penalties that may be imposed upon employees for drug abuse violation occurring in the workplace.
 5. Each employee of the school district shall be given a copy of this policy and be notified that compliance with the terms of the policy is mandatory.
 6. The school district shall make a good faith effort to maintain a drug-free workplace through implementation of this policy.
- 149.2 Procedures: If an employee violates this policy, the actions to be taken are:
1. Remove the employee from the work area.
 2. A same-day conference with the employee and the Superintendent or his/her designee will be held. If the incident occurs at an after work hours school event, the conference shall be held no later than the morning of the next work day.

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

3. A suspension of up to three days with pay shall be imposed while (1) an investigation of the circumstances is conducted; and (2) the employee makes an appointment within that time to meet with the Superintendent.
4. A second conference will be held with the employee, the supervisor, Superintendent at the end of the suspension period. Final disposition of the situation will depend upon the outcome of the conference and may include (1) suspension without pay; (2) participation in the Employee Assistance Program with full status regained after completion of the recommendations made by the substance abuse counselor and agreed to by the employee, supervisor, and the Superintendent; or (3) a recommendation for termination. The employee may have a representative accompany him/her to this conference.

150 EMPLOYEE ASSISTANCE PROGRAM POLICY

- 150.1 The Carrizozo Municipal Schools recognize that a wide range of personal problems not directly associated with one's job function can have an effect on an employee's job performance. In most instances the employee will overcome such personal problems independently and the effect on job performance will be negligible. In other instances, normal supervisory assistance will serve either as motivation or guidance by which such problems can be resolved so the employee's job performance will return to an acceptable level. In some cases, however, neither the efforts of the employee's problem and unsatisfactory performance persists over a period of time, either constantly or intermittently.
- 150.2 In these cases, the District believes it is in the interest of the employee, the employee's family and the District to provide an employee service, called an Employee Assistance Program (EAP), which deals with such persistent problems.
- 150.3 The Administration is charged with implementing this policy through detailed administrative procedures as developed by the administration.

PROCEDURE

- 150.4 Under customary circumstance, both common sense and the Board Policy should be adequate to handle most situations. The guide outlined below has been developed within the context of Board Policy to assist supervisors in this important and sensitive area.

Step 1: Becomes aware of a problem; Prepares fact finding report or memo.

1. Document performance.
 - a. Quality of work
 - b. Absenteeism.
 - c. Inter-personal problems with other employees.
 - d. Related behavior outside workplace that is detrimental to the district.
 - e. Personal problems with children.

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

- f. Inappropriate reactions to children.
2. Consult other department chairpersons or grade level leaders and supervisors.
3. Consult with Superintendent.
4. Issue verbal warning (document).

Step 2: Meet with employee.

1. Share concern about performance-fact finding report.
2. Discuss problem.
3. Together try to determine general problem areas.
4. Set objectives of how to improve performance.
5. Set time line (no more than 30 days) for improvement and date/time for second conference.
6. Conduct normal supervisory corrective measures to clearly identify expectations, i.e. daily plans, etc.
7. Document efforts in employee's personnel file. (Everyone who is involved signs documentation).
8. Be specific.

Step 3: Meet with employee for follow-up.

1. If job performance has improved and objectives are met, share with the employee. Continue to monitor.
2. If job performance has not improved:
 - a. Provide employee with written warning.
 - b. Set time lines that must be met.
 - c. Remind person that for his/her well-being and job, he/she should seek help from the Employee Assistance Program or an appropriate outside agency.

Step 4: Intervention.

1. If the first three steps do not produce results, there is about a 95% chance that the employee needs referral for further professional help.
2. Contact Superintendent to begin planning an intervention.
 - a. Discuss documentation with the Superintendent.
 - b. An intervention team (jointly developed by Superintendent and supervisor) works with the supervisor on further documentation.
 - 1) Contact significant persons to gather more data.
 - 2) Meet with supervisor to decide alternatives.
 - a. Intervention, if help is refused.
 - b. Termination of employment as a bottom line is stated as a possibility.

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

Step 5: Meet with Employee.

1. Decision has been made as to alternative.
2. Intervene with employee.
3. Step 5 should not be done unless all documentation has been done so employee can be terminated if he/she refuses.

151 **AMERICANS with DISABILITY ACT POLICY**

Carrizozo Municipal School district does fall under the guidelines of the ADA Act (Americans with Disability Act).

The Americans with Disability Act guidelines are on file at the Administration office.**

**See Board Policy 143.5, page 40-41, Section 100 for Employee Grievance Procedure Section 504 and ADA.

152 **EMPLOYMENT RECOMMENDATIONS FOR CURRENT OR FORMER EMPLOYEES OF THE DISTRICT**

A. Board Findings

The Board of Education finds as follows:

1. That under current New Mexico law, an employer and individual employees may be held liable for having provided incomplete or misleading employment references or recommendations in regard to the employer's current or former employees under certain circumstances;
2. That individual employees of the Carrizozo Municipal Schools who wish to provide employment references or recommendations for current or former employees may not be in possession of all pertinent information regarding a current or former employee necessary to provide a complete and fair employment reference or recommendation;
3. That under current law, an individual employee of the District who provides a recommendation or reference for a current or former employee of the District may be mistakenly perceived as providing such reference or recommendation on behalf of the District; and
4. That limitations and conditions are required to prevent employment references or recommendations by individual employees from being attributed to the District when such references or recommendations have not been authorized by the District.

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

B. Rules Regarding Employment References and Recommendations

In view of the foregoing, no employee of the District is authorized to issue a written or oral employment reference or recommendation for a current or former employee of the District except in compliance with the following:

1. No employee may issue or provide an employment reference or recommendation in his or her capacity as an employee of the District for a current or former employee orally--all such references or recommendations shall be in writing only.
2. No employee may issue or provide an employment reference or recommendation in his or her capacity as an employee of the District for a current or former employee of the District without first:
 - a. Providing a copy of the proposed reference or recommendation to the Superintendent for Personnel for approval; and
 - b. Receiving the Superintendent's written authorization of the reference or recommendation provided.
3. An employee who wishes to provide an employment reference or recommendation in his or her personal capacity only for a current or former employee of the District, without the authorization or endorsement of the District, shall observe the following limitations and conditions:
 - a. No employee providing such personal reference or recommendation orally may do so during working hours, or while on District premises, or through the use of a telephone or other communications media owned by the District;
 - b. No employee providing such personal reference or recommendations in writing may do so during working hours or while on District premises, or using any District or school letterhead or any communications media owned by the District, or by other means that suggests District authorization or agreement; and
 - c. An employee providing any such oral or written reference or recommendation shall specify in providing the reference or recommendation that he or she is speaking for himself or herself, and not on behalf of the Carrizozo Municipal Schools.

C. Investigation and Record-keeping

1. Upon receiving a copy of or a request for a proposed reference for a former employee, the Superintendent for Personnel shall make appropriate inquiries about the former employee of

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

building administrators at each building in which the former employee worked while employed by the District, and shall compile a record of all information regarding the former employee's competency, turpitude, and proper performance of duties. In approving the issuance of a recommendation on behalf of the District, the Superintendent for Personnel shall ensure that the recommendation fairly reflects all relevant and reliable information bearing upon the former employee's competency, turpitude, and proper performance of duties.

2. The Superintendent for Personnel shall keep and maintain copies of all proposed references or recommendations submitted to the Superintendent for Personnel, copies of

information compiled as to each, and the Superintendent's responses to each such proposed reference or recommendation.

D. Penalties

Any violation of the provisions of this policy or any of its procedures by any employee shall subject such employee to discipline, including termination or discharge.

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

200 ADMINISTRATIVE CERTIFICATION

- 200.1 A. In order to be eligible for administrative positions, a person must have a Master's degree and possess or be eligible for a New Mexico administrator license.
- 200.2 The administrative certificate must be renewed as required and be valid for continuation in an administrative position in the school system.

201 SUPERINTENDENT

201.1 The chief executive officer for the school system is the Superintendent of Schools. He/She is the manager and administrative official to whom is delegated the responsibility to effectively manage the school enterprise on behalf and under the direct authority of the Board of Education.

201.2 Appointment of the Superintendent:

A. The Superintendent will be appointed by the Board of Education for a specified period of time not to exceed a two (2) year contract as per the Certified School Personnel Act, section 22-10-1 to 22-10-26, N.M.S.A. 1978,

201.3 Duties of the Superintendent:

A. The superintendent will present, to the Board for approval, a school calendar indicating the opening and closing dates of school, vacations, and other important dates.

B. The superintendent will oversee the planning of curriculum, programs and instruction of students.

C. The superintendent will be ready and willing to share in the decision making process.

D. The superintendent will recommend new board policy, revision and/or deletion of existing policy.

E. The superintendent will continue to emphasize the communications skills, mathematics and science as priority curriculum areas.

F. The superintendent will assist and provide training for board members.

G. The superintendent will develop and implement a management plan which identifies tasks to be performed and responsibilities to be met by each administrative and supervisory staff member of the district.

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

- H. The superintendent will monitor teacher evaluation which promotes evaluation of teachers in terms of both process and product.
- I. The superintendent will administer the local Board's policies.
- J. The superintendent will employ, fix the salaries of, assign, terminate or discharge all employees of the school district.
- K. The superintendent accounts to the board of education for the instructional program, budget management, school plant and equipment.
- L. The superintendent administers construction programs and building planning programs.
- M. The superintendent will administer the cafeteria program for the district.
- N. The superintendent will administer the maintenance and custodial programs for the district.
- O. The superintendent will administer the transportation program for the district.
- P. The superintendent will administer the purchasing program for the district.
- Q. The superintendent is responsible for the selection of personnel, their placement and retention.
- R. The superintendent will establish an atmosphere which will promote communications with faculty, staff, students, parents and community and will promote a mutual understanding of concerns, opinions, and feelings of each group.
- S. The superintendent administers the public relations program for the school district.
- T. The superintendent keeps the board informed by written and oral reports in all matters dealing with personnel, pupil personnel, curriculum, financial matters, and the general status of the school system.
- U. The superintendent will provide the support, intellect, wisdom and patience in dealing with all problems that concern people.
- V. The superintendent will attend professional meetings as deemed appropriate to meet the current needs of the district and for credit toward administrative certification.

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

W. The superintendent will continue to update board policy manuals for staff and students, implementing new, progressive information and ideas so as to provide the latest, up-to-date procedures for the Carrizozo Schools.

X. The superintendent will provide a school environment which is safe for other people.

201.4 Superintendent's Delegation of Authority

A. The Superintendent may delegate specific duties of personnel as the need may arise.

202 PRINCIPAL

202.1 The board shall employ a principal for the Carrizozo Municipal Schools upon the recommendation of the superintendent.

202.2 The principal shall assume such duties as delegated by the superintendent and act for the superintendent in his/her absence.

202.3 The principal is responsible for the following:

A. Planning curriculum, programs and school instruction.

B. Coordinating and articulating the curriculum.

C. Supervising and assisting teachers in instructional responsibilities.

D. Supervising and assisting in areas of curriculum coordination, guidance and counseling, ancillary services and federally funded educational projects.

E. Supervising and the administration of the special education program.

F. Evaluating and assessing instructional personnel.

G. Evaluating and assessing instructional programs.

H. Supervising and coordinating health services and health education.

I. Participating in and chairing committees dealing with educational programs.

J. Completing, evaluating and reporting on pupil attendance.

K. Requisitioning materials, textbooks, library books and school supplies.

L. Approving free and reduced lunch applications.

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

- M. Assigning student teachers and other educational trainees.
- N. Coordinating the substitute teacher employee program.
- O. Coordinating assignment of personnel in compliance with district program need.
- P. Make recommendations to the superintendent regarding the employment, assignment and evaluation of personnel.
- Q. Assess program and fiscal needs of the school and take appropriate action to see that these needs are met.
- R. Be accountable for all district properties assigned to the school units.
- S. Establish an atmosphere which will promote communications with faculty, staff, students, parents and community and will promote a mutual understanding of the concerns, opinions and feelings of each group.
- T. Provide staff meetings and in-services so as to inform and educate the staff, when needed.
- U. Provide leadership in promoting good public relations for the district.
- V. Shall be responsible for the collection and depositing of all monies collected for and by activities, including sporting events.
- W. Other duties as assigned by the superintendent.

203 EMERGENCY DISMISSAL OR DELAYED START-OF-SCHOOL

- 203.1 Occasionally it may be necessary to dismiss school or delay the start of the school day because of natural or civil disaster or due to weather conditions. In addition to those recommendations and guidelines provided in the District's "Emergency Preparedness Plan for Carrizozo Municipal Schools", the following shall govern:
 - A. The Superintendent or his designee are the only individuals with the authority to close school or to delay the starting of school due to adverse conditions.
 - B. No employee shall notify the news media of the closing or delaying of start-of-school without the expressed permission of the Superintendent or his designee.
 - C. The Superintendent of Schools will determine the procedure to be followed when the above conditions exist.

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

D. All School personnel will report to their respective duty stations regardless of conditions unless they are notified to the contrary by their immediate supervisor or announcement through the media. If any staff anticipate that they will be delayed or will be unable to report to their duty station, they should contact their immediate supervisor and obtain his/her approval, as it is the individual staff members responsibility to find out the status of having school.

E. Staff prevented from reporting to assignments because of closed or impassable roads, etc., may charge to sick leave those days they missed due to the above, should school remain in session. This must be documented and approved by the immediate supervisor and the Superintendent. Salary deduction will be imposed for those missing without an approved reason.

F. The following shall apply to delayed start-of-school or closing of school.

1. If school is delayed to 9:00 a.m., buses will run on schedule.
2. If school is delayed to 10:00 a.m., buses will run about one hour late.
3. Announcements will be made as early as possible but commencing no later than 6:30 a.m.

204 FUND RAISING SOLICITATIONS

- 204.1 School employees and students shall not conduct fund raising activities without the approval and coordination of the principal and/or the superintendent.
- 204.2 Requests for direct donations are discouraged. The delivery of services or products is a preferred means of fund raising, but should be kept at a minimum. All monies and/or goods donated or sold shall be properly receipted and accounted for as per policies and procedures established in the Manual of Procedure.
- 204.3 All fund-raising projects should have an identified and quantified goal before being undertaken.
- 204.4 Solicitors for donations, goods or money should have letters of authorization or introduction signed by the principal.
- 204.5 School employees will not use students for fund raising or selling of tickets for non-school organizations or as part of the school's instructional or organizational structure.

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

205 SUPERVISION AND EVALUATION

- 205.1 The Superintendent will be responsible for implementing an effective personnel performance evaluation program. Such a program is to have as its basic interest, the improvement and development of the certified and classified staff. An administrator shall not supervise his/her spouse.
- 205.2 The philosophy of the Carrizozo Municipal Schools in the supervisory program is to give employees an opportunity to identify strengths and weaknesses, and to work cooperatively toward a satisfactory work performance in the school program.
- 205.3 The purpose of employee evaluation is:
- A. To provide an atmosphere where teachers can teach and students can learn.
 - B. To assist the teacher in improving the quality of instruction.
 - C. To enhance employee effectiveness.
 - D. To provide assistance to problems as they arise.
 - E. To lend support to all employees.
 - F. To meet Board, State, and professional requirements.
- 205.4 The Superintendent will be responsible for, as a part of the supervisory program, designing and implementing an effective staff development program.
- A. The staff development program proposes to maintain the best possible education of students by promoting the instructional growth of the teachers and other employees. A positive process of staff development has the purpose of recognizing positive instructional strengths and identifying areas for instructional improvement. To meet these purposes, the following goals are established:
- 1. To establish open and cooperative communications among the staff.
 - 2. To provide a consistent district-wide process for the continuing instructional growth of all employees.
 - 3. To inform employees of current research, national trends, instructional materials, and professional development in curriculum areas.
 - 4. To facilitate communication about the school environment, the curriculum, and the instructional resources with other educational organizations and with the community.

CARRIZOZO MUNICIPAL SCHOOL - BOARD POLICY

5. To facilitate the assessment, development, implementation and coordination of the District curriculum.

6. Opportunities for in-district and out-of-district staff development opportunities will be developed in conjunction with professional organizations to the extent allowed by the budget and to the degree designated by professional growth plans.

206 EMPLOYMENT GOALS

206.1 To recruit, select, and employ the best qualified personnel.

206.2 To provide an appropriate in-service training program for all employees.

206.3 To deploy personnel and insure that they are utilized as effectively as possible.

206.4 To conduct an employee appraisal program that will contribute to the continuous improvement of staff performance.

206.5 To develop a staff compensation program sufficient to attract and retain highly qualified employees.

206.6 To foster the quality of human relationships conducive to maximum staff performance and satisfaction.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

300 **CERTIFIED PERSONNEL**

300.1 Teachers are responsible for providing the best educational opportunities possible for all students. Teachers, with the assistance and guidance of the principal, assume curricular responsibilities, in addition to other duties necessary for the efficient operation of the school.

300.2 Employment:

A. In order to qualify for a teaching position, an applicant must have a provisional, professional, or life teaching certificate from the State of New Mexico. Teaching certificates must be renewed as required and be valid for continuation in the employment of the school system.

B. The Board recognizes that a dynamic and efficient staff dedicated to education is essential to maintain a constantly improving educational program. The Board is interested in its personnel as individuals, and recognizes its responsibility for promoting the general welfare of the staff.

C. The Board is committed to providing a highly competent, well-trained staff for its schools, able to fit each discipline and area of responsibility into a balanced educational system.

D. It will be the responsibility of all applicants to keep their certifications, qualifications, training and reference sources, up-to-date.

E. Selection of certified personnel will be based on their qualifications which includes but is not limited to, program need, reference information, academic success (GPA), degrees earned, experience (type and how successful), additional endorsements or qualifications.

301 **CONTRACT REQUIREMENTS**

301.1 All certified personnel must have on file in the Superintendents office, as a condition of employment.

A. A valid teacher certificate

B. A current health certificate

C. A complete, official transcript(s) of college work completed.

D. Agreement and Authorization to do background check.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

CARRIZOZO MUNICIPAL SCHOOLS
P.O. BOX 99
CARRIZOZO, NM 88301

AGREEMENT, AUTHORIZATION, WAIVER, AND RELEASE

I hereby certify that the information contained in this application is true, accurate and complete, to the best of my knowledge and belief. I understand and agree that any misrepresentation or willful omission of facts shall be sufficient cause for disqualification of my application or for termination of my employment. Failure to provide all or part of the information requested may result in the refusal of the Carrizozo Schools to further consider me for possible employment.

I hereby authorize the School District and its agents to investigate my work history and education history and to conduct personal inquiries. I understand that the School District will send a copy of this Agreement and Authorization to each individual or entity from whom it is seeking a reference or background information.

I hereby authorize the party receiving a copy of this signed form (including a photocopy or facsimile copy) to provide and release complete information as may be requested, and I hereby waive any claim of confidentiality I might have with regard to such information.

I hereby release any person or entity providing information or records in accordance with this Agreement, Authorization, Waiver, and Release from any and all claims or liability for compliance.

I AM ALSO WAIVING ANY RIGHT OF ACTION, CAUSE OF ACTION, OR OTHER MEANS OF REDRESS I MAY HAVE AGAINST ANY PERSON OR ENTITY SUPPLYING EMPLOYMENT-RELATED INFORMATION--INCLUDING BUT NOT LIMITED TO INFORMATION CONCERNING MY BACKGROUND, WORK HISTORY, AND DISCIPLINARY HISTORY--TO THE SCHOOL DISTRICT UNDER GUARANTEE OF CONFIDENTIALITY.

I understand and agree that if I am considered as a finalist for, or I am actually recommended for employment, I will submit to a criminal background investigation, including mandatory fingerprinting, at my expense, to determine my acceptability for employment. Criminal convictions shall not automatically bar an applicant from obtaining employment with the School District, but pursuant to the Criminal Offender Employment Act of New Mexico (NMSA 1978, § 28-2-1, et seq.), such convictions may be the basis for refusing employment. I understand that any employment offer is contingent upon the satisfactory completion of all background checks.

I understand that the information contained in this application and the information submitted by me or obtained pursuant to this agreement and authorization is confidential, for the exclusive use of the School District and its agents for employment decisions, and will not be transferred to any other entity without my written authorization unless required to be disclosed upon request by either New Mexico or federal law.

Signature of Applicant

Date

Printed Name of Applicant

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

301.2 The October 15th payroll check and subsequent payroll checks will not be issued to an employee who has neglected to have or have caused the above documents not to be filed in the Office of the Superintendent. In the event of unusual circumstances beyond the control of the employee, the Superintendent may grant an exception, but only if due cause is shown by the employee. Employees hired during the school year will be allowed two (2) months to have these documents on file.

302 SALARY DETERMINATION

302.1 Credit for all years of experience within the school district will be allowed.

302.2 Credit for a maximum of twenty (20) years of teaching experience outside the school district will be allowed.

302.3 Placement on the salary schedule based on educational qualifications will be determined as established on the current salary schedule.

303 DRESS CODE

303.1 All certified personnel entering into a contract will be neat, clean, and appropriately dressed. Extremes in personal appearance or dress are not considered to be in good taste.

303.2 To have the respect of the students and the community, persons must dress and conduct themselves as professional individuals. The principal will be expected to counsel teachers regarding appearance and conduct.

304 PROMOTION POLICIES

304.1 It will be the general practice to promote qualified employees from the current staff to positions in which they are interested.

304.2 Persons interested in any open position must make their interest known, in writing, to the superintendent.

304.3 Final selection will be dependent on qualifications for the position plus other areas of expertise and abilities of the applicant to contribute to a wide range of district programs.

305 CONTRACTS FOR CERTIFIED PERSONNEL

305.1 Contracts will be issued to those employees who are employed following the approval of the annual budget by the department of educational finance.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

305.2 All contract offers are predicated on the assumption that the candidate meets all certification requirements unless arrangements for a waiver request have been made prior to the signing of the contract.

306 CODE OF ETHICS OF THE EDUCATION PROFESSION

306.1 Preamble:

A. The educator, believing in the worth and dignity of each human being, recognizes the supreme importance of the pursuit of truth, devotion to excellence, and the nurture of democratic principles. Essential to these goals is the protection of freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator accepts the responsibility to adhere to the highest ethical standards.

B. The educator recognizes the magnitude of the responsibility inherent in the teaching process. The desire for the respect and confidence of one's colleagues, of students, of parents and of members of the community provides the incentive to attain and maintain the highest possible degree of ethical conduct. The Code of Ethics of the Educational Profession indicated the aspiration of all educators and provides standards by which to judge conduct.

306.2 Commitment to the student:

A. The educator strives to help each student realize his/her potential as a worthy and effective member of society. The educator therefore works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

B. In fulfillment of the obligation to the student, the educator:

1. Shall encourage the student in developing independent action in the pursuit of learning.
2. Shall provide the student access to varying points of view.
3. Shall not unreasonably suppress or distort subject matter relevant to the student's progress.
4. Shall make reasonable effort to protect the student from conditions harmful to learning or the health and safety.
5. Shall not intentionally expose the student to embarrassment or disparagement.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

6. Shall not on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, family, social or cultural background, or sexual orientation unfairly:

- a. Exclude any student from participation in any program.
- b. Deny benefits to any student.
- c. Grant any advantage to any student.

7. Shall not use professional relationships with students for private advantage.

8. Shall not disclose information about students obtained in the course of professional service, unless disclosure serves a compelling professional purpose or is required by law.

306.3 Commitment to the profession:

A. The education profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service.

B. In the belief that the quality of the services of the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards, to promote a climate that encourages the exercise of professional judgment, to achieve conditions which attract persons worthy of the trust to careers in education, and to assist in preventing the practice of the profession by unqualified persons.

C. In fulfillment of the obligation to the profession, the educator:

1. Shall not in an application for a professional position deliberately make a false statement or fail to disclose a material fact related to competency and qualifications.
2. Shall not misrepresent his/her professional qualifications.
3. Shall not assist entry into the profession of a person known to be unqualified in respect to character, education, or other relevant attribute.
4. Shall not knowingly make a false statement concerning the qualifications of a candidate for a professional position.
5. Shall not assist a non-educator in the unauthorized practice of teaching.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

6. Shall not disclose information about colleagues obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.

7. Shall not knowingly make false or malicious statements about a colleague.

8. Shall not accept any gratuity, gift, or favor that might impair or appear to influence professional decisions or actions.

307 DUTIES OF CERTIFIED PERSONNEL

307.1 The teachers shall be present for duty according to the terms of their contract.

307.2 Teachers are required to attend all meetings called by the administrative staff.

307.3 The duty hours:

A. Duty hours will be from 7:50 a.m. to 3:45 p.m., unless otherwise determined by the Administrative Staff.

B. The above prescribed duty hours will be extended when necessary because of attendance at staff meetings, in-service meetings, parent-teacher conferences, and other school related activities.

C. Teachers will use their time on school matters during the school day. Personal business may be conducted only in cases of extreme emergency, and only after arrangements have been made with their immediate supervisor.

307.4 Teachers shall be required to have lesson plans for their classroom instruction. The principal will establish the specific requirements, for submission and approval of lesson plans.

307.5 Duty hours for certified personnel other than teachers: to include but not limited to librarian, counselors, diagnosticians, and therapists.

A. Certified personnel shall be present for duty according to the terms of their contract.

B. Shall attend all meetings called by the administrative staff.

308 CERTIFIED STAFF EVALUATION

The Carrizozo Municipal School District will comply with the New Mexico 3-Tiered licensure System created by the passage of HB212 and the Public

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

Education Department Regulation 6.69.4 Performance Evaluation System Requirement for Teachers sets forth specific requirements for a Highly Objective uniform Statewide Standard of Evaluation (HOUSSE) for teacher licensure. New Mexico Statue 22-10A-4.B states that the New Mexico licensure framework for teachers is a progressive career system in which licensees are required to demonstrate increased competencies and undertake greater responsibilities as they progress through the licensure levels. PED Regulation 6.69.4.8.D states the format for this evaluation shall be established by the department and shall be uniform throughout the state in all public schools.

The 3-Tiered Licensure annual teacher performance evaluation system provides a differentiated approach to teacher performance evaluation in compliance with the requirements on NMSA22-10A-4.B for each level of licensure: Level I Provisional Teacher, Level II professional, and Level III Master Teacher. The teacher performance evaluation instrument has nine competencies with differentiated indicators for each licensure level. The teacher performance evaluation procedures and the Professional Development Plan (PDP) procedures are also differentiated for each of the three licensure levels.

Compliance with PED Regulation 6.69.4, Performance evaluation System Requirements for Teacher's will be completed as specified in the Carrizozo Municipal School district Teacher Performance evaluation for 3 Tiered Licensure Procedures manual.

310 PROFESSIONAL STAFF MEMBERS---ROLE OF THE INDIVIDUAL

310.1 Tutoring:

- A. All teachers are encouraged to tutor their student as needed.
- B. Schools may be able to provide instructional materials to be used for tutoring.

310.2 Preparation Period Utilization:

- A. When preparation periods are scheduled for the professional staff, the preparation period should be used for lesson planning, parent conferences, student conferences, preparation of instructional materials, and conferences with administrators.
- B. The preparation period shall not be used often for personal business or any activities that are not school related.

311 TRANSFERS

311.1 Teacher transfers will be subject to approval of the principal.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

- 311.2 Requests for transfer must be made on the transfer request form and submitted to the employee's principal before April 15th of the current year.
- 311.3 The Superintendent reserves the right to transfer a teacher to meet the educational needs of the District.
- 311.4 Transfer of teaching assignments within a building unit will be at the direction principal.

312 PROFESSIONAL EDUCATION ADVANCEMENT

- 312.1 Teachers are encouraged to continue their professional education, and the Board has established the following policy:
 - A. All certified personnel will be required to meet the requirements of the State of New Mexico Education Certification Unit for renewal of certification.
 - B. College hours earned for advancement on the salary schedule:
 - 1. College hours directly related to the subject areas the employee is currently teaching.
 - 2. Credit hours approved for advancement on the salary schedule will be hours completed after the date on which the last degree was granted.
 - 3. Graduate or approved hours will be accepted.
 - 4. Approval of hours for advancement on the salary schedule will be determined by the Superintendent or his/her designee.
 - C. Correspondence courses will not be accepted for certification or advancement on the salary schedule unless approved in advance by the superintendent.
 - D. For advancement on the salary schedule, course approval must be obtained from the Superintendent, prior to enrollment in any course.
 - E. Transcripts must be received by the Director of Personnel prior to October 15th, if credit is allowed for the current school year.
 - F. Out-of-state courses taken for re-certification and advancement on the salary schedule must be approved by the State Department of Certification.
 - G. It is the responsibility of the teacher to request advancement on the salary schedule.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

313 RE-EMPLOYMENT OF PERSONNEL

313.1 The re-employment schedule for certified personnel will be:

A. The Superintendent will be considered for re-employment at the January Board meeting annually or in the year in which his/her contract expires, at the Board's discretion.

B. The Superintendent shall consider/hire the Principal for re-employment for re-employment at the February Board meeting annually or in the year in which his/her contract expires.

C. The Superintendent shall consider/hire counselors, librarians, nurses, and teachers for re-employment at the April Board meeting.

D. All certified personnel employed by the school District will have on file in the Superintendent's office a valid New Mexico teaching certificate for the position for which they were employed, as prescribed by State Department of Education Standards.

E. Any person performing the function of administrator, coordinator, consultant, supervisor, or teacher without a valid certificate will forfeit all claims to compensation for services rendered.

314 RE-EMPLOYMENT/TERMINATION OF CERTIFIED SCHOOL INSTRUCTOR

314.1 On or before the last day of the school year of the existing employment contract, or earlier as may be provided by the state Board of Education Rules and Regulations, the Superintendent shall serve written notice of re-employment or termination on each certified school instructor employed by the school district.

314.2 The notice of re-employment shall be an offer of employment for the ensuing school year. A notice of termination shall be a notice of intention not to re-employ for the ensuing school year.

314.3 Failure of the Superintendent to serve written notice of re-employment or termination on a certified school instructor shall be construed to mean that notice of re-employment has been served upon the person for the ensuing school year according to the terms of the existing employment contract but subject to any additional compensation allowed other certified school instructors of like qualifications and experience employed by the school district.

314.4 Each certified school instructor shall return to the Superintendent a written notice of acceptance or rejection of re-employment for the ensuing school year within fifteen (15) days of:

A. The date written notice of re-employment is served upon the person: or

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

B. The last day of the school year when no written notice of re-employment or termination is served upon the person on or before the last day of the school year.

314.5 The Superintendent may not refuse to re-employ a certified school instructor who has been employed by the school district for three (3) consecutive years without just cause (Section 22-10-14, C. NMSA 1978).

315 CERTIFIED SCHOOL INSTRUCTORS WITH THREE OR MORE CONSECUTIVE YEARS OF SERVICE.

315.1 Subject to state mandates and within the limits of available funding, the Carrizozo School Board has the legal responsibility and authority:

A. to define the nature and scope of the school district's programs;

315.2 This policy is intended specifically to cover decisions by the Superintendent to re-employ or terminate certified school instructors who have three (3) or more consecutive years of service with the district when their existing contracts expire. Its specific purpose is to help ensure that any decisions to terminate such employees comply with 22-10-14 (c), NMSA.

315.3 This policy may be amended from time to time as the board deems advisable.

315.4 The board is committed to providing students with the best professional staff it can afford and will strive continually to improve the quality of the district staff. The board will strive to see that the staff be treated professionally and fairly.

315.5 The availability of funds and the nature of the district's programs will determine how many and what types of positions are available. A certified school employee may be terminated at the expiration of an existing contract if the board determines] that there is no longer a position available for such instructor. If a reduction in force (RIF) of certified school personnel is determined under the (RIF) policy, the procedures set forth in that policy shall be followed.

315.6 For available positions, the decision to re-employ or to terminate any individual certified school instructor with three (3) or more consecutive years with the district will be based upon good-faith judgments as to one or more of the following;

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

- A. the instructor's qualifications, abilities, and level of performance;
 - B. the instructor's adherence to all applicable district policies concerning instruction and any other aspect of employment; or
 - C. the instructor's overall educational impact upon students, the district, and its programs.
- 315.7 A certified school instructor with three (3) or more consecutive years of service to the district may not be re-employed and may be terminated for just cause and if:
- A. there is no position available, as described above;
 - B. any aspect of the instructor's performance has been less than satisfactory; or
 - C. a Performance Improvement Plan has been instituted and has not been successfully concluded.
- 315.8 The Superintendent may also not re-employ or may terminate any certified school employee for any other good and just cause which it deems in good faith to be in the best educational interests of the district, provided such is not legally impermissible as defined by state law.
- 315.9 The state mandates shall be followed in effecting terminations. Certified school instructors who have three (3) or more consecutive years of service with the district shall be allowed procedural rights as provided by state law in connection with re-employment and termination decisions.

316 CERTIFIED SCHOOL INSTRUCTORS WITH LESS THAN THREE CONSECUTIVE YEARS OF SERVICE.

- 316.1 The Superintendent may decline to re-employ a certified school instructor with less than three (3) years of consecutive service for any reason he/she deems sufficient.
- 316.2 Upon request of the certified school instructor, the superintendent or administrator shall provide written reasons for the decision not to reemploy. The reasons shall be provided within ten working days of the request. The reasons shall not be publicly disclosed by the superintendent, administrator, local school board or governing authority. The reasons shall not provide a basis for contesting the decision under this act.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

317 DISCHARGE DURING TERM OF WRITTEN EMPLOYMENT CONTRACT

317.1 The Superintendent may discharge a certified school instructor during the term of the certified school instructor's contract for any good and just cause according to the following procedure; (Section 22-10-17, NMSA, 1978):

1. The Carrizozo School Superintendent shall serve a written notice of his intent to recommend discharge on the certified school employee in accordance with the law for service of process in civil actions.

2. The Carrizozo School Superintendent shall state in the notice of his intent to recommend discharge of the cause for his recommendations and shall advise the school employee of his right to a discharge hearing before the Carrizozo School Board.

318 APPEALS

318.1 When an appeal is filed as provided in Sections 22-10-14, 22-10-14.1, 22-10-17, and 22-10-17.1, NMSA 1978, the Carrizozo School Board will follow the procedures as provided in those sections.

319 TERMINATIONS RESULTING FROM REDUCTION-IN-FORCE

319.1 Reduction-In-Force:

A. Authority - Pursuant to State Board of Education Regulation 80-1, the Board of Education (hereinafter "Board") has the authority to discharge certified school personnel during the term of their contracts after notice and a hearing when a reduction in certified personnel is required as a result of decreased enrollment or a decrease or revision of educational programs. This policy is adopted as the procedure by which reductions in the personnel who are covered by the policy may be accomplished, within the context of the district's general personnel policies. As a result of the passage of Senate Bill 106, as amended, (Laws 1986, Ch. 33), there is no longer a need to conduct a reduction-in-force as a means of terminating personnel at the end of a contract period. Such terminations are governed by the standards and procedures set out in other policies of the district and applicable law, and not by this policy. The standards and procedures set forth in this policy are not intended to, and do not, suggest or represent the standards or procedures utilized by the district in terminating personnel at the end of a contract period.

B. Board Discretion - The Board is vested with the discretion to determine the educational program of the district, so long as the State Board of Education's Educational Standards and statutorily required standards are met. Therefore, the

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

Board, in its discretion, may revise the educational program or decrease the number of certified employees of the district at any time and is solely vested with the discretion to determine when decreased enrollment, financial exigency or other causes justify a reduction in personnel.

C. Situations Justifying Reduction-in-Force - Situations that justify a reduction-in-force (hereinafter R.I.F.) shall include, but not be limited to, the following:

1. decrease in students enrollment;
2. decrease in revenue:
 - a. because of decrease of student enrollment;
 - b. because of loss of reduction of tax revenues;
 - c. because of reduction of state, local or federal financial support;
or
 - d. because of inflation reducing the value of revenues received.
3. Change in the educational program of the district, as determined by the Board in its good faith exercise of discretion;
4. Consolidation or de-consolidation involving the district;
5. Court orders;
6. Orders of the State Board of Education;
7. Legislative mandates

319.2 Requirement of Good Faith - The Board shall exercise its discretion in good faith, and determinations that R.I.F. is necessary shall be based on bona fide educational considerations and not be a subterfuge for discharging certain personnel without good and just cause or on impermissible bases.

319.3 Timing of Reduction-in-Force - R.I.F. may occur at any time during the calendar year when the Board, in its discretion, determines that it is justified and the procedures prescribed herein are applicable and followed. However, the procedures described herein shall not be required in connection with the termination of certified school personnel not being re-employed for the succeeding school year.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

319.4 Determination of Need for Reduction-In-Force:

A. Responsibility of Administration:

1. Preliminary Report - To the extent that circumstances permit, the Superintendent, with the assistance of the administrative staff, shall report to the Board any circumstances which may ultimately require R.I.F., in order that notice be given to certified personnel of the possibility of R.I.F. may be avoided.
2. Preparation of Plan for R.I.F. - When the Superintendent concludes that R.I.F. is necessary, a Plan for R.I.F. shall be developed for presentation to and consideration by, the Board. The R.I.F. Plan shall not identify individuals to be discharged, but rather shall focus upon the total educational program of the district and how it may be modified to react to the necessary R.I.F. while still meeting the educational program required of school districts and the particular educational needs of the district. The R.I.F. Plan shall include, but need not be limited to, the following:
 - a. a detailed description of the cause or causes requiring R.I.F.;
 - b. a description of all adjustments already made by the administration in attempt to avoid R.I.F., if any (e.g. reduction by attrition, cuts in non-certified staff, abolition of extra-curricular activities, etc.)
 - c. a designation of the part or parts of the total educational program in which the R.I.F. is proposed and the number of positions to be reduced in each program;
 - d. a designation of extra-curricular activities which are to be retained, with a justification for retaining such programs; and
 - e. a discussion of alternatives (if any) considered by the Superintendent with an explanation as to why such alternatives were rejected.

B. Board Consideration:

1. The Board shall consider the recommendations of the Superintendent for the adoption of the R.I.F. Plan at a duly called Board meeting, the public notice of which announces that a R.I.F. Plan will be considered. The discussion and action on the Plan shall be in open session; however, nothing herein shall restrict the Board from holding portions of those discussions in closed session, if such discussion would be proper under the New Mexico Open Meetings Act. The Board may allow such review, consultation and comment by employees and such public discussion prior

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

to taking final action on the Plan as it deems appropriate. The Board may make such modifications to the Plan recommended by the Superintendent as it deems appropriate.

2. Any Plan for R.I.F. adopted by the Board shall be made available to all staff, by providing copies thereof in the office of the Superintendent, within 2 work days after adoption by the Board.

319.5. Selection of Certified Personnel to be Discharged:

A. Based upon the plan approved by the Board, the administration shall perform a study of the school district's certified personnel to determine which person or persons must be wholly or partly discharged in order to implement the plan. The following criteria shall be applied in making the selection:

1. The proper certification of licensure and qualifications of staff to maintain a sound and balanced educational program which is accredited and meets statutory requirements and the State Board of Education's Educational Standards for New Mexico Schools, as well as the Board's educational and extra-curricular program for the district, shall be the primary concern and the initial criterion to be applied in making the R.I.F. selections.

2. No distinction shall be drawn between certified school instructors having less than three years of consecutive service in the district and certified school instructors having three years or more of consecutive service in the district.

3. If two or more individuals are equal or equivalent in certification or licensure and qualifications and it is necessary to decide which shall be discharged, the following selection criteria shall be applied:

a. Each individual considered for discharge shall be awarded 1 point for for each year of full-time service during the most recent period of uninterrupted service with the district, prior to the current year.

b. The amount of credit for education shall be determined based on degree and additional hours:

(1). B.A.	2 points
(2). B.A. + 15	4 points
(3). B.A. + 45 or M.A.	6 points
(4). M.A. + 45	8 points
(5). Post M.A. or M.A. + 45	10 points

c. Performance - the principal or supervisor of each certified instructor or administrator considered for discharge shall rate the

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

relative performance of each such person on a rating form to be prepared by the Superintendent, or under his direction. Such rating form may be based on the district's standard evaluation form(s) or may be specially designed by the Superintendent to reflect his or her judgment as to the attributes necessary for success in the particular program(s) affected by R.I.F., shall specify the score for each performance category or attribute and shall allow for a maximum score of 100 points. The principal may consult with the Superintendent concerning the implementation of the evaluation. The principal shall complete the rating forms and return them to the Superintendent within the time specified for completion of the evaluations.

d. There shall be no requirement of observation of performance by a principal specifically for the purpose of completing the rating form; however, the principal shall review prior evaluations of the individuals considered for R.I.F., for a period of 3 years, if available. Where a principal lacks familiarity with an individual's performance (e.g., a new principal), the Superintendent may assign the evaluation to a present or past district administrator or principal who has greater familiarity with the individual's performance. The Superintendent may devise such other measures as he or she sees fit to deal with situations where implementation of the performance rating cannot occur in the normal manner, so long as such measures are rationally designed to select the best certified personnel for retention.

B. Selection Based on Scores - The Superintendent shall total the points for service, education and performance. The person with the lowest score shall be the person who is released. The computations of the Superintendent, plus the rating forms on the persons considered for release, shall be available for review by the person released.

319.6 Transfers/Reassignments - If, as a result of the application of the selection criteria, a person is selected to be released from the affected program, but such person ("the affected person") is also certified or licensed and qualified for another program within the district, the person shall be considered for transfer or reassignment to the other program. The fact that there are one or more other certified or licensed employees within the program affected by R.I.F. who scored higher than the person scoring lowest, and that such person(s) may be certified or licensed and qualified to teach or administer in other programs in the district, shall not require that the higher scoring persons be transferred or reassigned to the other program or programs, even if there is a vacancy in the other program or

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

programs. The transfer/reassignment obligation shall not arise until after the selection of the person or persons to be released from a program affected by R.I.F. and shall only apply to the person or persons selected for release. Consideration of transfer or reassignment of the affected person shall be governed by the following criteria:

A. Existing Vacancy - If, at the time of the proposed R.I.F., there is an existing vacancy in another program for which the person is certified or licensed and qualified, he or she shall be transferred or reassigned to that vacant position. There shall be no obligation to create a vacancy to accommodate such person.

B. No Existing Vacancy - Where the affected person is certified or licensed and qualified for another program or programs in the district, but all such positions are currently filled, the selection criteria described above, subject to the modifications described below, shall be applied to determine whether the person will be transferred or reassigned to another program and another person, currently employed in the other program, shall be released.

C. Qualification - If the person is fully certified or licensed for a position in another program or an administrative position but has not actually taught in such program or held such an administrative position during any part of the preceding three school years, such person need not be considered qualified for transfer or reassignment to the other position.

D. Performance - If neither the Superintendent nor the principal has observed the person being considered for transfer or reassignment performing the duties of the other program, it is impossible for the relative performance of the person being considered for transfer or reassignment and the person or persons currently teaching or administering in the program to be rated, based on direct observation. Under such circumstances, the Superintendent shall make a judgment as to the likely performance of the person being considered for transfer or reassignment and assign the performance score which will be used in the selection process in comparison to the person or persons currently employed in the other program. The Superintendent shall consider the person's performance in other programs and his/her knowledge of all persons in the program in question in making the judgment, and may consult with other knowledgeable persons in making this determination.

319.7 Procedures for Discharge (Hearing) - Each certified instructor or administrator discharged pursuant to this policy shall be entitled to the procedural due process provided under Section 22-10-17, NMSA 1978 (1988 Supp.) and regulations of the State Board of Education governing discharge of certified school personnel. The written decision of the Board, to the extent required by statute and regulation, shall clearly specify that the release resulted from R.I.F. and not from any cause personal to the person released.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

319.8 Appeals to an independent arbitrator from release pursuant to this policy are governed by the provisions of Section 22-10-17.1, NMSA 1978 (1988 Supp.) and regulations of the State Board of Education.

319.9 Recall of Released Staff:

A. Right of Recall - For a period of one calendar year after the effective date of the discharge of any certified employee pursuant to this policy, the Board shall offer to such person any position(s) which becomes available for which such person has complied with the requirements specified below.

B. Requirement of Expression of Interest in Recall - Every certified person discharged who wishes to be considered for recall, in the event that an opening occurs, must file with the Superintendent, within 30 days after the effective date of the discharge, a written statement, indicating a desire to be considered for recall and providing an address at which the person may be contacted. Such person must notify the Superintendent of any change in address, within 10 days notification in the event of a recall.

319.10 Selection of Person(s) to be Recalled :

A. In the event that more than one interested person, who was discharged within the calendar prior to recall, is certified or licensed and qualified for the position to which a person will be recalled, the selection criteria of 321.6 of this policy will be applied to determine which person is to be recalled. The points accrued for "Service in district" and "Performance" shall be the same as when the persons were discharged, but additional points for any additional education earned after the discharge, shall be credited and considered.

319.11 Notification of Recall and Acceptance:

A. Any person selected for recall hereunder shall receive written notification of the recall, by certified mail, at the address provided. The recalled person must accept the position offered through recall in writing. Such acceptance must be received in the Superintendent's Office within ten (10) calendar days after mailing of the recall notice to the person. Rejection of the offer, in writing or by failure to timely respond, shall result in forfeiture by the recalled person of any further recall rights under this policy. Thereafter, an offer of recall will be made to the next person qualified to be recalled, or if there is none, the position will be filled by another applicant.

CARRIZO MUNICIPAL SCHOOLS - BOARD POLICY

319.12 Rights of Recalled:

A. Any person recalled pursuant to this policy shall have all accrued but unused sick leave restored and be given credit for all years of actual service in the district for salary purposes.

319.13 Loss of Rights After One Year:

A. After the one year recall period has expired, any person discharged under this policy shall no longer have any right to be recalled. Such persons who wish to be reemployed thereafter shall file application for employment and will be treated as would any other applicant for a vacant position.

CARRIZO MUNICIPAL SCHOOLS - BOARD POLICY

400 CLASSIFIED PERSONNEL

- 400.1 Classified personnel are those employees who are not required to hold a state department of education certificate in order to perform their assignments. Included are clerical, instructional aides, custodial, cafeteria staff, maintenance employees and bus aides.
- 400.2 Procedures, guidelines and regulations for classified personnel are set forth in board policy and in handbooks which are applicable. As authorized by the Superintendent and accepted by the board, a handbook constitutes board policies applicable to these personnel.

401 DUTIES

- 401.1 Individual duties of employees will be as stipulated by the job descriptions for the different positions as classified personnel.

402 EMPLOYMENT OF CLASSIFIED PERSONNEL

- 402.1 Recommendation of Employment:

A. The Superintendent is responsible for the employment of clerical staff, instructional aides, custodial, maintenance, bus aides, and cafeteria personnel.

- 402.2 Probationary period:

A. Ordinarily, classified personnel will serve a minimum of thirty (30) days on a probationary status before being placed on contract. Contracts are issued on an annual basis.

- 402.3 Promotion Policies:

A. It will be the general practice to promote the best qualified employees from the current staff to positions in which they are interested, unless otherwise directed by the board and/or the Superintendent.

B. Announcement of job vacancies will be made.

C. Final selection from all applicants will be dependent on qualifications for the position plus other areas of expertise and abilities applicable to the position to be filled.

D. Applicants will follow application procedures enumerated in Policy #402.12.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

402.4 Salary Determination:

A. Placement on the salary schedule will be based on work experience in the Carrizozo Municipal School District. Employment must be for more than one-half of the contract year to be counted as a year's credit. No half years will be credited. Personnel promoted to a new position will start on Step 0 of the new and appropriate salary schedule; however, if the new salary is lower than the old salary, the salary will be computed at the nearest greater salary on the new schedule so as to prevent an employee from losing money due to a promotion.

402.5 Dress Code:

A. All classified personnel will be neat, clean and appropriately dressed. Extremes in personal appearance or dress are considered unsafe and/or in bad taste.

402.6 Transfers:

A. Transfers will be subject to the approval of the Superintendent.

B. Transfer requests must be made to the Superintendent, in writing.

C. The Superintendent reserves the right to transfer a member of the clerical staff, instructional aides, custodian, cook, maintenance person in the best interest of the Carrizozo Municipal Schools.

402.8 Re-employment:

All classified personnel who have been recommended for re-employment may be hired by the Superintendent at the May, June or July board meeting.

402.9 Job Abandonment:

A. Any employee who fails to report for duty for a day without good and just cause and without notifying the immediate supervisor will be considered to have abandoned his/her position and termination proceedings may begin immediately.

402.10 Worker's Compensation and Unemployment Insurance:

A. All personnel are covered by worker's compensation and unemployment insurance.

CARRIZO MUNICIPAL SCHOOLS - BOARD POLICY

402.11 Work Schedule:

- A. The Superintendent will determine a work schedule for classified personnel such as custodians, maintenance, and kitchen staff. Teaching Assistants' work day will coincide with the hours the students are present at school.
- B. A short morning and afternoon break will be provided for classified personnel as a courtesy, not a right. Breaks should be taken only when the work allows.

402.12 Employment Procedure:

- A. Complete proper application form, submit health form, official transcripts, if applicable, and interview with prospective employers.
- B. Applications will be accepted only for open positions. Applications will not be kept active once the position is filled.
- C. If one or more positions(s) come(s) open within five weeks after interviews have been conducted, the administration shall have the option to select a candidate and employ the person who ranked second for the position. If the candidate ranking second is not available then the candidate with the third ranking shall be chosen.

403 **EVALUATION**

403.1 The objectives of the classified personnel evaluation process are to:

- A. Provide an invaluable service to the School District in terms of quality and quantity of work performed each day.
- B. Provide a challenge to oneself to be the best in terms of knowledge about the job, technique in performing it and pride and satisfaction in knowing it was done well.
- C. Promote a level of competence in which loyalty, sensitivity, drive, sincerity, trustworthiness, integrity and discipline are recognized through observed behavior and the manner in which employees conduct themselves on the job.
- D. Promote self-motivation, common sense, good judgment and confidence.
- E. Improve communication.
- F. Improve employee self-image.
- G. Develop a goal-oriented work ethic.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

403.2 Each classified employee will be evaluated at least once per year by his/her immediate supervisor.

403.3 Immediate supervisors will maintain an evaluation file for each staff member.

404 CODE OF ETHICS

404.1 Participation in Political Activities:

A. The board will not attempt to regulate employee participation in the political process, unless it interferes with the performance of duties. Participation will be regulated only by federal and state laws.

B. Any employee who seeks political office shall continue to fulfill all obligations of his/her position and consider the welfare of the students and the District foremost as he/she pursues his/her political activities.

C. An employee shall not use his/her professional position to further his/her political ambitions.

D. Any employee elected to a political office that requires time away from the job responsibilities will request leave and consideration for leave will be on an individual basis by the Superintendent of Schools. Leave, if granted, will be at no pay or any form of compensation.

405 THE FAIR LABOR STANDARDS ACT

405.1 The Carrizozo Municipal Schools Board of Education acknowledges the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 201, et seq.), Federal Legislation, and does hereby declare that the Carrizozo Municipal Schools is in compliance with the Act as of April 15, 1986.

405.2 Personnel that are not subject to the act and that are considered to be exempt employees are executive, administrative, professional and volunteer employees. There are also some student exemptions in specific instances.

405.3 Conditions and Stipulations for Overtime Payment:

A. Subject to the limitations and exceptions set forth in this section, overtime at the rate of time and one-half will be earned by any employee who is required to work more than (40) hours during the work week.

B. All overtime must have the approval of the superintendent or the superintendent's designee(s).

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

C. Compensation for overtime shall be made by granting compensatory time off at a rate of one and one-half hours for each hour of overtime worked or shall be paid at a rate of one and one-half times the employee's regular rate of pay.

D. Compensatory time off shall be taken during the week following the week in which it was earned unless the use of compensatory time off would unduly disrupt the operations of the district. In the event the superintendent determines compensatory time off during the week following the week it is earned would be unduly disruptive to the operations of the district, such compensatory time off may be taken as soon as it is reasonably possible thereafter. Compensatory time off shall not be accrued in excess of 240 hours.

E. An employee who has accrued compensatory time off as provided in this policy shall, upon termination of employment, be paid for the unused compensatory time off at a rate of compensation not less than:

1. the average regular rate by such employee during the last three years of the employee's employment,
2. the final regular rate received by such employee, whichever is higher.

F. Compensation for overtime shall be paid at a rate of one and one-half times the employee's regular rate of pay. Payment for overtime shall be made on the employee's regular pay day for the pay period encompassing the work week in which such overtime was earned.

G. The hours worked by an employee who, at his or her option, engages in part time occasional or sporadic employment for the district in a different capacity than his or her primary employment, shall be excluded from the calculation of hours for which the employee is entitled to overtime compensation.

H. If an employee, solely at his or her option and with the approval of the superintendent, agrees to substitute during the scheduled work hours for another employee who is employed in the same capacity, the hours worked as a substitute shall be excluded by the district in the calculation of hours for which the employee is entitled to overtime compensation.

405.4 The work week for the Carrizozo Municipal Schools commences on Sunday at 12:00 midnight and continues until Saturday at 11:59 p.m.

405.5 All work, either suffered or permitted is subject to overtime for eligible employees. Non-exempt employees working on the job or any premises of the Carrizozo Municipal Schools, even by choice, without the permission of the superintendent will be out of compliance with school board policy and are subject to disciplinary action as this practice is strictly prohibited by the F.L.S.A.

405.6 Coffee breaks are counted as compensable time and will be paid as such; however, the employer does not have to give coffee breaks and it is at the discretion of the superintendent of schools that coffee breaks be given or taken.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

405.7 Recordkeeping:

A. The records that will be kept for non-exempt employees are as follows:

1. Name
2. Social Security Number
3. Address
4. Date of Birth, if under 19
5. Sex
6. Occupation
7. Day and time the work week starts
8. Total wages paid each pay period
9. Date of payment and pay period covered.

B. Time records must be kept for two years, pay records for three years.

405.8 Minimum wage:

A. The Carrizozo Municipal Schools pays no less than the minimum wage to all employees except where the law and F.L.S.A. allows, such as to students on special work permits.

405.9 The F.L.S.A. does not require:

A. Extra pay for Saturdays, Sundays, or holidays, as such.

B. Pay for vacations or holidays or severance pay.

C. Discharge notices.

D. Limits on the number of hours of work for persons sixteen years of age or over as long as overtime provisions are met.

406 CONDITIONS OF EMPLOYMENT OF CLASSIFIED STAFF

406.1 The Board employs classified personnel as specified individual contracts subject to adjustment for required make-up days and overtime.

406.2 The classified employee shall present himself or herself for duty at such times and places as designated by the superintendent or his/her authorized personnel.

406.3 The employee will be paid in accordance with the Board's approved salary schedule less required or authorized deductions. In the event of any error or incorrect computation, appropriate adjustment of the salary agreement will be made after consultation with the Employee.

CARRIZO MUNICIPAL SCHOOLS - BOARD POLICY

- 406.4 For each day's absence from duty not included in sick leave or otherwise compensated for, deductions shall be made in accordance with the rules and regulations of the Board.
- 406.5 The contract for classified personnel may be canceled by the Board for cause not personal to the employee when reduction in personnel is required as a result of decreased enrollment or a decrease or revision of programs or insufficient legislative appropriation or authorization being made by the state and/or federal government for the performance of this agreement, or without any requirement for the statement of any cause therefore, upon the providing of a written notice of termination to the employee at least fifteen (15) days prior to the effective date of the termination.
- 406.6 Classified employees will give the Board fifteen (15) calendar days written notice of intention to resign. Failure to give such fifteen (15) calendar day notice shall entitle the Board, in its discretion, to withhold any or all compensation due the employee as liquidated damages for breach of the notice requirement and shall not be construed as a penalty.
- 406.7 The classified employee shall furnish the Board the following:
- A. A complete and signed application for employment.
 - B. Suitable evidence of date of birth.
 - C. Such health certificates as may be required by law.
 - D. A signed statement declaring legal residency in the United States of America.
 - E. A statement of pre-existing illness or injury.
 - F. Any other documents as may be required by law.
 - G. Failure to furnish any of the foregoing items at the required time may result in cancellation of this contract in accordance with the New Mexico Statutes applicable rules and regulations of the State and Local Boards of Education.
- 406.8 The classified employee shall accept or reject the offer of employment within fifteen (15) calendar days from receipt of such offer or contract.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

407 SUBSTITUTE TEACHERS

407.1 Board policy is to provide substitute teachers for the school District. Responsibility for substitute teachers is delegated to the Superintendent or his/her designee.

407.2 Substitute teacher requirements:

A. A substitute teacher must have at least a high school diploma or G.E.D. certificate and have met the requirements of a substitute teacher for the Carrizozo Municipal School District.

B. In order for an applicant to meet the requirements of the district, he/she must:

1. Attend a workshop for substitute teachers once each year, or observe in a classroom(s) for three school days, without pay.

2. Submit a completed application form.

3. Submit copies of diploma or college transcripts.

4. Submit a physician's statement indicating the person does not have tuberculosis.

C. The principal is responsible for hiring substitutes. Teachers will not hire substitutes.

D. The principal is responsible for the orientation for all substitutes.

E. No substitute teacher will be allowed to teach more than sixty (60) days in one classroom in lieu of a teacher under contract.

F. Substitute teachers shall follow the directives of the principal.

G. Salaries of substitute teachers will be as follows:

\$45.00	Non-certified
\$55.00	Certified

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

500 ACADEMIC ELIGIBILITY

500.1 INTERSCHOLASTIC ELIGIBILITY POLICY

1. Academics in school are the first and most important responsibility of all student athletes and students who participate in other than athletic interscholastic activities. Participation in interscholastic activities is a privilege gained after acceptable performance in school. Students that participate in interscholastic activities are expected to maintain high levels of grades and behavior in their schoolwork. Overall, a student who is undependable in school will be undependable in interscholastic competition and activities.
2. New Mexico Activities Association (NMAA) Rule 4.18.1 in SBE 83-4 (High School) and Rule 4.9.(Note 2)(Jr. High/Middle School) states that to be eligible to participate in interscholastic activities:

"A student shall have passed a minimum of four (4) classes, not failed more than (1) and had a grade point average of 2.0 or better for the most immediate previous grading period or cumulatively, beginning with and including the second semester of grade eight (8)." (For High School) and "To maintain his/her eligibility, the student must at the end of each grading period, have achieved a 2.0 GPA, passed a minimum of four (4) classes, and not failed more than one (1) class. (For Jr. High/Middle School)
3. Carrizozo Municipal Schools establishes the following minimum standard for students to be eligible to participate in interscholastic activities:
 - A. "A student shall have passed a minimum of four (4) classes, not failed more than (1) and had a grade point average of 2.0 or better for the most immediate previous grading period or cumulatively, beginning with and including the second semester of grade eight (8)." (For High School) and "To maintain his/her eligibility, the student must at the end of each grading period, have achieved a 2.0 GPA, passed a minimum of four (4) classes, and not failed more than one (1) class. (For Jr. High/Middle School).
 - B. Assignment to SAC or any detention means no participation or practice in extra-curricular activities for those weekday/weekdays of the assignment.
 - C. A student who has been removed from a class for the third time will not be able to participate in extra-curricular activities for the remainder of the semester..
4. The above policy will include the requirement for coaches or sponsors to check academic eligibility on the last school day of weeks two and six of a 9 week grading period (see attached form). Students are responsible for coordinating eligibility forms with each of their teachers and returning the form to their coach/sponsor following the last school day of weeks two and six of the 9 week grading period. When the forms are returned the

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

coach/sponsor will identify students with grades of less than "C" in any class. In coordination with the principal the coach/sponsor shall then:

- a. Contact the teacher of the class(es) to ascertain the emphasis required of the student to raise the grade.
- b. Contact the student's parent(s) concerning the matter.

Coaches/sponsors will also establish an honor roll for the team/activity and report it every nine weeks.

- 500.1 In order for students to be successful in interscholastic activities, students must first be successful in academics. Therefore, certain responsibilities must be met which will ultimately serve the best interests of the student in both academic and interscholastic endeavors at Carrizozo Municipal Schools.
- 500.2 Students shall be eligible for honor points for academic eligibility to participate in extra-curricular activities.
- 500.3 Office and library aide as well as teacher aide classes will not be counted for either academic eligibility, rank-in-class or GPA purposes.
- 500.4 If any of the above are found to be in conflict with either State Statute or SDE regulations or standards, said statute, regulation or standard shall prevail without affecting remaining local standards or regulations.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

**CARRIZOZO MUNICIPAL SCHOOLS
ELIGIBILITY REPORT**

STUDENT:_____ACTIVITY:_____SPONSOR:

CLASS	GRADE	COMMENTS	TEACHER'S SIGNATURE
-------	-------	----------	------------------------

- 1
- 2
- 3
- 4
- 5
- 6
- 7

PRINCIPAL REVIEW

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

501 ADMINISTRATION OF MEDICATIONS AT SCHOOL

- 501.1 A strong probability exists that some students must take medications while at school. Some could not attend school without such medication.
- 501.2 The Carrizozo Municipal School Board adopts the following policy when it is absolutely necessary for a child to take medication during school hours in order to continue school:
- A. Self-administration
1. Older students may be allowed to assume responsibility for administration of their own medications, provided that self-administration is recommended in writing, by the prescribing physician and the parent/guardian. The Child must be instructed by the parent or physician on how to take his/her medication.
- B. Over-the-counter, non-prescription drugs can be self administered by students if parent/guardian gives written permission to do so.
- C. The parent/guardian must communicate with the school nurse. It is recommended that only one day's supply of medication be taken by the child to school each day.
- D. Administration by the nurse:
1. In some cases, a school-child will be considered either too young or otherwise incapable of reliably taking his/her own medication. In this situation an arrangement should be worked out with the school nurse so that the nurse may administer the medication to the child. Clear and explicit written communication among physician, parent and school nurse is essential in such cases.
 2. The container with the medication must be labeled with the name of the drug, the strength and correct dosage schedule for administration, the name of the student and the name of the physician. Medications must be kept in a central location within a locked closet or cabinet. The student and the handicapped or retarded child should be taught, according to the level of ability, while he/she takes the medicine and according to what schedule it should be given.
- E. Supervised self-administration:
1. In some situations, a school nurse is not available to administer a medication to a child who is either too young or is otherwise incapable of reliably taking his/her medication. In these special cases, the following approach is acceptable if the child in fact requires the medication in order to remain in school and must take the medication during school hours. The parent or school nurse must give the child's teacher or other authorized person a sealed envelope containing the child's name,

CARRIZO MUNICIPAL SCHOOLS - BOARD POLICY

the name of the medication, and the date and time to be taken. The teacher or authorized person will give the envelope to the child and instruct him/her to take the medication at the specified time.

F. It is to be recognized that Options A and D are to be preferred, Option E being reserved for situations where no alternative exists. A combination of Options D and E may be appropriate when a school nurse is present on some, but not all, days. In all options, it is essential that the school nurse be notified of all students taking medication at school.

- 501.3 When a student has a known severe allergy, such as to a bee sting, or when a possible life-threatening condition exists in a school-aged child the parents are responsible to inform the school. A local physician or health care facility's specific instructions must be obtained on how to care for the child in the emergency situation.
- 501.4 The parent/guardian must provide written consent for administration of any drug by school personnel. In addition, the parents should provide the school a telephone number through which either parent/guardian may be reached in the event of an adverse reaction to the drug. The parents must absolve the school and school personnel of any responsibility should the medication not be taken on time or not at all for any reason or if as a result of taking the medication the child suffers any adverse reaction.

502 POLICY GOVERNING EDUCATION OF STUDENTS WHO HAVE OR ARE CARRIERS OF COMMUNICABLE DISEASES

- 502.1 The Board recognizes that the health and safety of the students of this District are primary concerns and that it is necessary, in order to protect student health and safety, to adopt a policy governing the manner in which the Board and its administration will protect the health and safety of all students when any current or potential student is infected with a communicable disease. This policy is adopted in order to protect the legitimate interests and rights of students with communicable diseases or who are carriers of communicable diseases, while also protecting the health and safety of the remaining students in the District.
- 502.2 No student, otherwise qualified to attend the schools of this District, shall be denied admission, suspended, expelled, segregated, restricted from curricular or extra-curricular activities, have his or her educational program changed nor otherwise be denied the benefits of the educational program as a result of the student being a carrier of or having any communicable disease, unless the procedures specified herein have been followed.
- 502.3 For the purposes of this policy, communicable diseases are defined as diseases which can be transmitted from person to person and include, but are not limited to, the following:

Measles
Acquired Immune Deficiency Syndrome
(HTLV-III) (AIDS)

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

AIDS Related Complex (ARC)

Hepatitis B Virus

Chicken Pox

Whooping Cough

Diphtheria

Typhoid Fever

Rubella

Salmonella

Cytomegalovirus

Herpes Simplex

- 502.4 Communicable diseases may be of short term or long term duration. Short term communicable diseases are those which generally last no more than ten days. Included in that category are chicken pox, whooping cough, and rubella. Long term communicable diseases are those which last longer than ten days.
- 502.5 Parents or guardians of students attending or enrolling in the schools of the District have an obligation to disclose, to the appropriate administrator, the fact that the child is a carrier of or is infected with a communicable disease, as soon as the parent or guardian becomes aware of the condition.
- 502.6 School attendance and educational decisions regarding students having short term communicable diseases should be handled by the principal as advised by the school nurse in conjunction with the school physician.
- 502.7 For communicable diseases of short and well known duration, parents or guardians shall absent their children from school during the contagious period. In the event that the parents or guardians refuse to do so, the principal shall suspend the child for up to 10 days, following the procedures governing short term suspensions of students.
- 502.8 Any decision affecting the educational program or attendance of a student who is a carrier of or who has a long-term communicable disease will be based upon competent medical advice and will balance the rights of the infected student against the legitimate interest of the District in protecting the health and safety of the remaining students.
- 502.9 The District will not require mandatory testing or screening of students for communicable diseases as a condition precedent to registration or admission to school, either initially or annually. However, if school authorities have reasonable cause to believe that a student has or is a carrier of a communicable disease, such student may be required to submit an appropriate medical examination, at the expense of the District.
- 502.10 For communicable diseases of less well-determined duration, parents or guardians may voluntarily choose to absent their children from school, without compliance with the procedures of paragraphs 11 and through 16 hereof, for any period during which the child's condition is infectious or communicable, provided that such absence is supported by a statement to that effect prepared by a medical doctor or other competent medical

CARRIZO MUNICIPAL SCHOOLS - BOARD POLICY

professional. A determination as to whether alternative instruction will be provided in such circumstances will be made on a case-by-case basis, based upon other policies of the Board, the length of the absence, the severity of the condition and other factors considered relevant by school authorities.

- 502.11 The number of personnel who are aware of the child's condition shall be kept to the minimum needed to assure proper care of the child and to deal with situations where the potential for transmission may increase (e.g., bleeding injury).
- 502.12 Decisions concerning the educational program and placement setting for those students who have or are carriers of long term communicable diseases will be made by a committee composed of the following: (1) the child's physician; (2) the child's parents or legal guardians; (3) the school personnel with whom the child will interact and who are familiar with a child's educational and physical care needs; (4) the superintendent or his or her designee; and (5) any other person, to be appointed to the committee by the superintendent, whose expertise would be useful to the committee in reaching and implementing its decision.
- 502.13 In determining the educational program and placement setting for any student who has or is a carrier of a long term communicable disease, the following factors will be evaluated:
- A. the nature of the disease;
 - B. the age of the student;
 - C. the behavior of the student;
 - D. the neuralgic development of the student;
 - E. the physical condition of the student;
 - F. the expected type of interaction which the student will have with other individuals in the proposed placement setting;
 - G. the degree to which other individuals may be exposed to infectious organisms;
 - H. the hygienic practices of the student;
 - I. the risk of transmission of the disease from the student to those individuals with whom he or she will interact; and
 - J. any other pertinent factor reasonably related to the decision.
- 502.14 An unrestricted educational program and placement setting will be the primary goal for any student who has or is a carrier of a long term communicable disease. Restrictions upon a student's educational program and/or placement will be imposed only when the committee determines that the risks of an unrestricted program and placement outweigh the benefits which the student may receive from an unrestricted program.
- 502.15 The educational program and/or placement setting established by the committee for any student who has or is a carrier of a long term communicable disease will be reevaluated, and modified if necessary, as often as the circumstances will require, but in no event will the educational program and/or the placement setting continue without reevaluation at

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

least once per school year. Any reevaluation will be done by the committee taking into account those factors listed in 502.13.

- 502.16 All school personnel and all members of the committee appointed according to the provisions of this policy shall maintain the student's right of confidentiality with respect to the fact that the student has or is a carrier of a long term communicable disease, and with respect to any records, documents, statements, letters or memoranda developed or prepared by the committee; provided, however, that nothing herein shall prohibit or prevent the disclosure of information that may be permitted or required by state or federal law or regulations promulgated there under.
- 502.17 The parent or guardian of a student who has or is a carrier of a long term communicable disease aggrieved by a program or placement decision made pursuant to this policy may appeal that decision to the Board of Education by requesting a hearing, in writing, within 10 calendar days of the program or placement decision. Such hearing will be held at a time convenient to the parties and shall be held in closed session. The decision of the Board shall be final.

503 **STUDENT IMMUNIZATION**

- 503.1 Students must be in compliance with the New Mexico School Immunization Law in order to enroll and remain in the Carrizozo Municipal Schools.
- 503.2 According to New Mexico's School Immunization Law, the Health Services Division has the responsibility for promulgating schedules which define immunization requirements for school children.
- 503.3 It is solely the responsibility of the parent/guardian to insure that their child is properly immunized for school pursuant to the regulations as specified by Health Services Division.
- 503.4 It is a violation of New Mexico's compulsory school immunization law (section 24-5-2), NMSA, 1978 Comp.) for a student to enroll who is not: 1) appropriately immunized; or 2) in the process of receiving needed immunizations; or 3) properly exempted to school immunizations. Transfer students are no longer allowed a six (6) week conditional enrollment period to provide proof of immunization; they are subject to the same limitations on enrollment as are all other students.
- 503.5 Medical exemptions to school immunizations are only acceptable from licensed medical doctors or licensed doctors of osteopathy. The written statement from the duly licensed physician must state that the physical condition of the child is such that immunization would seriously endanger the life or health of the child. Medical exemptions must be kept in the child's school/health file.
- 503.6 Religious exemptions to school immunizations are only acceptable if the parent/guardian completes a CERTIFICATE OF RELIGIOUS/CONSCIENTIOUS OBJECTION TO

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

IMMUNIZATION (enclosed) and submits the notarized certificate to the Immunization Program for approval. All certificates are kept by the Immunization Program and a letter of approval or disapproval is sent to the parent/guardian who has the responsibility of forwarding a copy to the child's school.

503.7 Exemptions, both medical and religious, are for a period not to exceed nine (9) months and do not extend beyond the school year in which they are submitted/approved.

504 COMPULSORY SCHOOL ATTENDANCE

504.1 The Carrizozo Municipal Schools will enforce the provisions of the compulsory school attendance law 22-12, NMSA, for students within the School District.

504.2 Board responsibility is as follows:

A. Any qualified student, and any person who, because of his/her age, is eligible to become a qualified student as defined by the Public School Finance Act (22-8-1 to 22-8-45 NMSA 1978) until attaining the age of maturity, shall attend a public school, a private school, or a state institution. A person shall be excused from this requirement if:

1. the person is specifically exempted by law from the provisions of this section,
2. the person has graduated from a high school,
3. the person has successfully completed the tenth grade or its equivalent, and if, after consulting with both the person to be excused and officials of the school or the School District in which the person is enrolled, the parent, guardian, or other person having custody and control, consents,
4. with consent of the parent, guardian, or person having custody and control of the person to be excused, the person is excused from the provisions of this section by the Superintendent of Schools of the School District in which the person is a resident, and such person is under eight years of age, or
5. the person is judged, based on standards and procedures adopted by the State Board of Education, to be unable to benefit from instruction because of learning disabilities or mental, physical, or emotional conditions.

B. A person subject to the provisions of the compulsory school attendance law (22-12-1 to 22-12-7 NMSA 1978) shall attend school for at least the length of time of the school year that is established in the School District in which the person is a resident.

C. Any parent, guardian, or person having custody and control of a person subject to the provisions of the compulsory school attendance law is responsible for the school attendance of that person.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

D. Pursuant to 22-12-8, Notice of absence.

Notwithstanding the provisions of Section 22-12-7 NMSA 1978:

Grades K-12

1. A parent/legal guardian must telephone the school (648-2346) each day their child will be absent and state the reason for the absence. If the parent/legal guardian has not contacted the school by 10:00 a.m. the principal or his/her designee will contact the parent/legal guardian.
2. Upon the first day a student returns to school from any absence, the student must present a signed, date note from his/her parent/legal guardian stating the reason for the absence. If the absence is for more than three consecutive days the student must present a signed, dated note from a doctor or health clinic upon return to school. The student will not be allowed to attend class without a signed, dated note from his/her parent, legal guardian, doctor, or health clinic stating the reason for the absence.
3. A student shall be given one day for each missed day of instruction to make up the work missed during the absence.
4. If the student fails to make up the work missed during an absence within the time permitted, any work for which a grade was taken will be counted as a zero in the teacher's grade book, and averaged into the student's quarterly grades.

Grades K-8

5-A. Every absence, whether excused or unexcused, is considered an absence.

All qualified students, until they have attained the age of maturity, are required to attend school for at least the length of time of the school year that is established in the school district in which the person is a resident. (NM state Statutes, Section 22.12.2, Compulsory School Attendance Law). Any parent, guardian or person having custody and control of a person subject to the provisions of this law is responsible for school attendance of that person.

1. Definitions

- a. “Truancy” means the unexcused absence of a student from school or class that result in the student being deemed truant.
- b. “Truant” means a student who has accumulated five (5) unexcused absences within any twenty-day period.
- c. “Habitual Truant” means a student who has accumulated the equivalent of ten (10) or more unexcused absences within a school year.

CARRIZO MUNICIPAL SCHOOLS - BOARD POLICY

- d. “Excused Absence” Students are allowed only ten (10) absences per semester per class. Illness, family, vacations, hunting, fishing, weddings, commencement exercises, Dr’s appointments, interviews, jobs, etc. will count towards the 10-day maximum.
- e. “Unexcused Absence” means an absence from school or a class for which the student does not have an allowable excuse pursuant to the Compulsory School Attendance Law. A student will only be allowed ten (10) unexcused absences within a school year.

During a semester, a student that has accumulated ten (10) absences will, on the eleventh (11th) absence and any consequent absence, be considered unexcused.

- f. “Consecutive Absences” Any student who is absent from school for a period of ten (10) consecutive school days will be dropped from the rolls upon parental notification.
- g. “Excused Pre-Planned Absences” The school will require prior approval for planned vacations/absences.
- h. “Make Up Work” Students who fail to turn in completed homework immediately after a planned absence will receive a no credit in the record book. Make up work is due the first day back to school following a planned absence.

2. Absence Intervention: The following regulations will be enforced when students are absent for the below-specified number of days during the school year.

- a. Three (3) absences: Principal will contact the students parent/guardian.
- b. Six (6) absences: Principal will send a District approved letter for six (6) absences to the parent/guardian. A parent/guardian meeting with school personnel may be required.
- c. Ten (10) absences: The parent /guardian may be required to attend a meeting with the teacher and Principal to determine future action. A written record of this meeting will be retained in the student’s records.

We remind all parents that they will be held responsible for the Compulsory School Attendance Law of New Mexico.

CARRIZO MUNICIPAL SCHOOLS - BOARD POLICY

ATTENDANCE POLICY ---GRADES 9TH –12TH (Revised 7/18/06)

Every absence, whether excused or unexcused, is considered an absence.

DEFINITIONS

- a. “Truancy” means the unexcused absence of student from school or class that results in the student being deemed truant.
- b. “Truant” means a student who has accumulated five (5) absences within a twenty-day period.
- c. “Habitual Truant” means a student who has accumulated the equivalent of ten (10) or more unexcused absences within a school year.

- d. “Excused Absence” Student are allowed only ten (10) absences per semester per class. Illness, family vacations, hunting, fishing, weddings, commencement exercises, Dr’s appointments, interview, jobs, etc will count towards the 10-day maximum.
- e. “Unexcused Absence” means an absence from school or a class for which the student does not have an allowable excuse pursuant to the Compulsory School attendance Law. A student will only be allowed ten (10) unexcused absences within a school year. During a semester a student that has accumulated ten (10) absences will on the eleventh (11th) absence and any consequent absence, be considered unexcused.
- f. “Consecutive Absences” Any student who is absent from school for a period of ten (10) consecutive school days will be dropped from the rolls upon parental notification
- g. “Excused Pre-Planned Absences” The school will require prior approval for planned vacation/absences.

ABSENCE INTERVENTION: The following regulations will be enforced when student are absent for the below specified number of days during the school year.

- a. Three (3) Absences: Principal will contact the students parents/guardians.
- b. Six (6) Absences: Principal will send a District approved letter for six (6) absences to the parent/guardian. A parent/guardian meeting with school personnel may be required.
- c. Ten (10) Absences: The parent/guardian may be required to attend a meeting with the teacher and Principal to determine future action. A written record of this meeting will be retained in the student’s records.

CARRIZO MUNICIPAL SCHOOLS - BOARD POLICY

WE REMIND ALL PARENT THAT THEY WILL BE HELD RESPONSIBLE FOR THE COMPULSORY SCHOOL ATTENDANCE LAW OF NEW MEXICO.

ABSENTEE LIMITS: Student are allowed only ten(10) absences per semester per class. Illness, family vacations, hunting, fishing, weddings, commencement exercises, Dr's appointment, interviews, jobs, etc. will count towards the 10 day maximum. On the eleventh absence, the student will be placed on a no credit status unless extenuating circumstances exist such as hospitalization, contagious disease, or funeral of an immediate family member. NOTE: Court appearances must be verified by a subpoena or court document. Notes from parents will not be accepted after the student reaches the 10 day absentee limit. Days served in OSS will count towards the 10 day maximum. Sanctioned extra-curricular activity absences do not count towards the 10 day maximum.

NOTIFICATION TO PARENTS: When a student has three (3), six (6), and ten (10) days of absences, a letter will sent home to the parent identifying the dates of each absence and remind them that the student may lose course credit on the eleventh absence. When a student reaches nine days of absences, a conference will be held with the principal, parent and student. Days served in OSS will count towards the ten day absentee limit. If a student has been placed on no credit status from a specific class because of ten absences, he/she can attend that specific class but credit will not be received. The student must attend all other classes providing that they have not reached the ten-day limit. Student will not be allowed to enroll in a different class for the period in which they have reached their ten-day schedule changes will be made at the semester, only then can the student be readmitted to that class. Should a student reach ten consecutive day absences in all of their classes, then that student can be des-enrolled from school.

ACTIVITIES: Absences due to school sponsored activities or official religious holidays will not affect the ten (10) day absence limit.

LOSS OF CREDIT: On the eleventh absence a student has lost course credit. Once placed on "no credit status, student/parents can request a review before the attendance committee, consisting of the principal, counselor, and at least one staff member, to give evidence why denial of credit should not be imposed. The review committee will then vote by majority to deny or reinstate credit for the student. The committee will cause a written decision to be issued setting forth its findings regarding the student's absences, and the reasons justifying either the decision to deny credit or the decision permitting the credit to be retained, as the case may be. If the student misses any more days, the absences could result in denial of credit. Any absences not properly documented such as doctor's visit will be unexcused.

MAKING UP WORK: Students will be allowed to make up tests or homework for each day of excused absence except for days absent due to OSS (in the case of OSS, the committee reserves the right to deny or require that work be made up). A student

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

will be allowed one day for each day absent and work is to be turned in at the beginning of each class period. Example: Absent on Monday-The homework is not due until the beginning of class on Wednesday, unless advance notice of tests or homework was given by the teacher before the student was absent. Then the student must hand in homework or take the test on the first day back. **IT IS THE RESPONSIBILITY OF THE STUDENT TO CONTACT THE TEACHER FOR HIS/HER WORK AND RETURN THE COMPLETED WORK WITHIN THE PRESCRIBED PERIOD. ANY WORK NOT MADE UP WILL RESULT IN A GRADE OF "0".**

504.3 Excusing students for religious instruction.

A. Any student may, subject to the approval of the local School Board, be excused from school to participate in religious instruction for not more than one hour each school day with the written consent of his/her parents or guardian at a time period not in conflict with the academic program of the school. The local School Board and its employees shall not assume responsibility for the religious instructions or permit them to be conducted on school property.

504.4 The Carrizozo School Board recognizes and adopts, as part of this board policy, the regulations and stipulations provided for in the parent/student handbook, pursuant to student attendance. (See Parent/Student Handbook, adopted August 15, 1995)

505 DISMISSAL OF PUPILS

505.1 No school grade or class may be dismissed before the regular hour for dismissal except with the approval of the Superintendent or the delegated authority.

505.2 No teacher may permit any individual pupil to leave school prior to the regular hour of dismissal, except by permission from the principal.

505.3 No pupil may be permitted to leave school prior to the dismissal hour except at the request of, or in the company of anyone other than a school employee, police officer, court official, or parent/guardian unless expressed written permission from the parent/guardian has first been secured. If any police officer or court official requests dismissal of a pupil during school hours, parental permission shall be secured prior to the release. Warrants shall be honored without prior parental permission.

505.4 Students may be granted release time for religious instruction in accordance with New Mexico statutes.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

506 GRADUATION REQUIREMENTS

506.1 The following regulations and requirements apply to graduation, the assessment of credits, and the computation of grade point average (GPA) for Carrizozo High School:

A. Credits for Graduation:

1. All classes carry 1/2 credit per semester, except aides which are Pass/Fail with no credit. Only students, with prior teacher and principal approval will be allowed to be an aide for one period a day. Senior students will be given priority in the student aide positions.
2. Credits will be recorded on a semester basis and students may earn credit for work completed and passed each semester.
3. The following requirements for graduation apply to all students enrolled in school except where waived by the state superintendent:
 - a. Successfully complete: English - 4 units; Math - 3 units; Science - 3 units (one being a laboratory class) ; Social Studies - 3 units (to include Government/Economics, United States History/Geography, World History/Geography); Physical Education - 1 units; Drug/Health Education - 1/2 unit; Spanish I - 1 unit , Spanish II/Communication Skills - 1 unit ; **NM History 1/2 Computers-1/2 unit**; and 7 1/2 Elective units.
4. Pass the State Competency Exam.
5. As of 6-18-96, a minimum of twenty-five (25) credits is required for graduation.
6. Driver's Education does not count as Physical Education credit.

B. Notification of these requirements will be given to all ninth grade students and transfers when they file their four (4) year plan with the school guidance office.

506.3 Class length

A. All classes are for one year (1) in length, except those classes that are for make-up credit, or those classes only offered one semester each school year.

506.4 Carrizozo Municipal Schools full load requirement.

A. All high school students in grades 9-11 will be required to be enrolled in seven periods of approved course work each semester of high school.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

506.5 Grading Scale:

A. The grading scale for the Carrizozo Municipal Schools shall be as follows:

90 - 100 = A
80 - 89 = B
70 - 79 = C
60 - 69 = D
0 - 59 = F
S = Satisfactory
U = Unsatisfactory

506.6 Computation of grade point average.

A. All classes taken in High School count toward the computation of GPA and class standing except Student Assistant classes, which are a pass and fail grade.

B. Grade averages will be computed on the following point system:

A = 4 points	1 st 9 weeks	= 40% of grade
B = 3 points	2 nd 9 weeks	= 40% of grade
C = 2 points	Semester Exam	= 20% of grade
D = 1 points	Total Semester Grade = 100%	
F = 0 points		

C. Honors Classes consist of the following classes and will be computed on the following point system (Round off GPA to nearest tenth)

Advanced Math, Calculus, Environmental Science, Physics, Anatomy/Physiology, and Spanish III.

A = 5 points
B = 4 points
C = 3 points
D = 2 points
F = 0 points

D. Number of credits attained will determine the classification for high school students:

0-5 credits	Freshman
6-11 credits	Sophomore
12-17 credits	Junior
18+ credits	Senior

506.7 EARLY GRADUATION

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

A. The Board of Education, at its discretion may approve an early graduation request by a student if the following conditions are met:

1. As of 6-18-96, a minimum of twenty-five (25) credits is required for graduation.
2. The parents, or parents and student will petition the Board of Education for its consent of each correspondence course taken.
3. The student passes the New Mexico High School Competency Exam.

B. A student approved for early graduation will not be eligible for Valedictorian or Salutatorian.

506.8 CREDIT RECOVERY/CORRESPONDENCE COURSES

A. As with early graduation, students are allowed to apply only two (2) credits earned through credit recovery/correspondence courses toward graduation.

507 GRADUATION AND SENIOR END-OF-SCHOOL ACTIVITIES

507.1 Graduation Speaker

A. The Carrizozo Municipal Schools Board of Education shall review and approve, in the form of a motion, the speaker for graduation by at least the April school board meeting of each academic year.

507.2 Valedictorian and Salutatorian

A. The Carrizozo Municipal Schools Board of Education shall review and approve, in the form of a motion, the Valedictorian and the Salutatorian at the April board meeting each academic year.

B. In order to be eligible for the honor of Valedictorian or Salutatorian, transfer students must attend Carrizozo Municipal Schools for a minimum of two (2) years immediately preceding graduation and must maintain a GPA equal to or above the rest of the competition for the period that they attend Carrizozo Municipal Schools.

507.3 Grade point average and class rank

A. Grades to be considered for Valedictorian, Salutatorian and class rank shall be cumulative for grade levels nine (9) through eleven (11) and the first three (3) 9 week periods of grade twelve (12). The final cumulative grade point average to be used to determine Valedictorian /Salutatorian will be rounded to the nearest tenth. In the event of

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

a tie, numerical grades accrued by the students in honor classes will be averaged to determine the Valedictorian.

B. All classes taken in high school count toward the computation of GPA except student aide.

C. Classes that will be considered for class rank and Valedictorian/Salutatorian must be on appropriate grade level or above in their content, pacing and delivery.

507.4 Senior Trips

The Carrizozo Municipal Schools assume no responsibility for sponsoring senior trips.

508 HOMEWORK POLICY

508.1 Teachers may assign homework as appropriate to meet the needs of the students.

508.2 Teacher discretion is essential in determining the amount, type and relevancy of homework assigned.

508.3 Homework is not to be assigned as a form of punishment and/or "busy work".

509 HOMEWORK PROCEDURES

509.1 Teachers will provide sufficient instruction before assigning homework.

509.2 Homework will be assigned based on the age, maturity, and ability of the student(s).

509.3 Teachers will check homework for accuracy and completion of the assignment, and will return the paper(s) within a reasonable time to the student/parent.

510 TEXTBOOK POLICY

510.1 The Carrizozo Municipal School District will select and provide materials which best meet the needs of the students, using funds provided by the legislature.

510.2 Unless there are extenuating circumstances, textbooks will be adopted according to the current New Mexico State Department of Education Adoption Schedule.

510.3 In classes which use textbook sets of various titles rather than individual books, a complete class set will be provided for the class. Provision should be made to allow students to check out individual books when necessary.

CARRIZO MUNICIPAL SCHOOLS - BOARD POLICY

511 TEXTBOOK SELECTION PROCEDURES

- 511.1 Sample textbooks and program components are requested from major publishers of materials in designated subject areas.
- 511.2 The principal will designate chairpersons as necessary.
- 511.3 The principal and the chairperson(s) will develop criteria and provide evaluation forms to be used in the subject area(s) as needed.
- 511.4 The principal shall appoint committees that shall be composed of representatives from the school and the community.
- 511.5 Considering the recommendations of the committee and the principal, the principal will make recommendations to the Superintendent for final decision by the local Board of Education.
- 511.6 Parental involvement per Section 22-15-8, NMSA, 1978 "Written Notice" shall be given to parents and invite them to participate in the adoption process at the District level.
- 511.7 The district shall provide the materials for adoption for public perusal and inspection at the adoption meeting prior to submitting them to the school board for final approval.
- 511.8 A form shall be provided to all parents inspecting the materials to allow them to submit written comments about materials under consideration to the textbook selection committee and the school board.

512 JOINT-CUSTODY OR JOINT-PARENTING ARRANGEMENTS

- 512.1 Philosophy
 - A. It is estimated that by 1990, fifty percent of the school children will come from single-parent homes.
 - B. The number of children from single-parent families due to divorce are showing a steady increase as are the attendant problems with child custody and decisions relating to educational matters regarding the child(ren).
 - C. Parents are demanding of the school that their child(ren) not be allowed to see, speak or leave with the other parent. As a consequence school authorities are being asked to act in the capacity of interpreters and enforcers of divorce decrees or as intermediaries/arbitrators of domestic feuds.
 - D. The school's primary concern is the education of students and providing an atmosphere and environment conducive to such.

CARRIZO MUNICIPAL SCHOOLS - BOARD POLICY

E. The school(s) and its personnel should not be asked to referee conflicts between parents but it does have a responsibility to seek help for a child who may be suffering mental, emotional, or physical abuse because of such arrangements.

F. It is not unusual for the schools to be unduly criticized regarding the education provided children by the parent with whom the child(ren) does not reside (hereinafter referred to as the non-custodial parent) in order to strengthen their position to either gain more or exclusive access to the child(ren).

G. The New Mexico law has recently been amended to promote joint legal custody of the children of divorced parents and provides both the right and opportunity for the non-custodial parent to have a greater role and say in the education of his or her child(ren).

512.2 Intent

A. It is the intent of this policy to provide guidelines for administrators and other school employees in dealing with matters which may arise because of the joint legal custody statute.

1. These policies are subject to change or modification by the Board as the need may arise in order to address problems, conflicts, or changes in law.
2. The Superintendent or his designee shall have the responsibility of interpreting the policy to meet and satisfy the intent of the Board of Education in particular cases.

512.3 General Policy

A. Transportation: A duty of a bus driver is to know and be able to identify students who are authorized to ride his/her bus on a daily basis. Routes are established and funded by the State Department of Education based on the number and residence of students who ride a bus. The boarding point for a child shall be the closest loading and unloading point to the parent's residence with whom the child is residing at the time of registration, hereinafter referred to as the "custodial parent". This boarding arrangement shall continue for the school year unless custody of the child is changed by court decree and the District is so advised. Since routes and boarding points are established early in the school year, the District shall be afforded sufficient time to make changes in boarding points and provisions for riding a bus as may be necessary to provide for the safety and welfare of students already being transported on a route. It shall be the operating procedure of the District employees to transport the student to and from that point where the child boards the bus in the morning. Requests from any other adults or individuals to pick up or deliver the child at or to any other point shall be honored only if requested in writing each time and signed by the custodial parent. This request should be made well in advance; presented to the administration or bus driver before transportation services are provided.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

B. Access to Records: Both custodial and non-custodial parents shall have equal access to a student's records as provided by law.

C. Notifications: It shall be the obligation of the District to provide reports of progress, medical information, to include immunizations, disciplinary measures, requests for parent conferences, changes in programs or other correspondence, to only the custodial parent. It shall be the obligation of the custodial parent, not the District, to notify and apprise the non-custodial parent of all such reports and conferences. When requested, a non-custodial parent shall have the right to participate in parent-teacher-administrator conferences or have access to the information provided the custodial parent as part of such conferences. The District may, but shall not be required to, provide separate parent-teacher-administrator conferences for the non-custodial parent.

D. Changes in Program-Retentions: Changes in program retention requiring parental consent or concurrence shall be deemed accomplished if the consent is secured from the custodial parent. In the event that both parents with joint custody fail to agree on consenting or objecting, and where parental consent is required for consideration prior to the implementation of a change in program or retention, and when such changes are recommended by the School District, then the District may implement its own recommendation without such parental concurrence. It shall be the responsibility of the parents, through their divorce proceedings in court, to resolve the dispute in lieu of the District when there is disagreement.

The school may, when there is an impasse or disagreement between joint-custodial parents regarding the educational program, consider the child to be neglected and report the condition to the proper juvenile or social service authorities as provided by law.

E. Emergencies: In case of medical emergencies, the school shall follow the directions and instructions on the emergency information documentation to secure treatment or to provide notification to parents.

513 STUDENT RECORDS

513.1 The Board of Education of the Carrizozo Municipal Schools District #7, and required by the Family Educational Rights and Privacy Act of 1974, maintains records for students under and above the age of 18 in the following manner:

513.2 . The District maintains the following types of educational records directly related to students:

A. Academic records.

B. Attendance records.

CARRIZO MUNICIPAL SCHOOLS - BOARD POLICY

- C. Health records.
- D. Special Education records.
- E. Standardized Testing records.
- F. Personal Information records.

513.3 Access to student records is limited to:

- A. Parents of students under 18.
- B. Parents of students over 18 if such a student is a dependent as defined in the Internal Revenue Code.
- C. Students.
- D. Faculty and staff of this school district who have a legitimate educational interest.
- E. State and local officials to whom information is required to be reported.
- F. Certain testing organizations.
- G. Pursuant to subpoena or court order.
- H. To any other person with written consent of the parents of students under 18 or the student over 18.

513.4 This policy limits the right of access to student records to persons and under the circumstances indicated in 512.3 above. Some records, such as standardized test scores and other material of a technical nature, may only be reviewed with a person qualified to interpret or explain such material and records. If records contain information for more than one student, the right to inspect relates only to their portion of the records concerning the particular student in question. Copies of records shall be made available to persons entitled to copies at a cost of 15 cents per page.

513.5 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 and all information should not be released without prior consent. Directory information includes:

- A. Student's names.
- B. Address.
- C. Date and place of birth.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

D. Telephone number.

E. Field of study.

F. Participation in officially recognized activities and sports.

G. Weights and heights of members of athletic teams.

H. Degrees and awards received.

I. Dates of attendance.

J. Name of public or private school most recently attended by student.

513.6 This type of information will not be disclosed to private, profit-making entities other than employers, prospective employers, the news media, or government agencies. Disclosure will take place only under the above conditions.

513.7 Concerning release of further information, it should be noted that government investigative agencies as such, have no inherent legal right to access to student records. When additional information is requested, it should be released only on written authorization from the student. If such authorization is not given, the information should be released only on court order or subpoena. If a subpoena is served, the student whose record is being subpoenaed should be notified and the subpoena should be referred to the school legal counsel.

513.8 All permanent records of students attending Carrizozo Municipal Schools shall be maintained in locked, fire-resistant cabinets in a locked room.

513.9 A parent or student may request the school to refuse release of directory information. The request will be honored if submitted in writing, and is on file with the school on or before September 1 of a given school year. Each request will be honored for one year unless stated otherwise on the request. Forms for this request will be kept in the office of the Principal, and will be filed with the student's record immediately upon completion.

513.10 After graduation all materials in a student's file will be destroyed except for 1) grades, 2) standardized test scores, 3) attendance records.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

514 STUDENT DISCIPLINE

The Board recognizes the importance of discipline as a necessary ingredient in providing educational opportunity, basic welfare, and safety for all students. Emphasis shall be given to maintaining good discipline in the Carrizozo Municipal Schools, while recognizing that discipline involves much more than punishment. Attention shall be given first to prevention of discipline problems by providing a positive and healthy school climate, or by identifying and alleviating potential problem-causing situations. Students shall be taught the importance of responsibility as it relates to discipline, and how being responsible contributes to becoming a productive member of society.

514.1 PROHIBITED ACTS:

- A. Criminal or delinquent acts
- B. Disruptive conduct
- C. Refusal to cooperate with school personnel
- D. Refusal to identify self
- E. Willful interference with the educational process
- F. Inciting others to commit any prohibited act
- G. In any way damaging property (real or personal), which belongs to the School District, its employees, or other students.
- H. Hazing or fighting on school property.
- I. Use of vulgar or profane language.
- J. Possession on school premises of any instrument or article considered a weapon; possession of a weapon considered a "firearm" under the federal criminal code; possession of any other item or device which may be used as a weapon.
- K. Harassment of other students.
- L. The possession, transportation, sale, and /or use of alcoholic beverages, or any controlled substance.
- M. Entering school property while under the influence of alcohol, or a controlled substance.
- N. Unlawful trespass on school property.
- O. The use of tobacco on any school campus, or at school functions away from school property.

Incorporated herein are those acts defined and listed in SBE 81-3, Appendix A, Expanded Definitions. The above list is not meant to be all inclusive. Other prohibited acts may be added by the Board of Education and/or the administration.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

514.2 REGULATED ACTS

A. Use of Tobacco

Student's use of tobacco is prohibited at all campuses. This includes but is not limited to cigars, cigarettes, chewing tobacco and snuff.

B. Speech and Assembly

Obscenity, profanity, libel*, slander*, "Fighting" words or symbols, and personal attacks (whose very utterance tends to provoke an immediate breach of the peace) are prohibited in either oral or written form. Assemblies must not disrupt or interfere with the educational process or prevent others from access to their educational rights. Assemblies utilizing school buildings or grounds shall function as part of the educational process or as authorized by the principal.

1. *Libel - a statement or representation published without just cause and tending to expose another to public contempt; defamation of a person by written or representational means, the publication of blasphemous, treasonable, seditious, or obscene writing or pictures.
2. **Slander - the utterance in the presence of another person of a false statement damaging to a third person's character or reputation.

C. Distribution of Unofficial Publications

1. The distribution of unofficial newspapers, magazines, etc., by the students of Carrizozo Municipal Schools shall be treated as follows:
2. Requests for permission to distribute shall be made in writing and submitted to the principal who will grant or deny permission to distribute within five days after receiving the request. If permission is granted, specific times and places will be stipulated in the approval notice. Distribution of any material falling within the categories below shall be prohibited.
 - a. Subject matter that clearly threatens the educational process.
 - b. Subject matter that is likely to endanger the mental or physical well-being of students or other school personnel.
 - c. Subject matter that is obscene or suggests, recommends, or urges the commission of unlawful acts.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

- d. All printed matter distributed or circulated on school property shall bear the name of the sponsoring organization or individual.
- e. Written permission to distribute any item or copy of material is limited to that item or copy, and does not allow continuous distribution unless so stipulated in the approval notice.

D. Extra Curricular Activities

1. Students at school-sponsored, on campus- or off-campus, events shall be governed by School District rules and regulations and are subject to the authority of School District officials. Failure to obey the lawful instructions of School District officials may result in the loss of eligibility to attend school-sponsored events or suspension from school.
2. Senior Ditch Day: Prohibition of: Any action by students or staff which would encourage or promote a "skip" day is strictly prohibited. Participation in such by students, especially if it leads to careless use of vehicles and partying with abuse of alcohol and/or drugs, will be cause for long term suspension and could lead to expulsion.
 - a. All school staff shall be responsible for reporting any information they have about a planned "ditch" day. This shall be given to the appropriate enforcement agency.
 - b. The Carrizozo Schools shall have 180 full days of instruction.

514.3 DISCIPLINARY ACTIONS

A. Discipline of Students:

The teacher is in charge of the classroom and is expected to exercise sufficient authority and discipline so that the learning process for the group can proceed normally. Teachers should use only approved types of discipline and should use a variety of approaches in attempts to alleviate problems. Referral shall be made to the principal when the teacher has exhausted measures at his/her disposal for correcting the problem or when the problem is of a serious nature.

B. The principal shall determine when and if measures such as corporal punishment and/or suspension shall be used. If corporal punishment is administered, it shall be done according to the provisions outlined in section 514.8. No member of the classified staff may prescribe discipline measures except

CARRIZO MUNICIPAL SCHOOLS - BOARD POLICY

upon explicit authorization by a certified staff member. This shall not be interpreted to mean that members of the classified staff cannot correct or give direction to students in the execution of their duties.

C. Bringing a weapon, defined as a "firearm" under the federal criminal code, to any school property or facility will be cause for expulsion from school for a period of not less than one calendar year; exception may allow the Superintendent to modify such expulsion on a case-by-case basis.

D. All employees who refer students to the principal shall keep records of the incident and compile a file for each student referred.

E. The principal shall keep complete records of each discipline incident handled.

514.4 UNAPPROVED FORMS OF DISCIPLINE

A. Ridiculing and embarrassing students in the presence of others.

B. Slapping, pinching, pulling hair or clothing and ears of students.

C. Lowering earned grades as a disciplinary measure.

D. Cursing at, or in the presence of, students.

E. The assignment of extra work, exercises, and/or activities as punishment which are a normal part of the school program. (Example: A teacher might assign 20 additional math problems, or a coach might assign laps around the gym as punishment, thus creating the attitude that math and laps are undesirable activities.)

F. Punishing the entire class or group for the misbehavior of one or a few.

G. Punishing students for wanting to go to the restroom, unless abuse of this necessity is indisputably proven and after health concerns have been checked.

H. Punishment which is arbitrary, capricious or cruel or unusual.

514.5 APPROVED FORMS OF DISCIPLINE

A. Providing adequate, purposeful classroom learning activities.

B. Maintaining a healthy school climate.

C. Involving students and parents in school activities.

D. Student participation in rule-making, clubs, extra-curricular activities.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

- E. Finding ways to insure student success, recognition of the success, and general approaches which recognize the value of the individual and build a good self-concept.
- F. Informing parents of positive accomplishments.
- G. All school personnel maintaining visibility with students and being involved in school activities.
- H. Advising students what the rules are and the consequences for breaking them.
- I. Stressing responsibility and basic values to students in all settings.
- J. Providing, as adults and educators, a good role model for students.
- K. Counseling student.
- L. Warning student.
- M. Removal from classroom.
- N. Isolation.
- O. Referral to others for help.
- P. Referring to administrative authority.
- Q. In-school suspension.
- R. Restitution.
- S. Cleaning building and/or campus.
- T. Loss of certain privileges.
- U. Keeping after school. (Provided that parents have been notified and transportation matters have been arranged.)
- V. Corporal punishment.
- W. Suspension from school.
- X. Expulsion.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

These forms of discipline are not intended to be in sequential order all inclusive. Disciplinary measures used will be on an individual basis best suited for the situation.

514.6 DETENTION, SUSPENSION AND EXPULSION

The Carrizozo Municipal Schools' Board of Education maintains that the right to a public education is not absolute: it may be taken away, temporarily or permanently, for violations of school rules. When this right is limited or taken away by detention, suspension, or expulsion, the student shall be afforded due process of law.

514.7 MINIMAL PROCEDURAL SAFEGUARDS

The procedures in this section apply only to disciplinary detentions, suspensions and expulsions. They do not apply to dis-enrollment of students who fail to meet immunization, age, residence or other requirements for valid enrollment (see SBE Regulation 76-17 for those procedures), not to the removal from school membership reports of students who have been absent from school for ten consecutive days (see Section 22-8-2B, NMSA 1978).

A. Definitions:

1. Immediate Removal. "Immediate removal" means the removal of a student from school for one school day or less under emergency conditions and without prior hearing.
2. Students whose presence poses a continuing danger to persons or property or an ongoing threat of interfering with the educational process may be immediately removed from school, subject to the following rules:
 - a. A rudimentary hearing, as required for temporary suspension, shall follow as soon as possible.
 - b. Students shall be reinstated after no more than one school day unless within that time a temporary suspension is also imposed after the required rudimentary hearing. In such circumstances, a simple hearing will support both the immediate removal and temporary suspension imposed in connection with the same incident(s).
 - c. The school shall exert reasonable efforts to inform the student's parent of the charges against the student and the action taken as soon as practicable. If the school has not communicated with the parent by telephone or in person by the end of the school day following the immediate removal, the school shall on that day mail

CARRIZO MUNICIPAL SCHOOLS - BOARD POLICY

a written notice with the required information to the parent's address of record.

3. Temporary Suspension. "Temporary suspension" means the removal of a student from school for a specified period of 10 school days or less after a rudimentary hearing conducted in accordance with the requirements below:

A student facing temporary suspension shall first be informed of the charges against him/her and, if he/she denies them, shall be told what evidence supports the charge(s) and be given an opportunity to present his/her version of the facts. The following rules apply:

- a. The "hearing" may be an informal discussion and may follow immediately after the "notice" of the charges is given.
- b. Unless the administrative authority decides a delay is essential to permit a fuller exploration of the facts, this discussion may take place and a temporary suspension may be imposed within minutes after the alleged misconduct has occurred.
- c. A student who denies a charge of misconduct shall be told what act(s) he/she is accused of committing, shall be given an explanation of the evidence supporting the accusation(s) and shall then be given the opportunity to explain his/her version of the facts. The administrative authority is not required to divulge the identity of informants, although he/she should not withhold such information without good cause. He/she is required to disclose the substance of all evidence on which he/she proposes to base a decision in the matter.
- d. The administrative authority is not required to allow the student to secure counsel, to confront or cross-examine witnesses supporting the charge(s) or to call witnesses to verify the student's version of the incident, but none of these is prohibited.
- e. The school shall exert reasonable efforts to inform the student's parent of the charges against the student and the possible or actual consequences as soon as practicable. If the school has not communicated with the parent by telephone or in person by the end of the first full day of suspension, the school shall on that day mail a written notice with required information to the parent's address of record.

4. In-School Suspension. "In-school suspension" means suspending a student from one or more regular classes while requiring the student to spend the time in a designated area at the same school or elsewhere.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

a. In-school suspension may be imposed with or without further restriction of student privileges. Any student who is placed in an in-school suspension which exceeds 10 school days must be provided with an instructional program that meets both local educational requirements and the Educational Standards for New Mexico Schools. Students' privileges, however, may be restricted for longer than 10 school days.

b. In-school suspensions of any length shall be accomplished according to the procedures for a temporary suspension as outlined above.

5. Detention. "Detention" means requiring a student to remain inside or otherwise restricting his/her liberty at times when other students are free for recess or to leave school. Detention may be imposed in connection with in-school suspension, but is distinct from in-school suspension in that it does not entail removing the student from any of his/her regular classes.

a. The authority of the Carrizozo Municipal Schools to supervise and control the conduct of students includes the authority to impose reasonable periods of detention during the day or outside normal school hours as a disciplinary measure. No detained student shall be denied an opportunity to eat lunch or reasonable opportunities to go to the restrooms.

b. Reasonable periods of detention may be imposed in accordance with the procedures for temporary suspension.

6. Long-term Suspension. "Long-term suspension" means the removal of a student from school for a specified time exceeding 10 school days. The suspension shall not extend past the current school semester. If the suspension takes place within the last 10 days of a semester, attention shall be given during the formal hearing to the question of whether the student shall be given an opportunity to take final tests and receive credit for course work during that semester. Decision to either allow or disallow taking final tests shall be based on the merits of each individual case.

7. Expulsion. "Expulsion" means the removal of a student from school either permanently or for the remainder of the school year.

a. A decision to expel or not to expel shall be made by the Carrizozo Municipal Schools Board of Education, based on the recommendation of the Superintendent and/or a formal hearing.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

b. A temporary suspension may be imposed while procedures for long-term suspension or expulsion are activated. However, when a decision following the required formal hearing is delayed beyond the end of the temporary suspension, the student must be returned to school pending the final outcome unless the provisions of subsections 6 or 7 below apply.

c. A student who has been validly expelled or suspended is not entitled to receive any educational services from the district during the period of the exclusion from school. The board may provide alternative arrangements, including correspondence courses for college courses at the student's or parent's expense pursuant to State Board of Education Regulation No. 77-8.

8. The following rules shall govern the imposition of long-term suspension or expulsion:

a. Definitions:

(1). Hearing Authority: Disciplinarian - "Hearing authority" means a person or group designated to hear evidence and determine the facts of a case at the required formal hearing. "Disciplinarian" means a person or group authorized to impose punishment after the facts have been determined by a hearing authority. The same person or group may, but need not, perform both functions. When the functions are divided, the hearing authority's determination of the facts is conclusive on the disciplinarian, but the disciplinarian may reject any punishment recommended by the hearing authority.

(2). Review Authority. The "review authority" is a person or group authorized to review a disciplinarian's final decision to impose a long-term suspension or expulsion. The review authority shall have discretion to modify or overrule the disciplinarian's decision, including imposing a harsher punishment. The review authority shall be bound by a hearing authority's factual determination except as provided in subsection 11 below.

9. Disqualification. No person shall act as hearing authority, disciplinarian, or review authority in a case in which he/she was directly involved in or witnessed the incident(s) in question, or if he/she has prejudged disputed facts or is biased for or against any person who will actively participate in the proceedings.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

10. Local Board Participation. The Carrizozo Municipal School Board of Education will act as a review authority for long term suspension only for cases where all other appeals for review have been exhausted. Ordinarily, the Board will act as the hearing authority and disciplinarian in case of expulsion. However, the superintendent is authorized to expel students from Carrizozo Municipal Schools, and may do so if the Board chooses not to hear the case.

11. Initiation of Procedures. The Principal shall initiate procedures for long-term suspension or expulsion of a student by designating a hearing authority and disciplinarian, scheduling a formal hearing in consultation with the hearing authority and preparing and serving a written notice, meeting the requirements of "C" below.

a. Service of Notice. The written notice shall be addressed to the student, through his/her parent(s) personally or by mail.

b. Timing of Hearing. The hearing shall be scheduled no sooner than five (5) nor later than ten (10) school days from the date of receipt of the notice by the parent(s). The hearing authority may grant or deny a request to delay the hearing in accordance with the provisions of subsection (5) below.

c. Contents of Notice. The written notice must contain all of the following information, parts of which may be covered by appropriate references to copies of any policies or regulations furnished with the notice:

(1) the school rule(s) alleged to have been violated, a concise statement of the alleged act(s) of the student on which the charge(s) are based and a statement of the penalty:

(2) the date, time and place of the hearing, and a statement that both the student and parent are entitled and urged to be present:

(3) a clear statement that the hearing will take place as scheduled unless the hearing authority grants a delay or the student and parent agree to waive the hearing and comply voluntarily with the proposed disciplinary action or with a negotiated penalty, and a clear and conspicuous warning that a failure to appear will not delay the hearing and may lead to the imposition of the proposed penalty by default:

(4) a statement that the student has the right to be represented at the hearing by legal counsel, a parent, or some

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

other representative designated in a written notice filed at least 72 hours before the hearing with the contact person named pursuant to (6) below:

(5) a description of the procedures governing the hearing:

(6) the name, business address and telephone number of a contact person through whom the student, parent or designated representative may request a delay or seek further information, including access to any documentary evidence or exhibits which the schools propose to introduce at the hearing; and

(7) any other information, materials, or instruction deemed appropriate by the administrative authority who prepares the notice.

12. Delay of Hearing. The hearing authority shall have discretion to grant or deny a request by the student or the appropriate administrative authority to postpone the hearing.

13. Student's Status Pending Hearing. When a student has been suspended temporarily and a formal hearing on long-term suspension or expulsion will not occur until after the temporary suspension has expired, the student shall be returned to school at the end of the temporary suspension unless:

- a. The provision to subsection 7 below apply, or
- b. The student and parent(s) have knowingly and voluntarily waived the student's right to return to school pending the outcome of the formal proceedings.

14. Waiver of Hearing Voluntary Compliance or Negotiated Penalty. A student and his/her parent(s) may elect to waive the formal hearing and review procedures and comply voluntarily with the proposed penalty, or may waive the hearing and review and negotiate a mutually acceptable penalty with the designated disciplinarian. Such a waiver and compliance agreement shall be made voluntarily, with knowledge of the rights being relinquished, and shall be evidenced by a written document signed by the student, parent(s), the hearing authority and the disciplinarian.

15. Procedure for Hearing and Decision. The formal hearing is not a trial. It is an administrative hearing designed to ensure a calm, orderly determination by an impartial hearing authority of the facts of a case of alleged serious misconduct.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

16. Technical rules of evidence and procedure do not apply. The following rules govern the conduct of the hearing and the ultimate decision:

- a. The school shall have the burden of proof of misconduct;
- b. The student and his/her parent(s) shall have the following rights:
 - (1) the right to be represented by legal counsel or other designated representative;
 - (2) the right to present evidence, subject to reasonable requirements of substantiation at the discretion of the hearing authority and subject to exclusion of evidence deemed irrelevant or redundant;
 - (3) the right to confront and cross-examine adverse witnesses, subject to limitations regarding the protection of witnesses that require anonymity.
 - (4) the right to have a decision based solely on the evidence presented at the hearing and the applicable legal rules, including the governing rules of student conduct.
- c. The hearing authority shall determine whether the alleged act(s) of misconduct have been proved by a preponderance of the evidence presented at a hearing at which the student and/or a designated representative have appeared.
- d. If no one has appeared on the student's behalf within a reasonable time after the announced time for the hearing, the hearing authority shall determine whether the student, through the parent, received notice of the hearing. If so, the hearing authority shall review the schools' evidence to determine whether it is sufficient to support the charge(s) of misconduct.
- e. A hearing authority who is also a disciplinarian shall impose an appropriate sanction if he/she finds that the allegations of misconduct have been proven under the standards of either (c) or (d), promptly after the hearing.
- f. Arrangements to make a tape recording or keep minutes of the proceeding shall be made by the administrative authority who scheduled the hearing and prepared the written notice. A verbatim written transcript is not required, but any minutes or other written record shall fairly reflect the substance of the evidence presented.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

g. The hearing authority may announce a decision on the question of whether the allegation(s) of misconduct have been proven at the close of the hearing. A hearing authority who is also a disciplinarian may also impose a penalty at the close of the hearing.

h. In any event, the hearing authority shall prepare and mail or deliver to the student, through the parent, a written decision within five working days after the hearing. The decision shall include a concise summary of the evidence upon which the hearing authority based its factual determinations. A hearing authority who is also a disciplinarian shall include in the report a statement of the penalty, if any, to be imposed, and shall state reasons for the chosen penalty. A hearing authority who is not a disciplinarian shall forward a copy of his/her written decision to the disciplinarian forthwith. The disciplinarian shall prepare a written decision, including reasons for choosing any penalty imposed, and mail or deliver it to the student, through the parent, within five working days of receipt of the hearing authority's report.

i. A disciplinarian who is not a hearing authority may observe but not participate in the proceedings at a formal hearing. If the disciplinarian has done so and if the hearing authority announces a decision at the close of the hearing, the disciplinarian may also announce his/her decision at that time.

j. The Disciplinarian's decision shall take effect immediately upon initial notification to the parent, either at the close of the hearing or upon receipt of the written decision. If initial notification is by mail, the parent shall be presumed to have received the notice on the fifth calendar day after the date of mailing unless a receipt for certified mail, if used, indicates a different date of receipt.

k. Effects of Decision. If the hearing authority decides that no allegation(s) of misconduct have been proved, or if the disciplinarian declines to impose a penalty despite a finding that an act or acts of misconduct have been proven, the matter shall be closed. If the disciplinarian imposes any sanction on the student, the decision shall take effect immediately upon notification to the parent and shall continue in force during any subsequent review.

17. Right to Review. Unless the school board was the disciplinarian, a student aggrieved by a disciplinarian's decision after a formal hearing shall have the right to have the decision reviewed if the penalty imposed was at least as severe as a long-term suspension or expulsion, and in-school suspension exceeding one school semester or a denial or restriction of

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

student privileges for one semester or longer. If the Board serves as disciplinarian, its requests for a review shall be made in writing and submitted to the school principal or superintendent within five (5) days. The superintendent or his designee(s) shall review decisions for long-term suspensions made by the principal. The school board shall be the next and final review authority for cases when the aggrieved is not satisfied with the decision of the superintendent or his designee(s).

18. **Conduct of Review.** A review authority shall have discretion to modify the disciplinarian's decision, including imposing a harsher punishment or any lesser sanction deemed appropriate. A review authority shall be bound by the hearing authority's factual determinations unless the student persuades the review authority that a finding of fact was arbitrary, capricious or unsupported by substantial evidence or that new evidence which has come to light since the hearing and which could not with reasonable diligence have been discovered in time for the hearing would manifestly change the factual determination. Upon any such finding, the review authority shall have discretion to receive new evidence, reconsider evidence introduced at the hearing or conduct a de novo hearing. In the absence of any such finding, the review shall be limited to an inquiry into the appropriateness of the penalty imposed.

19. **Form of Review.** The review authority shall have discretion to conduct a review on the written record of the hearing and decisions in the case, to limit new submissions by the aggrieved student and school authorities to written materials and/or to grant a conference or hearing at which the student and school authorities may present their respective views in person. If a conference or hearing is granted, the record-keeping requirements of subsection 8.f above apply.

20. **Timing of Review.** Except in extraordinary circumstances, a review shall be concluded no later than 15 working days after a student's written request for review is received by the appropriate administrative authority.

21. **Decision.** The review authority may announce a decision at the close of any conference or hearing held on review. In any event, the review authority shall prepare a written decision, including concise reasons, and mail or deliver it to the disciplinarian, the hearing authority, and the student, through the parent, within 10 working days after the review is concluded.

22. **Effect of Decision.** The review authority's decision shall be the final administrative action to which a student is entitled.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

514.8 Corporal Punishment Policy.

A. Legal Permissibility:

1. The United States Supreme Court in the case of *Ingraham versus Wright*, 430 U.S. 651 (1977) established the fact that corporal punishment is legally permissible for use in the public schools.
2. New Mexico State Law, in the 1978 update maintained the fact that corporal punishment is legally permissible in the public schools (Sec.22-5-4.3 B.) "Each school district discipline policy shall establish rules of conduct governing areas of student and school activity, detail specific prohibited acts and activities and enumerate possible disciplinary sanctions, which sanctions may include corporal punishment, in-school suspension, school service, suspension or expulsion."

B. Subject to the terms of this policy, corporal punishment is authorized as a disciplinary tool in the Carrizozo Municipal Schools.

1. If corporal punishment is administered, it shall be done in private and shall be administered by the principal or superintendent. At least one witness, who is not involved in the event necessitating corporal punishment, shall be present when corporal punishment is administered.
2. Nothing herein is intended to prevent staff from touching children to guide or move them or get their attention, from using reasonable force for self-protection, to restrain a child who exhibits actual or potential violence or disruption, or otherwise to maintain discipline, or for any other legitimate purpose, providing such force is not used for the purpose of punishment.
3. The authorized staff person may elect to administer corporal punishment for any prohibited activity or violation of school rules or policies.
4. If a disciplinarian deems it otherwise appropriate, corporal punishment may be elected for all infractions, including first-time infractions.
5. Corporal punishment should be administered to a special education student, only if permitted by the child's individual education plan (IEP) and pursuant to the terms of the IEP.
6. Corporal punishment may only be administered with a wooden paddle which is smoothly sanded and has no cracks or holes and which is approximately 24 inches in length, 4 inches in width and is not more than one-half (1/2) inch in thickness.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

7. Prior to determining that corporal punishment should be administered, the disciplinarian should conduct an informal give-and-take with the child which permits the child to tell his side of the story. The disciplinarian may interview other persons or conduct additional investigation if he believes the circumstances warrant it, but is not required to do so.

8. Corporal punishment may be administered in any case where the disciplinarian believes it would be effective and appropriate as a disciplinary tool for that child and reasonably believes that the child is physically and emotionally able to withstand reasonable corporal punishment. The fact that other forms of punishment might also be effective and appropriate in a particular situation does not make the choice of corporal punishment unreasonable.

9. Corporal punishment will only be administered to the region of the buttocks.

10. Before administering corporal punishment for a particular incident, the disciplinarian shall make reasonable effort to contact a child's parent or legal guardian to obtain their concurrence in the administration of corporal punishment. Where a parent or guardian cannot be contacted and circumstances dictate it, the disciplinarian may proceed to administer corporal punishment.

11. At the beginning of the school year a form will be sent home to parents by which they can elect to veto the application of corporal punishment to their child. That veto will be in force for the school year in which the form is received. It shall be the duty of the parent to make sure that the form is delivered to the office of the principal of the school in which the child is enrolled.

12. It is the responsibility of the parent or legal guardian, who has elected to veto corporal punishment as a method to discipline, to meet with the principal immediately, when notified, to discuss the discipline situation and to help negotiate a reasonable, effective and mutually agreed upon alternative to corporal punishment.

514.9 THREATS OF VIOLENCE BY STUDENTS

The Board finds that threats of violence are disruptive of, and incompatible with, the maintenance of an appropriate educational atmosphere in schools. Particularly in view of the many incidents of actual school violence around the nation in recent years, such threats cannot be ignored as harmless talk. The Board therefore adopts this policy in regard to threats of violence by students.

CARRIZO MUNICIPAL SCHOOLS - BOARD POLICY

1. Threats of violence toward other students, school staff members, or school facilities generally are prohibited and may result in suspension or expulsion, regardless of whether the student has engaged in such conduct previously.
2. All employees and students are required to report evidence of threats of violence to their building principal, or to the Superintendent. Such reports shall be investigated by the building principal or his/her designee.
3. All such reports shall be documented by the Superintendent or his/her designee, and, in regard to any that are regarded as not sufficiently credible to warrant investigation, all reasons and bases for such conclusion shall be stated in the documentation.
4. In cases of threats that may constitute a violation of the criminal law, the Superintendent shall notify law enforcement authorities.
5. Regular education students who are charged with violations of this policy shall be placed on short-term suspension pending investigation of the charge. Those found through a due process hearing to have violated this policy shall be subject to discipline, including long-term suspension (temporary or indefinite removal from school) or expulsion (permanent removal from school).
6. As a condition or conditions of a student's return to school from short-term or long-term suspension for a violation of this policy, the Superintendent or his/her designee shall consider, and may impose, the following, individually or in any combination, as well as other conditions deemed necessary or appropriate:
 - a. That the parent of such student shall provide a documented opinion by a licensed professional that the student does not represent a threat of harm to himself/herself or to others, and, for a period to be determined by the Superintendent or his/her designee, that the parents provide regular documented updates of such opinion;
 - b. That the parent of such student agree that, for a period to be determined by the Superintendent or his/her designee, a parent shall check the student for weapons at home, and shall accompany the student to the school office upon arrival at school at the beginning of each school day, at which time the student shall be searched for weapons or other contraband by school personnel;

CARRIZO MUNICIPAL SCHOOLS - BOARD POLICY

- c. That the parent of such student agree that, for a period to be determined by the Superintendent of his/her designee, the student shall be prohibited from leaving campus during the school day, and that during any non-class time, the student shall remain in a monitored, segregated environment;
 - d. That the parent of such student agree that, for a period to be determined by the Superintendent or his/her designee, the student shall be transported home from school by the parent at the end of the school day;
 - e. That the parent agree that, for a period to be determined by the Superintendent or his/her designee, the student shall not be permitted to participate in any extracurricular activities, or school functions except classroom instruction during the school day; and
 - f. That the parent agree that, for a period to be determined by the Superintendent or his/her designee, the student will not be permitted to enter or be present on school premises except during the regular school day, and that the parent will enforce such prohibition by appropriate means.
7. In permitting a student to return to school from a short-term or long-term suspension, conditions imposed by the Superintendent or his/her designee, including those set forth in paragraph 6, shall be incorporated into a written agreement to be signed by the parents or parent of the student in question.
8. In permitting a student to return to school from a short-term or long-term suspension, the Superintendent or his/her designee, shall document the reasons and bases for permitting such return, and such documentation shall include reasons and bases for imposing or not imposing the conditions set forth in paragraph 6.
9. Similar problems with special education students shall be addressed under the specific procedures applicable to special education students according to state and federal law.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

515 SEARCHES AND SEIZURES

The Board of Education, in recognition of the necessity of conducting searches and seizures from time to time in order to enforce school policies, adopts the following policy regarding searches and seizures.

I. Definition: As used in this policy "contraband" means any substance, material or object prohibited from school pursuant to school policy or state or federal law, including drugs, alcohol, fireworks, or weapons.

II. Rules Regarding Searches and Seizures: The District reserves the right to search persons, personal effects, and vehicles as follows:

A. A pat-down search of a person may be conducted on the basis of a reasonable, individualized suspicion that such person is in possession of contraband. Any such search shall be conducted in private by an authorized school official of the same sex as the person to be searched and in the presence of a witness of the same sex. Strip searches are not permitted.

B. Lockers, desks, and similar storage facilities are school property and remain at all times under the control of the school; however, persons using such facilities are expected to assume full responsibility for the security of their lockers and desks and similar facilities. Periodic general inspections of lockers, desks and similar facilities may be conducted by school officials for any reason, at any time, without notice and without consent.

C. Persons are permitted to park on school premises as a matter of privilege, not of right. The district retains the authority to conduct routine patrols of schools parking lots and inspections of the exteriors of automobiles on school property. Such patrols and inspections may be conducted without notice and without consent. The interiors of vehicles on school property may be inspected whenever a school official has a reasonable suspicion that contraband is within such a vehicle.

D. In any of the foregoing enforcement actions, the administration is authorized to use dogs whose reliability and accuracy for sniffing and detecting contraband has been established. The dogs will be accompanied by a qualified and authorized dog trainer-handler who will be responsible for the dog's actions. Any indication by the dog that an illegal or unauthorized substance or object is present on school property or in a vehicle on school property shall be reasonable cause for a search by school officials.

CARRIZO MUNICIPAL SCHOOLS - BOARD POLICY

516 DEFINITION OF STUDENT STATUS: ELEMENTARY

516.1 Elementary School will be composed of:

- A. Developmentally Delayed 3 and 4 year olds.
- B. Grades K, 1, 2, 3 and 4.

516.2 Students are admitted to the various elementary grades as follows:

- A. Developmentally delayed three or four year old: Students who have met the developmentally delayed criterion and are recommended for placement by the E.A.& R. Committee for the D.D.S. program and that are three (3) years of age by 12:01 on September 1 and not more than four (4) years old by 12:01 on September 1st.
- B. Kindergarten: Birth certificate and/or baptismal record.
- C. Grades 1-4: Evidence of successful completion of preceding level of achievement.
- D. If a child did not successfully complete the preceding level of achievement, a conference will be held between the principal, the teacher, and parent(s)/guardian to determine placement of the child.

516.3 Entrance Requirements:

- A. Preschoolers, alluded to above as three (3) and four (4) year old students and being defined in Section 22-13-5, NMSA 1978, Amend., as at risk of being developmentally disabled shall also be developmentally disabled for purposes of public school early childhood services. A determination of impairment(s) shall not be based on behaviors relating to cultural or linguistic differences.
- B. Kindergarten: Must be five (5) years of age prior to 12:01 a.m. on September 1 of the current school year.
- C. Grade One: Must be six (6) years of age prior to 12:01 a.m. on September 1 of the current school year.
- D. Grades D.D.S.-12: Immunizations must be completed prior to school entrance.

CARRIZO MUNICIPAL SCHOOLS - BOARD POLICY

517 DEFINITION OF STUDENT STATUS: JUNIOR HIGH SCHOOL

517.1 Junior High School will be composed of:

- A. The Junior High consists of grades 5, 6, 7 and 8.
- B. To be admitted to Junior High a child must have successfully completed grade 4 or be placed on the basis of age, testing, or other evidence that the child will profit more by attending middle school than elementary school.
- C. Promotion from one class to another is based on successful completion of courses.

518 DEFINITION OF STUDENT STATUS: HIGH SCHOOL

518.1 High School will be composed of:

- A. Grades 9, 10, 11, and 12.
- B. To be admitted to high school, the child must have successfully completed grade eight, or be placed by the principal on the basis of age, testing, or other evidence that the child will profit more by attending high school than the middle school.
- C. Promotions from one class to another is based on the number of units earned.

519 RESPONSIBILITY FOR MATERIALS AND EQUIPMENT

519.1 Students are responsible for the proper care of all instructional materials and/or equipment. An appropriate assessment shall be made against students for the loss or damage of textbooks and/or other materials.

520 PROCEDURE FOR REPORTING OF RAPE CASES

520.1 Defined as criminal sexual penetration. When a student reports that she/he has been raped, the incident shall be reported to the parents/or guardians, the police, and Human Services.

- A. Reporting to the police is required because a felony has been committed and they are charged with conducting the investigation. Reporting to the police shall be done regardless of whether the incident took place within or outside the school boundaries or school sponsored activities.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

B. Reporting to Human Services is done in order to provide for emotional support to the victim.

C. Reporting to the parents shall be done in order to fulfill what is perceived as a moral obligation satisfying the concept of in "loco parentis".

D. Rape cases involving emancipated students 18 years old and over, shall be handled as per the wishes of the victim, but the victim shall be encouraged to contact and inform the parents, the police, and the proper agency for emotional support.

521 REMEDIATION PROGRAMS -- PROMOTIONAL POLICIES -- EXCEPTION

- 521.1 Pursuant to SBE policy, the Carrizozo Municipal Schools have developed remediation programs to provide special instructional assistance to students in grades one through eight who fail to master essential competencies. The scope and extent of the program is covered in the district's Remediation Plan, which has been filed with the state board. The cost of school district-approved remediation programs shall be borne by the district.
- 521.2 The cost of summer and after-school remediation programs offered in grades nine through twelve shall be borne by the parent or guardian; however, where parents are determined to be indigent according to guidelines established by the state board of education, the local board shall bear the cost.
- 521.3 Diagnosis of weaknesses identified by the reading assessment instrument administered pursuant to Section 22-2-8.5 NMSA 1978 shall serve as a criterion in assessing the need for programs or retention.
- 521.4 At the end of grades one through eight, there are three options available dependent on a student's mastery of essential competencies:
- A. The student has mastered the essential competencies and shall enter the next higher grade;
 - B. The student has not mastered the essential competencies and may participate in remediation. Upon certification by the school district that the student has successfully mastered his (her) areas of deficiency, he (she) shall enter the next higher grade; or
 - C. The student has not mastered the essential competencies and upon the recommendation of the certified school instructor and school principal shall be retained in the same grade for no more than one school year in order to have an additional opportunity to master the essential competencies, at which time the student shall enter the next higher grade.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

- 521.5 Any student who has participated in remediation programs pursuant to 521.4C of this section and for whom retention is recommended shall be afforded an opportunity for a parent-teacher conference for the purpose of out-lining the options available for the student and explain the grounds for the recommendation of retention. A parent or guardian who refuses to allow his (her) child to be retained shall sign a waiver indicating that the child's promotion is against the specific advice and recommendation of the certified school instructor and the school principal.
- 521.6 Any student who fails to master the essential competencies for two successive school years shall be referred to an alternative program designed by the school district. Alternative program plans shall be filed with the state board.

521.7 The provisions of the section shall take effect beginning the 1989-90 school

522 STUDENT ACCIDENTS AND SUDDEN ILLNESS

- 522.1 The parent/guardian should be notified immediately. The child should be under the direct care of a principal, nurse or teacher until parent/guardian arrives, or proper and reasonable medical care can be given.
- 522.2 Treatment and after-care of the illness or injury are the responsibility of the family and the family physician.
- 522.3 The Carrizozo Municipal Schools will not assume financial responsibility for any medical costs connected with illness or accident of the student.

523 PROCEDURE IN THE EVENT OF ACCIDENT OR SUDDEN ILLNESS AT SCHOOL.

- 523.1 The Principal is responsible to see that each student has a Medical Authorization Card, signed by their parent/guardian, on file at school.
- 523.2 School officials under certain conditions may authorize emergency treatment to a student in their role in loco parentis.
- 523.3 Teachers are responsible for notifying the principal of a student's accident or illness.
- 523.4 The principal is responsible for seeing that the parent/guardian is notified. In grave emergencies the principal or nurse is authorized to take the student directly to the doctor or hospital while efforts are being made to locate parent/guardian and/or emergency contact person.

CARRIZO MUNICIPAL SCHOOLS - BOARD POLICY

- 523.5 A student will not be sent or transported home unless parent/guardian has been notified.
- 523.6 The school nurse shall be called and his/her advice solicited in all serious cases when time allows.
- 523.7 If, in the best judgment of the principal and/or nurse, the student should not be moved by school officials, the principal is authorized to call an ambulance to transport the student to the hospital.
- 523.8 In the event of an accident, the principal is responsible to see that an accident report is submitted to the Superintendent with complete details.

524 PLACEMENT AND/OR CREDIT OF STUDENTS FROM NON-ACCREDITED SCHOOLS.

- 524.1 Placement of students in a particular grade level from non-accredited schools will be based on the competency of students by:
- A. Testing by the counselor or teacher in specific subjects.
 - B. Conference between principal-teacher.
 - C. Conference between principal-counselor.
 - D. Consideration of age and maturity of student.
- 524.2 The student may be placed in a class on a trial basis for evaluation.
- 524.3 The final placement of a student will be made by the principal based upon the best information available to him.

525 STUDENT ACCIDENT INSURANCE

- 525.1 Group accident insurance will be made available to students at the beginning of each school year. For students participating in interscholastic sports, participation in a school authorized insurance program or insurance carried by the parents will be required. Proof of insurance will be necessary prior to entry into the sports program.

526 PRIOR NOTICE OF POTENTIAL INJURY OF PARTICIPANTS

- 526.1 All students participating in athletics, both regular programs and intramurals, shall be given notice of potential injury. A properly signed consent form shall be required for each student.

CARRIZO MUNICIPAL SCHOOLS - BOARD POLICY

527 CLUBS AND ORGANIZATIONS

- 527.1 Student clubs and organizations are an integral part of the educational process and the Board encourages all students to participate in activities and athletics.
- 527.2 All clubs and organizations must be approved by the principal and must have sponsors.
- 527.3 All clubs and organizations raising funds or soliciting donations will account for those funds in the procedure as prescribed by the SDE, Manual of Procedure.
- 527.4 All funds given to an individual coach or sponsor will be receipted and deposited in the proper prescribed manner. Donated funds will be used by the club or team for which the donation was made.

528 STUDENTS LEAVING CAMPUS

- 528.1 Off-campus passes are available in the principal's office for those who have justifiable reasons for leaving the campus during school hours.
- 528.2 Permission will be granted after direct contact with parents or guardians or at the discretion of the principal.
- 528.3 A student shall not leave the campus without the explicit approval of the principal.

529 SCHOOL DANCES

- 529.1 All school sponsored dances shall be held on school premises, unless otherwise pre-arranged and approved by the administration.
- 529.2 All school sponsored dances held at night will be limited to grades 7-12.
- 529.3 Rules and procedures for dances will be in accordance with those stipulated in the student/parent handbook.

530 SCHOOL SPONSORED TRIPS

- 530.1 No student may make a trip without prior approval by the parent/guardian being on file in the High School office. Transportation shall be provided or approved by school authorities.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

530.2 Students must travel to and from school activities under the control of a sponsor, in transportation provided by the school. Students are to be released only to the custody of their parents during an activity and especially on the return trip.

530.3 The student activity travel will be in accordance with State Board regulations.

531 REGULAR SCHOOL TRANSPORTATION

531.1 Student transportation is a privilege extended to students who qualify for transportation pursuant to statutes 22-16-2 and 22-16-4, N.M.S.A., 1978 Compilation. Students who do not obey the state and local regulations governing student transportation may have their transportation privileges revoked by the school district.

531.2 Students and School Bus Service Contractors are subject to all of the rules and regulations promulgated in the Carrizozo Municipal Schools Parent/Student Transportation Handbook and SBE Regulation Number 83-3, Standards For School Bus Operations. The handbook is provided in the appendix of this board policy and is approved and accepted as board and district policy.

532 ALCOHOL/DRUG POLICIES AND PROCEDURES: STUDENT POLICIES AND PROCEDURES.

532.1 Philosophy - The Carrizozo Municipal Schools recognizes that alcohol and drug abuse is a treatable health problem. Health problems of youth are primarily the responsibility of the home and community, the Carrizozo Municipal Schools shares that responsibility because chemical dependency problems often interfere with school behavior, student learning, and the maximum possible development of each student. Carrizozo Municipal Schools shall intervene with persons manifesting signs of misuse or abuse and shall endeavor to educate and counsel students concerning abuse of alcohol, illegal drugs and/or controlled substances. Every reasonable effort shall be made to provide a school environment that is free of alcohol, illegal drugs and/or controlled substances.

532.2 School authorities shall give consideration to the health, safety, and educational rights of all students when prescribing disciplinary action for students who use, are under the influence of, possess or distribute alcohol, illegal drugs, and/or controlled substances on school premises or while engaged in school-sponsored activities.

533 ALCOHOL/DRUG POLICIES AND PROCEDURES: STATE AND DISTRICT POLICIES.

533.1 In accordance with State Board of Education Regulation 81-3, Carrizozo Municipal Schools prohibit students from use, possession, sale, or transportation of alcohol and/or illegal drugs on school property, at school or at school-sponsored activities. For this rule,

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

illegal drugs include controlled substance, prescription drugs used or possessed without a prescription, solvents used for intoxication and those substance possessed, sold, and/or used that are represented to be controlled or illegal substances. Additionally, Carrizozo Municipal Schools prohibit students from selling or giving away alcohol and/or illegal drugs and from possessing, selling, giving away and/or using drug paraphernalia on school property, at school, or at school-sponsored activities.

533.2 The superintendent or his designee has the authority to expel or long-term suspend students who, after a notice and a hearing, have found by a preponderance of the evidence to be guilty of an alcohol/drug related violation of the school rules or state laws. (Refer to Carrizozo Municipal Schools Board Policies and Procedures, Section 500; Policy 513, Student Discipline; 514.1L, Prohibited Acts; and Policy 504, Search and Seizure; as well as State Board of Education Regulation 81-3.)

533.3 Due process rights for students and parents are guaranteed under Carrizozo Municipal Schools Policies and State Board of Education Regulation 81-3. School officials shall follow procedures for long-term suspension and expulsion as defined in State Board of Education Regulation 81-3. These policies state that long-term suspension and expulsion decisions may be appealed to the Superintendent.

533.4 According to Senate Bill 106 and Carrizozo Municipal Schools Policies and procedures, Policy 113, the legal responsibility of a school employee is: "Duty to Report: All school employees have a mandatory, non-discretionary duty to report known or suspected alcohol or drug use or abuse by any student of the district."

533.5 Procedures:

1. Violation of School Policy - When a school representative witnesses a violation of school policy and/or local, state or federal regulations against the possession, use (including under the influence of or smells of), sale or delivery of alcoholic beverages, drug paraphernalia and/or controlled substances while the student is on school property or at a school sponsored activity, the following steps will be taken:

- a. Staff member informs the student of the observed violation, obtains the student's name, and asks the student to accompany him/her to the office. The staff member confiscates the chemical and/or evidence substantiating its use. At the office the staff member reports the incident and details to the principal or his/her designee immediately. The staff member will also document pertinent details.
- b. The principal or designee will meet with the student to discuss the situation and hear the student's explanation.
- c. The principal or designee will make a determination regarding the suspected violation.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

d. If the suspected violation is substantiated by the evidence, the principal or designee will make a reasonable attempt to notify the parent or guardian. The police may be notified. The student will then be released to the police, parent or guardian, or other responsible adult. Students under the influence will be released to a parent or guardian, police, professional medical practitioner or other responsible adult. They will not be released on their own while under the influence.

e. A violation of this policy will lead to an immediate suspension with a reinstatement conference to be held in three days. At this conference the appropriate school administrator will make a decision regarding two possible opinions: a) an expulsion with the provision that the student participate in an assessment interview with a substance abuse counselor. The parent or guardian and student will provide satisfactory evidence of following the recommendations of the assessment. Failure to follow the recommendations made will result in an expulsion hearing.

The student and parent or guardian will be asked to sign a "Substance Abuse Policy Violation Contract". If the student or parent/guardian refuse to do so, the student will be recommended for expulsion.

f. Steps a through e do not exclude more serious consequences (including long-term suspension or expulsion) if, in the principal's judgment, the student's behavior necessitates such action.

2. Suspected use - If a staff member suspects that a student is using or abusing alcohol/drugs then he/she will follow the same procedures as listed above

534 Enrollment Policy For Out of District Students

The Board of Education of the Carrizozo Municipal Schools adopts the following policy concerning the admission of school-age persons who do not live within the School District to the schools within this District, pursuant to Section 22-1-4 NMSA 1978.

- 534.1 The Carrizozo Municipal Schools' boundaries are defined by the School District boundaries plat filed in the office of the County Clerk of Lincoln County, New Mexico, SUBJECT to easements, restrictions, reservations, and boundary agreements of record.
- 534.2 Admission into public schools of the School District of children who do not live within the School District is purely a privilege, not a right and shall not be construed as creating a "property right" to continued attendance for any period.
- 534.3 Any student who has been expelled or placed on long-term suspension from another school district will not be admitted to Carrizozo Municipal Schools.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

534.4 The Carrizozo Municipal Schools maximum class sizes are defined as follows:

<u>Grade</u>	<u>Subject</u>	<u>Maximum Class Size</u>
Kindergarten		14
Grade 1		20
Grade 2		23
Grade 3		23
Grade 4 & 5		Average not to exceed 24
Grade 6-8	English	25
Grade 9-12	English	25

The maximum class size cannot be exceeded for any reason except by approval of the Board of Education of the Carrizozo Municipal Schools.

534.5 The School District defines the following priorities for enrollment:

- A. **First Priority** students are those students residing within the district boundaries.
- B. **Second Priority** students are those students who reside outside the district boundaries but have previously attended in the School District. (*Within the context of a free public education the term "previously attended" means previously enrolled and recorded as present on the official attendance record of the school.*)
- C. **Third Priority** students are all other students.

534.6 Students that apply for enrollment to the School District will be enrolled by the following criteria:

- A. First Priority students will be entitled to enroll.
- B. Second Priority students will be entitled to enroll when the maximum allowable class size is not met or exceeded.
- C. Third Priority students will be entitle to enroll when the maximum allowable class size is not met or exceeded and there are not existing Second Priority students waiting for enrollment.

534.7 The School District will maintain a waiting list of Second and Third Priority students based on the date of the Out-of-District Application/Agreement.

An Out-of-District Application/Agreement shall be completed by the parent/guardian. The application packet will include:

- A. Name, date of birth, Social Security number, parent/guardian name, mailing and physical address, home and work phone numbers

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

- B. Reason for requesting enrollment in the Carrizozo Municipal Schools
- C. References--at least 4
- D. Copy of birth certificate (or approved substitute)
- E. Copy of shot record
- F. Latest report card (if 1st-8th) or copy of high school transcripts
- G. Attendance record for previous year or current year
- H. Signatures of student and parent/guardian.

534.8

Admission of out-of-district student shall be made for periods of one school year at a time. Admission of a student for a particular school year or remainder thereof creates no expectations that the student will be permitted to continue in the School District for a succeeding school year or that he/she has any priority over other out-of-district applicants seeking admission in future years, except as identified in 534.5 above. Students must annually sign Out-of-District Application/Agreement.

534.9

Out-of-District students shall be admitted to the School District when all of the conditions in 534.7 (A-H) have been met.

534.10

The Superintendent may delegate all or some of the responsibilities under this policy as he/she sees fit.

534.11

Once admitted to the School District, a student shall be subject to all the rights and responsibilities of resident student except as modified by this policy. Specifically, a student's enrollment in the School District may be terminated by the Superintendent at any time and for any reason including, but not limited to, unanticipated demands on the School District's resources by students who are resident in the District, a determination that the out-of-district student is placing disproportionate demands on the resources of the School District, a determination that the out-of-district student is not significantly benefiting from attendance in the School District, or any other reason.

In cases where enrollment is terminated during the school year for disciplinary reasons, the School District's long-term suspension or expulsion procedures shall be followed.

Where enrollment is terminated during the school year for any other reason, the student and his/her parent/guardian may request a meeting with the Superintendent. At this meeting, the reasons for the School District's decision will be explained and/or parent/guardian may present any pertinent information.

534.12

The School District is not responsible for the transportation of Second and Third Priority students. The School District will maintain a transportation waiting list for all Second and Third Priority students. Bus transportation for these students will be available on an "as room" basis on each individual bus. Second and Third Priority students must meet

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

the bus at the closet available stop to the School District's boundary line. Second and Third Priority students will not be eligible for feeder route reimbursements. A Second or Third Priority student's transportation privilege will be eliminated when any of the following occur:

- A. A first priority student becomes eligible to ride the bus and individual bus is at maximum capacity.
- B. The student and/or family do not adhere to the regulations outlined in the Parent-Student Transportation Handbook and in board policy.

534.13

A Second or Third Priority student will be dis-enrolled immediately when all of the following occurs:

- A. A First Priority student of the same grade enrolls.
- B. The enrollment of the First Priority causes maximum class size for that grade to be exceeded.
- C. No other alternative placement is available.

Third Priority students will be dis enrolled on a "last in, first out" basis. If there are no Third Priority students enrolled, Second Priority students will be dis enrolled on a "last in, first out" basis.

535 Denial of Enrollment or of Re-enrollment for Open Enrollment and Enrollment for Out-of-District Students

The principal on the following grounds may deny enrollment in the Carrizozo Municipal Schools:

- A. The student seeking enrollment or re-enrollment has been expelled from another district in New Mexico or in any other state during the preceding twelve month period; or
- B. The student's behavior in a school district in New Mexico or in another state during the preceding twelve month period makes the student's enrollment or re-enrollment detrimental to the welfare or safety of other students or school personnel.
- C. Any student who is accused of committing a felony may be suspended indefinitely when he/she has been charged, indicted, arrested; or a petition filed alleging delinquency. Suspension will occur if the Hearing Authority or administrator believes the student in question poses an imminent danger or threat to other students within the school, or if the student's presence at school would disrupt the educational process. The length of the

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

suspension will be at the discretion of the administrator. The administrator or designee will meet with the parent/guardian to determine the educational program of the suspended pupil pending the outcome of legal action.

A student or the student's parents may appeal a denial of enrollment or of re-enrollment following denial of enrollment or of re-enrollment through the procedures established for long-term suspensions and expulsions of students.

**CARRIZOZO MUNICIPAL SCHOOLS POLICY ADDENDA
ADMISSION OF NON-RESIDENT STUDENTS
AGREEMENT**

_____, parent or guardian of _____
(Student), a student who does not reside within the boundaries of the Carrizozo Municipal School District (hereinafter called the District), having requested that the Student be allowed to attend the schools of the District and the District having decided, in its discretion, to admit the Student, hereby acknowledges receipt of a copy of the District's policy concerning the admission of students not resident within the school District, accepts the terms thereof and agrees that the rights of the Student to attendance shall be limited to and governed by the terms of that policy.

Parent or Guardian of Student

Date

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

600 INSTRUCTION

- 600.1 It is the policy of the Board to promote and encourage the best educational program possible for all students in the school district.
- 600.2 Instructional methods and techniques used shall be those most appropriate for meeting the needs of individual students.
- 600.3 The instructional methods shall require the individual student to accept an increasing share of responsibility for his/her own educational program and achievement, and shall foster critical thinking, creativity, initiative, and increasing student independence.
- 600.4 Teachers shall use discretion and good judgment in all areas of instruction and classroom management.
- 600.5 Each school shall maintain cumulative records on each student enrolled and shall transmit these records from grade to grade and school to school within the district and copies of these records shall be forwarded to other school districts upon proper request.
- 600.6 A checklist of basic competencies for each student will be kept from kindergarten through grade eight and shall reflect when the basic competencies have been met for each pupil. This method will insure that progress toward meeting all of the basic competencies is continually monitored.

601 REPORTING PROGRESS

- 601.1 Reports shall be made regularly, each nine weeks, to the parents/guardian of each student in grades DDS-12.
- 601.2 Parent-teacher conferences are scheduled no less than twice each year in grades DDS-12.
- 601.3 Pupil conferences will be announced well in advance for parent consideration and to promote good attendance.

602 DISPLAY OF THE FLAG

- 602.1 The United States Flag shall be displayed and flown at the Carrizozo Schools from sunrise to sunset on all days school is in session. Should another flag be flown or displayed during said period, it shall not be flown or displayed at a height greater than the height at which the United States Flag is flown or displayed, and no flag shall be flown or displayed in lieu of the United States Flag on said property when the United States Flag is not being flown or displayed. SBE Regulations No. 72-5 and Section 22-2-9 N.M.A.. 1978.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

602.2 The flag of the United States of America shall be displayed in All Carrizozo Municipal Schools classrooms.

603 PLEDGE OF ALLEGIANCE

603.1 The Pledge of Allegiance shall be recited each day in each public school within the district. SBE regulation N. 72- and Section 22-5-4.5 N.M.S.A. 1978.

603.2 Exemptions:

A. Exemptions by Membership in Recognized Denomination.

1. Parents or guardians belonging to a recognized denomination whose religious teaching prohibits their child's recitation of the Pledge of Allegiance shall present a certificate stating that the parents or guardians are bona fide members of said religious denomination and that the religious teachers of the denomination prohibits their child's recitation of the Pledge of Allegiance.

B. Exemption By Certification of Religious or Conscientious Objection.

1. Parents or guardians who are not bona fide members of recognized religious denominations described above, but whose religious or conscientious beliefs, held either individually or jointly with others, do not permit recitation of the Pledge of Allegiance, shall present a certificate stating that the parents or guardians have a religious or conscientious objection to their child's recitation of the Pledge of Allegiance.

604 READING INSTRUCTION

604.1 All teachers and instructors, at all grade levels and subjects, are teachers of reading. As such, all teachers will incorporate the teaching of reading skills as objectives within their instructional methodology.

604 WRITING INSTRUCTION

604.1 All teachers and instructors, at all grade levels and subjects, are teachers of writing. The teaching of writing skills shall be incorporated into all subject objectives. All instructors shall incorporate essay questions in the tests they administer to students.

605 CURRICULUM

605.1 The Board shall charge the administration with the task of designing and staffing a curriculum which shall further the educational objectives and commitments as outlined in Section 100 of this Board Policy.

CARRIZO MUNICIPAL SCHOOLS - BOARD POLICY

- 605.2 The basic instructional program of the district will meet and/or exceed all educational standards established by the State Board of Education. The curriculum will be designed for Elementary School (K-4), Mid-School (5-8), and High School (9-12). Subjects offered will include but not be limited to:
A. Elementary curriculum including Reading, Writing, Spelling, Science, Math, Social Studies, Language Arts, Fine Arts, Physical Education, Health Education. The curriculum will concentrate on the development of basic skills and appreciations in these subjects.
B. Mid-School curriculum including Language Arts, Science, Computer Science, Math, Social Studies, Fine Arts, Physical Education, Health Education, and Pre-Vocational Classes. The curriculum skills and appreciations, as well as to offer students skill applications and exploration in various subjects areas.
- 605.3 High School curriculum including Language Arts (Grammar, Composition, Literature, Speech), Foreign Language (Spanish), Science (General Science, Biology, Chemistry, Physics on demand), Computer Science, Mathematics (Pre-Algebra, Algebra, Consumer Business, Geometry, Trigonometry), Social Studies (U. S. History/Geography, World History/Geography, Civics/Government, and others), Fine Arts (Art, Music), Physical Education, Health Education, Vocational Education (Home Economics, Office Education, Vocational Agriculture).
- 605.4 The course offerings in this curriculum will seek to build academic abilities, develop vocational skills, offer preparation for post-secondary education, increase the realization of citizenship responsibilities, develop artistic skills and appreciations, and enhance the social development of the individual.
- 605.5 The Board of Education will be kept informed of the current school curriculum. A descriptive list of the courses to be taught in each subject area will be submitted to the Board at its September meeting each school year.

606 DRIVER EDUCATION

- 606.1 Driver Education may be offered after school in the spring and/or summer for students in Mid-High and High School who meet the qualifications established by the instructor, if resources for this service are available.

607 ADULT AND COMMUNITY EDUCATION

- 607.1 The Board may provide opportunities for adult citizens of the community to participate in instructional programs designed to meet their particular needs, provided funds are available. Normally these programs will be offered in the evenings. Criteria to be used for determining eligibility for these programs will be developed by the staff and faculty.

CARRIZO MUNICIPAL SCHOOLS - BOARD POLICY

608 VOCATIONAL EDUCATION

608.1 The Board will offer vocational exploration and skill development in a curriculum designed to prepare students for advanced, more highly skilled education/training and to enter employment upon completion of the courses. A Vocational Advisory Committee comprised of citizens, district staff, and students will be formed and meet regularly to advise and assist in the district's vocational programs.

609 ACTIVITIES AND ATHLETICS

609.1 The Board recognizes the importance of extracurricular activities as a part of each student's general education and encourages each student to actively participate in school sponsored activities and athletics. The district shall strive to conduct the activities program in a manner which supports and enhances the classroom academic program. In doing so, the district, including sponsors and coaches, shall make every effort to conduct the activity program so as to minimize the disruption to the academic program.

609.3 Students will be expected to maintain at minimum a C grade point average, estimated at frequent intervals, if they desire to participate in these programs. Students unable to meet these standards will not be allowed to participate in activities during the period of their ineligibility.

610 AWARDING OF DIPLOMAS

610.1 A diploma will be awarded to students meeting the graduation credits and attendance requirements established by the Board of Education and by the State of New Mexico. Diplomas will be awarded in May of each school year.

610.2 Students successfully passing the State of New Mexico Competency Examination will receive a diploma. Those unable to pass the State of New Mexico Competency Examination shall receive a certificate of attendance.

610.3 Only students who have successfully completed all graduation requirements will be allowed to participate in graduation ceremonies and will be awarded a diploma.

611 ACCELERATED PROGRAMS

611.1 The Board recognizes that some mid-school students will be able to benefit from high school courses. Not only can an accelerated program in a given field provide new and more challenging material, but the better background may allow the enrichment of related fields.

611.2 A class successfully taken on a no-credit basis will provide justification for waiving prerequisites to higher classes.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

611.3 High school students who qualify will be encouraged to take college courses for credit when necessary arrangements can be made.

611.4 DUAL (CONCURRENT) ENROLLMENT AGREEMENT **EASTERN NEW MEXICO UNIVERSITY-RUIDOSO/** **CARRIZOZO MUNICIPAL SCHOOLS**

In accordance with the provisions of HB 72 and CHE Rule 240 and in order for secondary students to be counted in post secondary enrollments for funding purposes, the following requirements are established for students in Carrizozo Municipal Schools who wish to enroll concurrently at Eastern New Mexico University-Ruidoso.

1. Carrizozo Municipal Schools will establish a committee to review and recommend to the administration all requests for tuition payment for concurrent enrollment. Criteria and guidelines for approval of such requests will be developed by Carrizozo Municipal Schools.

Criteria for admission to Eastern New Mexico University-Ruidoso are those published in the undergraduate catalog or available in the school district offices or the ENMU-Ruidoso office. Students who do not meet published admission requirements will be considered on an individual basis in consultation with Carrizozo Municipal Schools.

2. Information on concurrent enrollment and individual counseling will be available to students either at Carrizozo High School or Eastern New Mexico University-Ruidoso.

Information will include University undergraduate catalogs, the current semester class schedules, information on the process for requesting permission for concurrent enrollment, and any necessary forms to be completed. Prior to submission of the request form to the school counselor, the students parent(s) must sign the application form to indicate their approval.

3. Requirements for award of credit, the method for determining grades, prerequisites, etc. in a given academic course at ENMU-Ruidoso will be stated in the course syllabus. Requirements for high school students concurrently enrolled in a University course will be the same as those for regularly matriculated university students.

The award of units of credit on the high school transcript will be given only for concurrent enrollment classes. An approved one semester, three-credit hour University course will satisfy one-half unit credit in the high school curriculum, unless otherwise agreed to prior to enrollment. Students may enroll in a maximum of two (2) classes (maximum of 7 credits hours) each semester. Students are limited to

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

enrollment in freshmen and sophomore level classes. Students must be at least 16 years old, or must have completed their sophomore year, at time of registration for classes.

4. In the event the operating calendar of ENMU-Ruidoso is different from that of Carrizozo Municipal Schools, it is the responsibility of the concurrently enrolled student to meet the University calendar.

The concurrently enrolled student, while on University property or at University activities, will be treated as a University student and will be subject to all rules, regulations and policies of the University. Any disciplinary action necessary will be handled through regular University procedures.

5. All university student assistance services (tutoring, career guidance and counseling, handicapped services, advisement, etc.) will be available to the concurrently enrolled student in the same manner as a regularly enrolled university student.

6. The student will be responsible for and will submit payment of the tuition and fees in accordance with regular University payment schedule, as stated in the semester class schedule, or as agreed to by ENMU-Ruidoso and the school district. Any books, special materials, or special fees, shall be the responsibility of the student.

7. Carrizozo Municipal Schools nor ENMU-Ruidoso will provide transportation for concurrently enrolled students.

8. A concurrently enrolled student is considered by ENMU-Ruidoso to be a university student when engaged in University-related activities as a part of the University student body. Therefore, the student is solely responsible for any liability incurred as a result of his/her behavior on campus or engaged in university sponsored activities. The school district will not assume any liability for the student's behavior while he/she is acting as a university student.

613 EVALUATION OF PROGRAM

613.1 Evaluation, Assessment and Testing:

A. The Board believes in the value of a comprehensive evaluation of all school programs and activities in order to determine whether the Board's basic objectives and commitments are being met. Accordingly, the Superintendent with the assistance of the staff will design and implement an overall evaluation and assessment plan for all programs. The purpose of this plan shall be to provide continuous and reliable program information regarding the various contexts, resources, processes, and outcomes to the faculty, administration, Board, and public.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

B. As part of this process, the district shall participate in the Department of Education's sweep testing at grades 3, 5, 8, and 11 and in the APL examination at grade 10. Other achievement testing shall be conducted where appropriate.

C. The Administration will present evaluation information to the Board along with implications drawn, suggesting possible changes in instructional programs, new program emphasis, and program strengths when such information becomes available during the year.

614 SELECTION OF MEDIA CENTER MATERIALS

- 614.1 The primary objective in the selection of library materials is to implement, enrich, and support the educational program of the school. Materials should be provided which will develop the reading skill of all students and their literary tastes. The library/media center should contribute to the development of the social, intellectual, and spiritual values of the students
- 614.2 The principal shall develop and have available a statement of selection philosophy which will serve as the guidelines for the implementation of this policy. This statement will be reviewed annually by the Board of Education.
- 614.3 Materials for the library/media center shall be selected by the librarian with the cooperation of the faculty, the administration, and in some instances, the students. Final decision on purchases should rest with the librarian.
- 614.4 The criteria for selection and purchase of library materials shall be:
- A. The needs of the school.
 - 1. The size, breadth, and depth of the present collection.
 - 2. The knowledge of the curriculum.
 - 3. Requests from administrators and teachers.
 - B. The developmental level and needs of individual students.
 - 1. The knowledge of children and youth.
 - 2. The requests of students, parents, and other patrons, providing that these suggestions meet reasonable standards of selection and evaluation.
 - C. The provision of a wide range of material on all levels of difficulty, with a diversity of appeal and the presentation of different points of view.
 - D. The provision of materials of high quality.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

- E. The provision of materials with superior format.
- 614.5 Selection of materials will be assisted by reading, examination, and checking of reputable, unbiased, professionally prepared selection aids.
- 614.6 There shall be the fullest practical provision of materials presenting all points of view concerning contemporary problems and issues.
- 614.7 Censorship of books shall be challenged in order to maintain the school's responsibility to provide information and enlightenment. If the inclusion of a title on the library shelves is questioned, the librarian shall have a "Request for Reconsideration of Library Media Center Materials" form turned in by the person who questions the material. This form shall be filled out and submitted to the Superintendent. The Board of Education should be informed by the Superintendent of the request for reconsideration.
- 614.8 Publications thus questioned will be considered by a faculty committee which will be appointed by the Superintendent. This committee will include the librarian and faculty members in the subject matter field of the book or material challenged. Consideration of the challenged material by the committee will take place within thirty (30) days of the filing of the reconsideration form.
- 614.9 The book or material involved will be suspended from use pending a decision by the committee. The challenged book or material will be judged by the committee as to its conformity to the principles stated in 616.4 above. Committee options regarding the future use of the material include restriction of use, removal from the collection, or reinstatement into library circulation. In all cases the library material will be considered in its entirety. Decisions of the committee must be made on the basis of the merits or value of the material as a whole. Once the committee makes a decision concerning the book or material challenged, a second consideration of the same publication will not be made.

615 HOME SCHOOL

- 615.1 In accordance with Section 22-1-2.1 NMSA 1978, and the Procedures for Home Schooling in New Mexico set forth by the State Department of Education, the Carrizozo Municipal School District establishes the following:
- A. All requests to establish a home school shall be referred to the Superintendent of Instruction who will:
1. Issue and receive SDE forms, 542-95 A, and submit one copy of each completed form to the SDE, Accreditation Unit.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

2. Submit to the State Superintendent of Public Instruction evidence of home schools in violation of Section 22-1-2.1 NMSA 1978 within one week of first becoming aware of this violation.
3. Arrange with the parent providing instruction in the home school to have local and state required standardized achievement tests administered annually to each child.
4. Report standardized achievement tests results for each child by the close of school in the local district to the State Department of Education, Evaluation, and Assessment, and Testing Unit. Test results are to be reported in percentile ranks.
5. Issue and explain to the parent the policies of the Carrizozo Municipal School Board regarding the transfer of students from home school to the Carrizozo Municipal School District.
6. Develop, issue, and explain to the parents any written administrative guidelines or suggestions regarding the operation of home schools.
7. Prepare periodic reports to the Carrizozo Municipal School Board regarding the number of home schools in the district.
8. Maintain appropriate files and records regarding home schools in the district.

B. With regard to the transfer of students from home school, the following shall apply for students of elementary school age:

1. No specific or direct credit shall be given in terms of courses or content areas covered by home instruction.
2. Admission to the Carrizozo district shall follow the general policies and procedures in effect at the time of transfer.
3. The building principal of the receiving school shall have the sole responsibility and authority for determining the grade level placement of the student and the courses or content areas of instruction.
 - a. In determining placement, the principal shall consider previous NMSBA scores and shall require other testing which is routinely administered to students new to the district.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

b. In addition, the principal, at his discretion, may require formal or informal testing in such areas as, but not limited to, reading and math.

c. The principal may assign the student to a temporary grade level placement pending final results of required testing. If a change in grade level placement is required, the principal shall notify the parent.

C. With regard to the transfer of students from home school, the following shall apply for students of secondary school age:

1. In no instances shall credit be given toward meeting required graduation course work or credit for any courses or content areas covered by home instruction.

2. Admission to the Carrizozo district shall follow the general policies and procedures in effect at the time of transfer.

3. The building principal of the receiving school shall have the sole responsibility and authority for determining the grade level placement of the student and the courses or content areas of instruction.

a. In determining placement, the principal shall consider previous CTBS scores and shall require other testing which is routinely administered to students new to the district.

b. In addition, the principal, at his discretion, may require formal or informal testing in such areas as, but not limited to, reading and math.

c. The principal may assign the student to a temporary grade level placement pending final results of required testing. If a change in grade level placement is required, the principal shall notify the parent.

d. If the high school principal determines that it is in the best interest of the student to be admitted as a sophomore student who is deficient in required ninth grade credits for graduation, the high school principal may admit the student upon consultation with the student and parent.

CARRIZO MUNICIPAL SCHOOLS - BOARD POLICY

616 STUDENT-PARENT HANDBOOKS

- 616.1 The principal will develop a student handbook for the individual school units.
- 616.2 Elementary and secondary teachers will work with the principal in developing handbooks.
- 616.3 Handbooks will be submitted to the superintendent for review. Handbooks will be submitted to the Board for review and approval by the superintendent.
- 616.4 The student handbook, upon approval by the Board, has the same authority as school board policy.
- 616.5 All school disciplinary policies and regulations shall involve parents in the development of policies and regulations.
- 616.6 The school will have provided an opportunity for parents to review and comment on any disciplinary policy or procedure differing in substance from district-wide disciplinary policies and procedures.

617 FINAL EXAMS

- 617.1 Pursuant to Public School Code 22-2-8.4, NMSA, 1978 and SBE Regulation A.4.3.1 b.(2); Final examinations shall be administered to all students in all classes offered for credit.
- 617.2 No school activities/extra-curricular events are to be held twenty four (24) hours prior to or during final or semester exams.

618 HOME BOUND INSTRUCTION

- 618.1 The definition of a home bound student is a student who is unable to attend school within the normal time frame during the regular school day.
- 618.2 A student must have a legitimate reason for applying for home bound status, such as a medical certificate or court order verifying that he/she is physically unable to attend school. Determined of status will be made by the superintendent.
- 618.3 It shall be the responsibility of the student to make the necessary arrangements with each teacher in meeting the requirements of the class or classes for which he/she is enrolled.
- 618.4 It shall be the responsibility of the district to insure reasonable availability of materials and instruction to meet the educational needs of the home bound student.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

618.5 School policies and regulations provided for in school and district regulations will also be met by the home bound student except for those regulations and policies governing compulsory school attendance.

619 SPECIAL EDUCATION POLICY

619.1 The Carrizozo Municipal Schools Board will comply with all rules and regulations of PL 100-476, (IDEA) Individuals with Disabilities Education Act and PL 99-457 for Children birth through twenty-one according to the Special Education Policies and Procedures Manual (effective April 19, 1994).

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

700 **BUS INSURANCE**

700.1 The Carrizozo Municipal Schools Board of Education carries bodily injury, property damage insurance on each school bus, according to provisions of state law.

701 **CAFETERIA SERVICES**

- 701.1 The Carrizozo Municipal Schools will comply with all rules and regulations of the state school lunch program.
- 701.2 The Carrizozo Municipal Schools welcomes visitors, parents and patrons only on special announced occasions to have lunch in the school cafeteria.
- 701.3 All adults must pay for lunches. The charge will be the price set by the Board of Education.
- 701.4 The superintendent is the administrator of the school lunch program.
- 701.5 The cook-manager is in direct charge of lunchrooms and is responsible for cafeteria operations.
- 701.6 The principal will assist with the daily operation of the lunch program in his/her school unit.
- 701.7 The administrative secretary is responsible for records, reports and bookkeeping for the District's cafeteria operations.
- 701.8 The cafeteria cook is responsible to the cook-manager for all duties assigned to her/him in assisting with the operation of the cafeteria.
- 701.9 Reduced Lunch Rates: Meals shall be served without cost or at a reduced cost, to children who are determined by local school authorities to be unable to pay the full cost of the lunch, according to federal guidelines.
- 701.10 The principal shall be the school official responsible for determining eligibility for free and reduced lunches.
- 701.11 Student labor: Student help is sometimes needed in the cafeteria. Students desiring employment may make application through the cook-manager.
- 701.12 Conditions of Employment:
- A. The cook-manager's duty hours will be designated by the superintendent. Duty hours for cook(s) shall be designated by the cook-manager.
 - B. Salaries are paid in accordance with the salary schedule.
 - C. The substitute cook's rate of pay shall be the minimum wage.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

702 HANDLING COMPLAINTS OR STATEMENTS OF CONCERN FROM CITIZENS

- 702.1 This statement relates to handling complaints and/or concerns by citizens and does not affect the grievance procedure for employees.
- 702.2 Since schools belong to the public, each citizen needs to be aware of avenues of expressing concern and/or where to go for information, the following shall govern:
- A. Citizens should make every effort to resolve problems or concerns at the lowest possible level of redress; ie., if a problem or concern originates with a teacher, then that teacher needs the initial chance to remedy, explain or address the query.
 - B. Concerns relating to the local school unit shall be expressed to the principal. When the problem is not solved at the local building level, the steps of appeal or address shall then be to the Superintendent, then to the Board of Education, and then to the State Superintendent of Instruction.
 - C. Charges and/or concerns deemed to be serious shall be submitted in writing on a standard form developed by the Superintendent of Schools. This form shall require a statement of the charge or concern, a specific statement of what redress or recourse (if any) in being requested, and shall be signed. A supply of these forms shall be kept available by all administrators and Board members to be used when the need arises. Completed forms shall be submitted to the Superintendent of Schools.

703 CONTRACTOR'S REQUIREMENTS

- 703.1 The contractor will keep complete and accurate records regarding school bus maintenance and service to vehicles. These records will be maintained for the duration of time that the bus operates for the Carrizozo Municipal Schools.
- 703.2 The contractor will insure that all buses transporting Carrizozo Municipal School Children have been verified as being safety approved.
- 703.3 The contractor will insure that anyone that drives their bus will have the following:
- A. A current physician's certificate of approved health to drive a bus.
 - B. A current school bus (Class 9) license.
 - C. A current first aid card.
 - D. A current defensive driving card.
 - E. Eight hours of in-service training in driving safety.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

- F. Attendance at the Bus Driver's Institute every three years.
- 703.4 The contractor will supply all reports regarding transportation as required by State Transportation Division, Carrizozo Municipal Schools or other official agencies. This would include the annual year-end report on expenditures.
- 703.5 The District will keep and maintain a personnel file for each driver, containing as a minimum, but not limited to, the following records:
 - A. Evaluations or letter of deviation and concern.
 - B. Copies of Bus Driver's Institute Certificates.
 - C. Physical examinations.
 - D. Training records and experiences.

704 GIFTS AND DONATIONS

- 704.1 Carrizozo Municipal Schools may, by action of the Board, accept gifts, grants, or donations and title to property.
- 704.2 All gifts of equipment, supplies and materials purchased by PFK, and other parent-teachers associations for donation to the school unit, will become property of the Carrizozo Municipal Schools. Items purchased for a particular school unit will remain at that unit. Patrons need to be advised that donations are done on a voluntary basis and there will be no compensation in return.
- 704.3 No school employee shall commit to purchase of supplies or equipment using gifts or donations as payment. All purchases will have prior approval of the superintendent.
- 704.4 Students, parents, and other patrons are discouraged from presenting gifts to district employees.
- 704.5 The Board will consider as always welcome, and in most cases more appropriate than gifts, the writing of letters to staff members expressing gratitude or appreciation. This will not be interpreted as intending to discourage simple remembrances expressive of affection or gratitude to employees who are retiring or otherwise leaving district employment.
- 704.6 Staff members are discouraged from accepting gifts or other inducements of significant value from sales representatives who do or who wish to do business with the District. Staff members must refrain from obligating the District in any way.

705 DECLARATION OF OBSOLETE AND WORN OUT EQUIPMENT

- 705.1 The Board will authorize the Superintendent to dispose of school property in accordance with State Statutes, Section 13-6-1 NMSA, 1978.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

705.2 Procedural Steps:

A. Declaration of an item to be obsolete, worn-out, or uneconomical.

1. The initial classification of an item as being obsolete, worn-out, or uneconomical may be done by the principal or superintendent.
2. Items declared obsolete, worn-out, or uneconomical will be evaluated by the Board to determine if:
 - a. the item is obsolete, worn-out, or uneconomical,
 - b. the item has a resale value.

B. The superintendent will cause to be made a list of all items to be disposed of and present it to the Board of Education for approval to delete the item from the capitalized assets and physical inventory. The list will contain the local (CMS) control number, the name of the item, the serial number, model, brand name, acquisition price, and proposed method of disposition (minimum resale price, removal to the municipal dump site.)

C. The Board of Education shall, as a prerequisite to the disposition of any item of personal property, cause the superintendent to give notification within thirty days of its action making such deletion by sending a copy of its official finding and the proposed disposition of such property to the state auditor, duly sworn and subscribed under oath by each member of the authority approving such action.

D. A copy of the official finding and proposed disposition of the property sought to be disposed of shall be made a permanent part of the official minutes of the governing authority.

E. After thirty days following notification of the state auditor (as in C.), the superintendent shall advertise for written bids on all items for resale. The sale shall be advertised two weeks prior to the sale in the local newspaper.

F. Disposition of property acquired under federal programs shall be in accordance with OMB Circular A-102 which requires approval of the state director to the particular program.

706 PROCUREMENT CODE

706.1 Purchases over \$20,000.00.

A. All purchases of services, construction, items of tangible personal property, or professional services with a cost of over \$20,000.00 shall be made only after all provisions in the New Mexico State Procurement Code have been met. All such purchases shall be approved by the Carrizozo Board of Education.

706.2 Small purchase of services, construction or items of tangible personal property not to exceed \$20,000.00

A. This regulation is issued to set forth guidelines to be utilized by the Carrizozo Municipal Schools purchasing office in procuring services, construction, or items

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

of tangible personal property having a value not exceeding ten thousand dollars (\$20,000).

B. Procurement requirements shall not be artificially divided so as to constitute a small purchase under this regulation.

C. Purchases of \$1,500.00 but not to exceed five thousand dollars (\$5,000) shall be effected at the best obtainable price and shall be approved by the Superintendent of Schools.

D. Purchases of more than five thousand dollars (\$5,000) but not more than twenty thousand dollars (\$20,000) shall be made at the best obtainable price and shall be approved by the Superintendent of Schools. Documentation of the best obtainable price shall be placed in the procurement file. Best obtainable price may be documented by quotes, existing contracts, catalog price comparison, price agreements, etc.

706.3 Purchases of professional services not to exceed \$30,000.

A. This regulation is issued to set forth guidelines to be utilized by the Carrizozo Municipal Schools purchasing office in procuring professional services having a value not exceeding thirty thousand (\$30,000).

B. Procurement requirements shall not be artificially divided so as to constitute a small purchase under this regulation.

C. The Superintendent of schools shall examine current statements of qualifications submitted by any person or firm being considered for providing the required services.

D. Bases on this examination, the most qualified firm or person shall be contacted for negotiating a contract for the required services at a fair, reasonable, and affordable price.

E. If a fair, reasonable, and affordable price can be established the Superintendent shall submit the name of the firm or person and the negotiated price to the Board of Education for their approval.

F. If a fair, reasonable, and affordable price cannot be agreed to, negotiations shall be terminated with such firm or person, and begun with the next most qualified.

G. The process shall continue until a fair, reasonable, and affordable price can be negotiated.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

706.4 Evaluation criteria:

A. Discounts:

1. Prompt Payment Discounts - Shall not be considered in computing the low bid, but will be considered after the award of the contract. Discount time will commence upon receipt of the equipment or merchandise and/or the invoice, whichever is later.
2. Trade Discounts - Shall be considered in computing the low bid. Such discounts may be shown separately, but must be deducted by the bidder in calculating the unit price quoted.
3. Quantity Discounts - Shall be included in the price of the item.
4. Transportation - Shall be considered in computing the low bid, and may be computed into the bid.

707 PUBLIC USE OF SCHOOL GROUNDS, FACILITIES, AND EQUIPMENT

707.1 The Carrizozo Municipal Schools' Board of Education wishes to encourage community use of school facilities. The idea of making the schools the center of community life is in accord with the philosophy of the Board.

707.2 Procedural rules and regulations governing the use of school property:

A. School facilities are for school purposes primarily, and any school activity will take precedence over other activities. Groups meeting for the benefit of the school, teachers, or students for educational purposes may do so without charge. This would include parent-teacher associations, teacher organizations, school assemblies and/or carnivals, Girl Scouts, Boy Scouts, and other events deemed to be of this nature by the Superintendent of Schools. Custodial services shall be provided free for this type of meeting, except where the principal determines that a fee needs to be paid.

B. All meetings in school buildings must be approved and scheduled by the principal or superintendent who shall assume responsibility, and therefore, either be present in person or directly represented by a responsible person.

C. The facilities or equipment (building, locker rooms, restrooms, auditorium, or gymnasium) to be used shall not be opened for evening use prior to 3:15 p.m., and the activity time shall be so arranged that the buildings can be closed not later than 11:00 p.m., excepting dances which will close promptly at 12:00 midnight.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

D. Proper supervision of all facilities and equipment must be maintained by those engaging the use of said facilities or equipment.

E. The cost of necessary repairs resulting in damage incurred during an activity or meeting shall be paid by users of the facility or equipment before further use of school facilities shall be granted to the persons or organization responsible for the damage.

F. Application for public use of school accommodations shall be made on regular forms secured at the Administration Office two weeks prior to the use of said facility.

G. The application shall be signed by one responsible citizen, who shall agree thereby to be personally responsible for any damage to property other than normal wear and tear from reasonable use as a result of such occupancy and for the strict observance of these rules and regulations.

H. Applications shall be signed by a member of the administration or their designee. If questions arise concerning the application, it shall be the prerogative of the Superintendent to require any further information deemed necessary from applicants and the Superintendent reserves the right to reject any application and/or cancel any permit previously issued.

I. The school administrators are responsible to see that the facility is prepared for occupancy and that all preparations for occupancy deemed necessary have been accomplished. Arrangements should be made for the opening and closing of facilities, that heating, lighting, and ventilation are properly taken care of and that those using the facilities are properly prepared to handle their endeavor.

J. The use of intoxicating liquids, tobacco products or illegal drugs in and about school premises is strictly prohibited. The sponsoring group is held strictly responsible for any violation of this regulation and future permits to any group who permits violations of this rule will be denied.

K. Whenever facilities are used, sufficient supervision including police attendance, if necessary, shall be provided by the sponsoring party to insure good order, the protection of property, the observance of these rules and regulations and the prevention of unauthorized use of facilities, equipment, or other areas not open for use.

L. School facilities and equipment may be used by the general public only under the direction of persons qualified to use, operate, and care for any equipment or apparatus or facility contained in the use agreement. The sponsoring group must, to the satisfaction of the Superintendent or his representative, provide competent

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

persons to use, operate and care for school-owned equipment, apparatus or facilities.

708 TRANSPORTATION SERVICES

The Carrizozo Municipal School District recognizes the educational importance, as well as its responsibility, to comply with state and federal law and State Board of Education (SBE) regulations regarding the transportation of students. The District's school transportation system must address the Board's paramount interest of student safety while also satisfying the goal affording eligible students access to transport to and from school and school activities through an efficiently-designed, economical school bus operation. Achieving these goals will require the care and cooperation of all those involved in the system. Thus, in order to implement the regulations and standards adopted by the SBE or State Transportation Division for safe and efficient operation of school transportation services, the Board of Education of the Carrizozo Municipal School District adopts the following policies:

708.1 ROLE AND GENERAL RESPONSIBILITY OF PARENTS, STUDENTS, STAFF AND CONTRACTORS

A. Responsibility of Parents. To become familiar with the policies and procedures adopted by the local School Board and to abide by those policies and procedures. Parents shall ensure that their children/children arrive at the designated bus stop in a timely manner and that their child/children behave appropriately while riding the bus using the school transportation system.

B. Responsibility of Students. Students are subject to the jurisdiction of school authorities while using the school transportation system, and shall, at all times, exhibit appropriate behavior in accordance with codes of conduct and the disciplinary policies, procedures or regulations adopted by the School Board. Students who fail to comply will be subject to discipline as set forth in School Board policies, procedures, and regulations. Students shall follow the directions of the school bus driver at all times, conduct themselves in an orderly manner while loading and unloading the bus, and abide by the reasonable rules established by the bus driver and approved by the Superintendent or his/her designee.

C. Responsibility of Teacher/Instructional Assistants/and or Designees. School administrators, Teachers and/or Instructional Assistants, or designated staff assigned to supervise transportation of students shall comply with transportation policies established by the School Board. The Principal, designee and teacher or instructional assistant assigned to bus duty shall be on site at the bus unloading area prior to the arrival of students. If a student has special needs which require special procedures or care, the I.E.P. team shall determine if there is a need for special assistance and specify the special procedures to be followed during loading/unloading of buses.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

The Principal or his/her designee and Teacher/Instructional Assistants shall ensure that students are ready to board the bus at dismissal time. Bus drivers are not required to wait for students more than two minutes beyond scheduled departure time unless an I.E.P. team has determined that student's need for special assistance requires more time. Should a student miss the bus, the principal or his/her designee or teacher/instructional assistant is responsible for determining that other arrangements have been made to transport the student home.

D. Responsibility of the Superintendent or his/her designee. The Superintendent or his/her designee shall ensure that the transportation policies adopted by the School Board and federal and state laws are implemented and enforced by School District employees and administrators. In his/her absence, the Superintendent may delegate the responsibility for supervision and management of the School Transportation Program to another administrator or staff member. The Superintendent or his/her designee shall also oversee or designate other staff to oversee the transportation system and ensure that:

1. Transportation training requirements are met and that administrators, teachers, transportation personnel, students, parents and affected agencies receive necessary information about school transportation.
2. School bus routes comply with the requirements of safety, efficiency and economy.
3. Provisions are made for the proper supervision of loading and unloading students.
4. A process is in place for reporting accidents promptly.
5. Transportation problems are properly and promptly addressed.
6. The student transportation system is evaluated regularly to assure compliance with state and federal laws, State Board regulations and School Board policies and ensure safety, efficiency and economy, as well as to assess current and future transportation needs.
7. There is proper development and management of the transportation budget in compliance with state and federal laws, State Board regulations and School Board policies and procedures.

E. Responsibility of the School Transportation Supervisor. The Superintendent, while serving as the School Transportation Supervisor, or his/her designated administrator serving in that capacity, shall:

1. Be responsible for complying with School Board policies, assuring the

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

management and overseeing the implementation of the school transportation system.

2. Develop manuals and distribute information to ensure that school bus contractors, drivers/assistants, appropriate school employees, parents and students are properly informed regarding the requirements of the laws, regulations and School Board policies governing the School Transportation Program.
3. Plan, direct and implement a safety education program for local transportation employees and monitor the compliance of school bus contractors with the terms of their contracts in meeting the safety education requirements for drivers/assistants which they employ.
4. Comply with reporting requirements mandated by the State Department of Education, Superintendent and the School Board.
5. Conduct ongoing evaluations of the adequacy and quality of the school transportation program and performance evaluations of local transportation employees and report the results of such evaluations to the Superintendent.
6. Comply with the procedures established by the State Department of Education for the purchase of equipment.
7. Develop and implement a plan for the maintenance of school-owned buses and monitor the school bus maintenance records of school bus contractors to ensure compliance with applicable laws, regulations and School Board policies.
8. Route and schedule buses for safe, efficient and economical transportation system.
9. Recruit and recommend employment of qualified transportation staff and assure that they are trained and supervised, and supervise and monitor performance of school bus contractors to assure compliance with contract terms, state and federal laws and regulations and School Board policy.
10. Develop and recommend adoption of standards for student responsibilities and behavior and disseminate information on such standards to users of the system.
11. Develop and supervise the implementation of a current evaluation plan for the student transportation system to assure quality performance.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

F. Responsibility of the Transportation Contractor. All school bus contractors, whether performing under an individual owner operator equipment contract or a fleet service contract, shall comply with the requirements set forth in SBE Regulation No. 95-1, entitled STANDARDS FOR PROVIDING TRANSPORTATION SERVICES FOR ELIGIBLE STUDENTS - REGULATIONS AND COMPLIANCE MANUAL, and all other applicable federal and state laws and regulations, as well as School Board policies and procedures. The bus contractor shall ensure:

1. The safety of equipment operated under the contract, consistent with Section I of SBE Reg. No. 95-1.
2. Comply or assure compliance with the duties and procedures established by SBE Reg. No. 95-1, Section II, relating to school bus operations, inspections, routing, stops, loading and unloading students student safety and discipline, highway operation and railroad crossings.
3. Comply or assure compliance with the duties and responsibilities of school bus drivers, substitutes and assistants as set forth in SBE Reg. No. 95-1, Section III.
4. Comply or assure compliance with School Board policy on activity trips, if this service is furnished by the contractor.
5. Comply or assure compliance with requirements related to accidents and emergencies, as set forth in SBE Reg. No. 95-1, Section V, and School Board policy.
6. Comply or assure compliance with bus inspection requirements established by SBE Reg. No. 93-19 and the SDE Guide for School Bus Maintenance.
7. Comply with reporting requirements established by the SDE or School Board policy.

708.2 PROCEDURE FOR RESPONDING TO COMPLAINTS REGARDING SCHOOL TRANSPORTATION

It is the intent of the Board of Education of the Carrizozo Municipal School District that complaints from students or parents regarding school transportation be resolved at the earliest possible stage. In order to achieve this objective, the complaint shall observe the following chain of command in presenting concerns or complaints regarding transportation services: Student--Parent--Bus Driver--School Bus Contractor--Principal--Superintendent--School Board.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

The Superintendent or his/her designee shall develop and distribute a handbook containing school bus transportation policies and procedures to be provided to parents and students at the beginning of the school year. The handbook shall include a complaint form and procedure for resolving complaints in an expeditious manner.

The Superintendent or his/her designee shall assist in the development of a curriculum for training of school bus drivers and assistants in responding to parent concerns or complaints approved by the School Board.

708.3 STUDENT DISCIPLINE POLICY FOR SCHOOL TRANSPORTATION

Student transportation is a privilege extended to students who qualify for transportation service under state law. Students who do not obey state and local regulations governing student transportation may have their transportation privileges revoked by the School District.

All officials, employees and authorized agents of the public schools whose responsibilities include supervision of students shall stand in loco parentis with regard to students at any time the responsibility of supervision exists. This authority applies whenever students are lawfully subject to the school's control, regardless of the place. During such periods, public school authorities shall have the right to supervise and control the conduct of students, and students shall have the duty to submit to the school's authority.

A student may appropriately be disciplined by administrative authorities for violating rules of student conduct established by the local School Board or by an administrative authority to whom the Board has delegated rule-making authority. This includes, but is not limited to, the commission of any act which endangers the health and safety of students, school personnel, school bus contractors, or others, or for conduct which reasonably appears to threaten such danger if not restrained. Serious or repeat infractions shall be reported by the bus driver to the principal who will determine the appropriate punishment.

Consequences for improper behavior may range from short-term suspension of bus transportation privileges to a permanent ban from riding the bus. The school principal may impose disciplinary consequences, including suspension or revocation of bus privileges, in accordance with the procedure for suspension or revocation of school privileges specified by the student handbook or code of conduct in effect for the school which the student attends.

Parents/Guardians shall require their children to exhibit proper behavior while on the bus. Parents/Guardians may be held responsible for property damage to the bus or for injuries to bus drivers or others, in accordance with state law.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

A. Discipline of Special Education Students Receiving Transportation as a Related Service.

In order to provide appropriate transportation services to eligible students with disabilities, personnel involved in transportation shall become familiar with federal and state laws. The Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1401 *et seq.* and its implementing regulations 34 C.F.R. Part 300, assures students with disabilities the right to a free appropriate public education, including transportation as a related service. It is imperative that transportation personnel understand compliance mandates with regard to discipline of students with disabilities.

Disciplinary procedures for students with disabilities specified in the student's Individualized Education Plan (I.E.P.) shall address the behavioral needs of the student while on the bus, including the student's capacity to understand and follow transportation rules. If the student's disabilities or behavioral needs require alternative intervention strategies, support services, or other disciplinary methods while the student is riding the bus, the individual discipline plan incorporated in the student's I.E.P. shall address such needs as to transportation services.

Violations of student's codes of conduct relating to school transportation by a student with a disability, which may result in long-term suspension or revocation of transportation services, shall be referred to the I.E.P. Committee. The I.E.P. Committee shall determine if the student's behavior was a manifestation of the student's disability. Appropriate school transportation personnel shall be invited to attend the I.E.P. meeting. The School District shall follow the procedures specified by Appendix C of SBE Reg. No. 81-3 (Amendment No. 1), entitled "Procedures for Long-Term Suspension or Expulsion of Students with Disabilities", if long-term suspension or revocation of transportation as a related service is under consideration.

B. Emergency Removal of Students. Nothing contained herein shall prevent the emergency removal of any student, including a student with a disability from a school bus if the student endangers or reasonably appears to endanger the health, welfare, or safety of himself or herself, any other student, teacher, or school personnel, or others using transportation services.

1. When emergency removal of the student from a school bus is necessary the student's parents shall be notified immediately of the action. A written behavioral report shall be filed with the school principal and a copy provided to the parent.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

2. If an I.E.P. committee reconvenes after an emergency removal to determine if a student's conduct results from his or her disability, it shall follow the appropriate disciplinary procedures specified herein and may recommend appropriate modifications or alternative transportation service.

708.4 TRAVEL TIME POLICY REGARDING THE TRANSPORTATION OF STUDENTS WITH DISABILITIES

The travel time to and from school for students with disabilities shall consider distance from the student's home to school site, travel time for non-disabled neighborhood peers, and time associated with other services specified in the I.E.P. A disabled student's time in transport to and from school should not be uniformly longer than that of non-disabled peers and should not result in a loss of the student's instructional time.

Any variance from this comparable travel time policy shall be determined on a case-by-case basis by the student's I.E.P. Committee and shall be clearly stated in the I.E.P.

708.5 POLICY REGARDING THE TRANSPORTATION OF SPECIAL PERSONNEL

The I.E.P. Committee should address the need for bus assistants, nurses, special education aides, and similar personnel in its consideration of the needs of individual disabled students, as well as the needs of other staff and students riding the bus.

708.6 POLICY REGARDING TRANSPORTATION OF ANIMALS WHICH ACCOMPANY A STUDENT WITH DISABILITIES

Services provided to a student with disabilities requiring an animal to be transported on the school bus shall be documented in the I.E.P. A training component developed for other riders, bus personnel and parents, to address such areas as health care, animal treatment and responses to emergency situations shall be provided as needed.

Records of current certification, training and immunization of the animal must be provided by the parent/guardian to the Superintendent or his/her designee and maintained in the student's special education file.

If it has been determined that a student with disabilities requires the assistance of an animal on the bus, the student and animal shall occupy the first seat. Animals must be restrained at all times for the safety of the student and other occupants of the bus.

708.7 POLICY REGARDING TRANSPORTATION OF MEDICATION

The driver or a bus aide may accept prescribed medication from parent/guardian for transport to school. The driver shall document the date and time of acceptance from the parent, the student's name and the type and quantity of the medication on a form provided by the Special Education Director. All medication must be clearly marked with students' name and stored by the driver in a secure location. Acceptance for delivery of the medication to the school site shall be similarly documented by personnel designated by the Principal.

708.8 POLICY REGARDING MAINTENANCE OF ROSTER/SEATING CHART

Rosters/Seating charts shall be maintained by the bus driver and updated quarterly. A record shall also be kept of the names and addresses of students who are eligible for transportation who intend to utilize the service as well as the names of the students who actually receive to and from transportation directly to and from school on a per capita feeder route.

708.9 POLICY REGARDING SCHOOL DISTRICT COMPLIANCE WITH SECTION 504 OF THE REHABILITATION ACT OF 1973

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 793, prohibits discrimination on the basis of disabilities. The Act provides that a non-qualified person with a disability shall, on the basis of disability, be denied the benefits of, or otherwise be subjected to, discrimination under any program or activity which receives or benefits from federal financial assistance. Pursuant to Section 504, the Carrizozo Municipal School District shall provide non-academic and extra-curricular activities in such a manner as is necessary to afford qualified disabled students an equal opportunity to participate.

Students with disabilities who require transportation as a related service to and from school or school activities, such as field trips, shall be transported with non-disabled students unless restricted by health or safety considerations. Modifications to standard transportation services shall be specified through the I.E.P. or multi disciplinary team process and shall be recorded in the student's I.E.P. or Section 504 service plan.

Participants in the decision-making process for transportation as a related service, shall conform to the District's approved Section 504 plan.

The procedural safeguards outlined in Section III of SBE Reg. No. 90-2, Chapter 5 or successor regulation, or the Section 504 plan approved by the School Board, shall be available to parents relating to procedures, protection in evaluation and delivery of services, least restrictive environment, and confidentiality of information, and shall apply when considering transportation as a related service

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

to students with disabilities. A transportation form must be completed and turned into the Superintendent's Office prior to the start of transportation. The transportation form must include number of days required to reconfigure the route, the time limit required to wait for students receiving modified services, and when a guardian or parent is not present to receive the student.

POLICY GOVERNING TERMINATION OF A CONTRACT WITH A SCHOOL BUS CONTRACTOR

School bus services contracts with individual owner/equipment operators or fleet service operators shall be negotiated by the Superintendent or his/her designee and recommended by the Superintendent for School Board approval. Local board may approve contract period up to five years. Any contract changes during the contract period shall require that the contract be renegotiated/amended, and approved by the Board. Any changes requiring approval of the SDE or State Transportation Division shall not be effective until so approved.

- A. At the end of a contract period, the contract may be renewed annually on the same terms and conditions at the option of the local board.
- B. Contractor shall comply with the terms and conditions set forth on the contract form approved by the State Board of Education. The contractor shall be subject to all federal and state laws and regulations which govern school transportation.
- C. The School Board may terminate a school bus service contract in accordance with the provisions of state law (NMSA 1978, § 22-16-3E) and the school bus contract. Except as provided in NMSA 1978, § 22-16-3E, nothing in the school bus contract nor School Board policy shall be construed as creating an entitlement of a school bus contractor to renewal of contract at the expiration of any existing contract or an implied promise of continued contract services. For school transportation employees with three or more years of consecutive service in the School District for whom termination of employment must be upon just cause as specified in § 22-10-14, such termination shall not impair the School Board's authority to decline to renew an equipment service contract without just cause at the Board's option.

The School Board may consider a variety of factors in determining whether to renew or decline to renew a school bus service contract, at its expiration, including, but not limited to:

1. The retirement, resignation, or death of current contractor.
2. Requests for approval to sell, assign or otherwise transfer a contractor's interest in the contract.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

3. The School Board's determination to change from a school-owned operation to a contract operation.
4. The School Board's assessment of its need for contract services, in the interest of efficiency and economy, decreases in revenue or budgetary constraints or considerations, student enrollment and use of transportation services, statutory or regulatory changes, changes in educational programs, or applicable judicial orders or directives of the SBE.
5. Unsatisfactory services by a contractor.

D. In the event of non-renewal, the School Board shall provide thirty (30) days' written notice, but shall not be required to furnish reasons, establish cause or conduct a hearing on such action.

E. Termination of school bus service contractors by a contractor or the School Board before the expiration of a contract shall be in accordance with the procedures specified in the state-approved contract form.

708.11

POLICY ON TRANSPORTATION OF STUDENTS FOR SCHOOL ACTIVITY TRIPS

A. The Board of Education recognizes that there may be instances in which a regular school bus or activity bus is unavailable or its use is not practical or cost-effective to provide transportation for student activity trips. The Board of Education recognizes that State Board of Education Regulation No. 95-1 permits the use of school-owned or privately-owned vehicles with a rated capacity of 9 or fewer occupants to transport students on school-sponsored activity trips, so long as the vehicle used meets Federal Motor Vehicle Safety Standards for the category of vehicle.

1. The Superintendent shall be responsible for designating a school employee to administer activity trip transportation and the use of school-owned vehicles or privately-owned vehicles, whenever reimbursement for per diem or mileage for such trips is anticipated. The following minimum conditions shall apply to use of such vehicles:

- a. A school employee shall be designated the responsible individual for all such trips.
- b. School-owned vehicles shall be used and preferred over the use of privately-owned vehicles whenever possible.
- c. The responsible employee shall assure that the driver of any school-owned or privately-owned vehicle used on such a trip has in his or her

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

possession during the trip a valid and current drivers license, and proof of minimum liability insurance for the vehicle. The Superintendent or his designated representative shall approve all drivers.

d. The number of occupants of any school-owned or privately-owned vehicle shall not exceed nine, including the driver. The number of occupants shall also not exceed the number of available seat belts. Only activity participants shall travel in such vehicles.

2. The responsible employee shall assure that an activity trip ticket is prepared and approved for any vehicle used to transport students on such activity trips outside the School District boundaries. The trip ticket shall specify the route to be taken and the designated stops permitted. The Superintendent's designated representative shall prepare a form for safety inspection of all vehicles used on school activity trips to be completed by each vehicle driver prior to the trip.

3. The responsible employee for the activity trip shall assure that activity trip drivers and activity trip sponsors perform their responsibilities as set forth in Sections 4.4 and 4.5 of State Board of Education Regulation No. 95-1, respectively.

4. No privately-owned vehicle which appears to be in unsafe condition shall be used on any school-sponsored activity trip to transport participating students. The use of privately-owned vehicles shall be limited to 200 miles one way to any school-sponsored activity trip. No school-owned or private vehicle shall be used in circumstances where hazardous road conditions exist.

5. Except as permitted by this policy, a school bus shall be used for school-sponsored activity trips. If an activity involves more than nine students, a school bus shall be used unless the Superintendent or his/her designee determines that circumstance exist warranting an exception to this rule. The reasons shall be documented.

B. Relaxation for Students and Drivers during Trips: Off Duty Time for Driver.

A driver operating a motor vehicle for the purpose of transporting students to or from a school-sponsored activity shall not remain continuously on duty as a driver for a period longer than ten (10) hours. When a driver has been continuously on duty for ten hours, he or she shall have at least eight (8) consecutive hours off duty. A driver shall not be permitted to remain on duty as a driver for a period longer than sixteen (16) hours in aggregate during any twenty-four (24) hour period.

When a driver is off duty, he/she is relieved of all responsibility for the care and custody of the vehicle, its accessories, or any cargo or passengers. The duration of the driver's relief from duties shall be a specified adequate period of time to

CARRIZO MUNICIPAL SCHOOLS - BOARD POLICY

allow the driver to rest and to pursue activities of his or her choosing off the premises where the vehicle is situated.

On trips of 2 hours or more, the bus driver should allow for rest stops to allow the bus driver and passengers to leave the bus for at least 10 minutes. On trips of five hours or more, the bus driver and sponsor shall assure a rest stop for student meals of at least forty-five minutes.

708.12

POLICY ON INSURANCE COVERAGE FOR VEHICLES AND PASSENGERS

The school bus contractor and school bus driver are responsible for the safe transportation of students. The Superintendent or his/her designee shall verify that all vehicles and equipment owned by the School District and used in school transportation are reported to the New Mexico Public Schools Insurance Authority and included in the School District's certificate of coverage. All school bus drivers shall be approved annually by the School Board. The Superintendent or his/her designee shall determine that all transportation staff are adequately insured, as provided for in the state statute and State Department of Education regulations. School bus fleet contractors shall provide proof of insurance annually at least fifteen (15) days prior to the initial date of services.

708.13

PROCEDURES TO BE FOLLOWED IN AN EMERGENCY

The Superintendent or his/her designee shall develop a plan of action in case of emergencies and train staff and contractors. This plan should include procedures for vehicle break-downs, accidents, or passenger difficulties, and incorporating procedures for evacuating the bus, using the emergency door and other exits. Every school bus driver shall receive training in emergency response procedures. Evacuation drills should be held at least twice each school year to ensure that students are familiar with emergency procedures. Evacuation procedures and checklists shall be developed by the Superintendent or his/her designee and provided to drivers and contractors to assure that safety steps are observed. Video instruction may be used to avoid the risk of injury to students inherent in an actual evacuation drill. The Superintendent or his/her designee shall maintain documentation on evacuation drills. State Board of Education regulations should be used in the preparation of video or other training methods. The School District shall develop a plan addressing Do Not Resuscitate Orders received from a parent which could be initiated on a school bus. Plan will follow the Good Samaritan Act.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

A. Procedure to be Followed in an Accident.

In the event of an accident, the following procedures shall be followed:

1. The bus or vehicle shall be stopped immediately.
2. The driver and sponsor(s) shall remain at the scene of the accident.
The driver shall not move the vehicle until directed to do so by the a law enforcement officer.
3. The driver and sponsor(s) shall attend to students and render reasonable aid to injured persons.
4. The driver or sponsor(s) shall notify police, and the School Principal and/or District Superintendent, and call for emergency assistance if needed.
5. The driver and sponsor(s) shall remove students to a safe location, unless injuries warrant, and make arrangements for their transportation to school or home.
6. The driver and sponsor(s) shall do all possible to assist in traffic control to avoid risk of further accidents. Flares, flags, or reflectors should be deployed to warn oncoming traffic.
7. The driver and sponsor(s) shall record information such as names of drivers, witnesses, road conditions, location, license numbers, insurance coverage, etc.
8. The driver and sponsor(s) shall not discuss liability or assume responsibility for the accident. Questions as to liability or responsibility, other than exchange of insurance coverage information, shall be referred to the Principal or Superintendent.

In the event of a school bus accident or emergency, the local Superintendent or his/her designee shall promptly notify the State School Transportation Division if a school bus is involved in an accident which results in serious injury or hospitalization of any passengers, bus driver, pedestrian ort other vehicle occupant.

B. Procedure for Reporting Bus Accidents to Parents.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

1. The School Principal and/or designee will telephone all parents and inform them that their child was involved in a bus/auto accident as soon as possible.
2. The principal or designee shall convey the following information when placing the call:
 - a. We are calling you to inform you that the bus your child was riding was involved in an auto/bus accident. Your child was not (REPEAT) was not hurt and no apparent injury is being identified.
 - OR
 - b. Your child reports that he/she was bumped on the head, etc., however, no apparent injury is present.
 - OR
 - c. Your child was injured and has been transported for examination or treatment to _____ Hospital.
3. All students will be asked by driver, police officer, transportation director and contractor if they were injured/bumped etc., at the scene of the accident.
4. The police officer responding to the accident should assist in determining whether medical assistance is needed at the scene of the accident.

708.14

POLICY ON INCLEMENT WEATHER

The Superintendent will determine, based on weather conditions, road conditions and potential risk to students during transport to school, whether the district will operate on an abbreviated schedule or a school day will be canceled due to weather.

708.15

POLICY ON ALCOHOL AND DRUG TESTING OF BUS DRIVERS

Pages 21a through 37

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

708.16

PER CAPITA FEEDER POLICY

A per capita feeder reimbursement to parents or guardians will be provided where regular school bus service is not economically or geographically feasible.

To be eligible for Per Capita Feeder reimbursement, a pupil must live outside the legal walking distance to the nearest school bus route or to school, whichever the case may be. The minimum distance one-way to qualify for reimbursement are:

- 1 mile for elementary school pupils (K-6)
- 1 1/2 miles for middle school pupils (7-9)
- 2 miles for senior high school pupils (10-12)

The rate is to be established by the school board each school year for total reimbursable mileage. This rate may be adjusted following the 40th day of each school year depending on funds available in the district budget. This will include the necessary mileage from the home to the bus stop or school, the return mileage from the bus stop or school to home during the day, and the reverse in order to pick up the students in the afternoon.

In cases where the student is transported to school by the parents and the parent remains in the community or goes to another job, the reimbursement would not apply other than one round trip per day. In the case where a student drives a vehicle to a point and leaves the vehicle parked, only one round trip per day is allowed.

Drivers on feeder routes and their vehicles must provide proof of insurance coverage when signing the per capita feeder agreement. If the identity for the vehicle, driver, or both changes, this information must be reported to the superintendent's office.

Parents/Guardians must complete a monthly form (provided by the school) which verifies actual mileage driven. School personnel will verify miles driven against the student's attendance record. Reimbursement will not be paid for a day on which the student is not in school. This policy becomes effective the 1999-2000 school year.

Once the application has been received and approved, parent/guardian will be given a supply of monthly reports. The following is the procedure to be used to receive reimbursement:

Complete the report for the previous month and send it to the transportation department on the first school day of the following month. For example, the report for October, 1999 should be sent to the transportation department on Monday, November 1, 1999.

CARRIZOZO MUNICIPAL SCHOOLS - BOARD POLICY

The transportation office will compute the reimbursement, using the rates and factors described in this policy and will prepare a request for payment, which will be approved by the School Board at the regular monthly meeting.

After the 20-day attendance period, the superintendent will review and approve payment of feeder route reimbursement.

708-B SCHOOL VEHICLE USE

708 B1 The Superintendent is the administrator in charge of the use/upkeep of school vehicles.

708 B2 Procedural rules and regulations governing the use of school vehicles.

A. School vehicles are for student activities primarily, and any school activity will take precedence over other uses.

B. Secondary use is for Administrative/Staff/Maintenance Use. Vehicles can not be used for personal use.

C. The Superintendent will maintain check out procedures for the use of vehicles for all out of town travel. A Vehicle Use Form must be in the vehicles during all out of town trips.

D. For the security of the vehicles the following measures will be followed:

1. All buses will be kept at the Ag Farm.
2. The old maintenance truck will be kept in the school garage.
3. The other vehicles will be taken to the residence of the four staff members that are on call 24 hours daily; Superintendent, Principal, Head Maintenance and FFA Advisor.

708 B3 The Superintendent will present to the Board of Education a monthly report of the use of school vehicles.

708 B4 The Board of Education will review the monthly reports for total vehicle needs assessment and information for school activities.

709 USE OF TRAMPOLINES

709.1 The use of trampolines at the Carrizozo Municipal Schools is prohibited.

709.2 Trampolines will be disposed of in accordance with Policy 701.

710 PUBLIC RELATIONS

710.1 The school and community relations programs of the Carrizozo Municipal Schools involves the Board of Education, all school staff, students and patrons.

- 710.2 The Board of Education carries on its meetings with full discussion. The public is invited to attend all Board meetings. Procedure followed is outlined in Section 104. The individual members of the Board may serve on panel discussions, make speeches, and have many personal contacts, and thus inform the public of the school's program and problems.
- 710.3 The Superintendent of Schools has the responsibility for leadership of the school-community program of public relations. His office should serve as a main connecting link between the Board, Staff, and Public.
- 710.4 The school-community relations are largely determined by what happens in the classroom. The school curriculum is extremely important in the whole matter of school-community relations. For that reason the principal and professional staff play a key role. They also must accept the responsibility of seeing that correct information gets home to the parent. Teachers have many opportunities for good public relations by considering citizens as friends and explaining the reasons for the program of the school in a plain, straight forward manner. School personnel are encouraged to learn from citizens in the community, anything that will help in the education of the children.
- 710.5 The community has responsibility for active interest and support of the public schools by maintaining an attitude of study to obtain factual information as a basis of understanding.

711 SCHOOL VISITATION

- 711.1 The Board encourages all citizens to visit school throughout the year, particularly during American Education Week.
- 711.2 Visitors should make arrangements for visits through the building principal.
- 711.3 Visits to School: The public is always welcome to visit the school. They shall check with the Principal. He/she must know who is visiting the school for the safety of the children.
- 711.4 Conferences: Individual conferences may be arranged with the teachers or the Principal who will set up a time. Teachers are at school before and after the students for this purpose.

712 EMPLOYEE PERSONNEL DIRECTORY

- 712.1 The administrative aide will compile a directory of all the employees of the Carrizozo Municipal Schools annually. This directory will contain names, addresses, and telephone numbers.

- 712.2 The directories are for the private use of personnel of the Carrizozo Municipal Schools.

713 PROHIBITED PSYCHOLOGICAL COUNSELING AND TEACHING TECHNIQUES

- 713.1 No employee of the Carrizozo Municipal Schools shall at any time make use of mind-altering techniques, for any purpose, in the school environment or while working with school children, especially relating to the teaching or counseling of students.

- 713.2 Some of the psychological methodologies that are not acceptable and that will not be used in the school setting for the Carrizozo Municipal Schools, are but is not limited to, transcendental meditation, guided imagery, altered states of consciousness, the occult.

714 PER DIEM POLICY

- 714.1 Per diem shall be paid to employees only in accordance with the provisions as follows:
 - A. **Partial Day Diem Rate.** Public officers or employees who occasionally and irregularly travel shall be reimbursed for travel which does not require overnight lodging, but extends beyond a normal work day as follows:
 - a. for less than 2 hours of travel beyond normal work day, none
 - b. for 2 hours, but less than 6 hours beyond the normal work day, \$8.00
 - c. for 6 hours but less than 12 hours beyond the normal work day, \$16.00
 - d. for 12 hours or more beyond the normal work day, \$22.50

 - B. For overnight travel for employees for each 24 hour period where overnight lodging is required:
 - 1. in-state, \$65.00
 - 2. in-state, special areas, \$75.00
 - 3. out-of-state, \$75.00
 - 4. out-of-state special areas, \$95.00

C Actual Reimbursement for Meals. Actual expenses for meals are paid at a maximum of \$22.50 for a 24-hour period.

Receipts required: The public officer or employee must submit receipts for the actual meal and lodging expenses incurred. Under circumstances where the loss of receipts would create a hardship, an affidavit from the officer or employee attesting to the expense may be substituted for actual receipts. The affidavit must accompany the travel voucher and include the signature of the agency head or governing board.

714.2 For employees, in-state special areas shall be Santa Fe and Albuquerque; out-of-state special areas shall be the metropolitan areas of New York, Washington, Chicago, Los Angeles, and San Francisco.

714.3 Mileage will be reimbursed at the rate of .20 per mile.

715 DECLARING THE CARRIZOZO MUNICIPAL SCHOOLS TOBACCO POLICY

715.1 The Carrizozo Municipal Schools Board of Education, like most of the rest of the nation, are appalled and extremely concerned about the medical research findings with regard to the use of tobacco.

715.2 The Carrizozo Municipal Schools Board of Education, in an effort to (1) discourage students from using tobacco, (2) set precedent by virtue of establishing policy to ban the use of tobacco in the Carrizozo Schools' Buildings, (3) to protect students from the effects of secondary smoke, (4) provide exemplary behavior and leadership in educating students about the hazards involved in using tobacco, and (5) to provide for a safer educational environment; establishes policy banning use of tobacco in all School Buildings.

715.3 No person, shall be permitted to use tobacco in any form, in any building, facility or on school property that is under the care or jurisdiction of the Carrizozo Municipal Schools Board of Education. Additionally, tobacco use in any form by students is prohibited at school functions away from school property.

715.4 There shall be substantial penalties for any person found to be using TOBACCO in the Carrizozo Municipal Schools' Buildings. Those penalties may range from but are not limited to (1) all disciplinary measures available as described in Section 514 of the Carrizozo Board Policy, for students, (2) written warning, written reprimand, suspension without pay or dismissal for insubordination, for staff members, and (3) verbal warning, temporary removal from an event and/or from campus, or permanent removal from an event and/or from campus, for patrons.

716 POLICY REGARDING WEAPONS IN SCHOOL

The Board of Education recognizes that the presence of weapons in school not only creates unacceptable risks of injury or death, but also creates a climate that undermines the educational purposes of the schools. Accordingly, it is the policy of the Board of Education to forbid the possession, custody, and use of weapons by staff, students or other persons on school property, or during school-sponsored activities. This policy shall not preclude the possession, custody or use of weapons for legitimate purposes related to established job functions or in furtherance of approved educational programs or goals so long as the School Superintendent is advised of such purpose and approves such possession, custody or use for a limited purpose.

This policy is enacted to implement the requirements of the federal Gun Free Schools Act of 1994, 33 U.S.C. § 3351 (a) (1) and it is the intention of the Board that it be interpreted broadly to conform to provisions of that law.

Definitions:

Weapon: For purposes of this policy, a "weapon" shall mean any weapon, devise, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury. The term "weapon" shall also include, but is not limited to, the following:

- A. Any firearm that is designed to, may readily be converted to or will expel a projectile by action of an explosion, compressed gas, or by other means or propellant. A "firearm" is defined as any weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer, or any destructive device.
- B. Any destructive devise that is an explosive or incendiary devise, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter-ounce, mine or similar devise.
- C. Any other item or devise which may be used as a weapon, including all pocket knives or other knives regardless of length of blade, or other objects, even if manufactured for a nonviolent purpose, that have a potentially violent use, including, but not limited to, an air gun or paint gun, or any "look-a-like" objects that resemble objects that have a potentially violent use, if, under the surrounding circumstances, the purpose of keeping or carrying the object(s) is for use, or threat of use, as a weapon.

Special Rule as to Students with Disabilities

For purpose of this special rule as applied to students with disabilities who may be placed in an interim alternative educational setting for bringing a weapon to a school or

school function, the definition of a weapon set forth above shall not include a pocket knife with a blade of less than 2 ½ inches in length

Prohibitions: It is the policy of the Board that no student shall bring a weapon to a school, nor carry or keep any weapon on school property or while attending or participating in any school activity, including during transportation to or from such activity.

Enforcement:

A. This policy shall be enforced according to the Board's Student Search and Seizure Policy. Disciplinary actions pursuant to this policy shall follow the procedures prescribed by the State Board of Education Regulation No. 81-3, as amended, and the policies of the District.

B. Any student who brings a firearm or weapon to a school or school-sponsored activity shall, in addition to penalties imposed under School Board policy, be referred to appropriate law enforcement authorities for prosecution.

Penalties for Violations:

A. Any student found to be in violation of this policy shall be subject to discipline, including long-term suspension and expulsion.

B. In compliance with the federal Gun Free Schools Act, any student found to be in violation of this policy due to possession of a firearm, as defined in this policy, shall, at a minimum, be expelled from school for a period of not less than one year, *provided*, that the Superintendent or the Board of Education may modify such penalty in appropriate cases at their discretion.

C. This policy shall be interpreted in a manner consistent with the Individuals with Disabilities Education Act (IDEA).

(1) In accordance with the provisions of 20 U.S.C. § 1415e(3)(B) of IDEA, a child with a disability who is determined to have brought a weapon to a school under the jurisdiction of the School Board may be placed in an interim alternative educational setting as specified by the IEP team or a hearing officer, for a period of not more than 45 calendar days.

(2) The procedural requirements of 20 U.S.C. 1415(k) and State Educational Standards shall be met when imposing disciplinary penalties upon a student with a disability.

717 **EMPLOYEE - EMPLOYER RELATIONS POLICY**

717.1 SHORT TITLE - This policy may be cited as the "Carrizozo Municipal School District Employee - Employer Relations Policy."

717.2 PURPOSE - The Employee - Employer Relations Policy is adopted:

- A. To grant employees of the Carrizozo Municipal Schools the right to organize and bargain collectively with their employer.
- B. To promote harmonious and cooperative relationships between the employer and employees and;
- C. To promote and protect the public's interest at all times by assuring the continuance of a quality educational program without interruption, conflict or confrontation between the employer and employees.

717.3 CONFLICTS IN POLICY - In the event of conflict with other district policies, the provisions of the Employee - Employer Relations Policy shall have control over other previously enacted policies.

717.4 DEFINITIONS - Language used in the negotiations process and the definitions of such are:

A. Appropriate Bargaining Unit - means a group of employees designated by the State Public Employee Labor Relations Board for the purpose of collective bargaining. Appropriate bargaining units may be formed by occupational groups representing "Certified Personnel" and "Classified Personnel".

B. Certification - means the designation by the State Public Employee Labor Relations Board of a labor organization as the exclusive representative for all employees in an appropriate bargaining unit.

C. Collective Bargaining - means the act of negotiating between the employer and the exclusive representative for the purpose entering into a written agreement regarding wages, hours and other terms and conditions of employment.

D. Confidential Employee - means a person who assists and acts in a confidential capacity with respect to a person who formulates, determines and effectuates management procedures or school board policies. Job categories and positions determined by the employer to be identified as "confidential employees" are listed below:

- 1. Superintendent
- 2. Principal/Administrator
- 3. Supervisors
- 4. Central Office Secretarial/Bookkeeping Personnel

E. Employee - means an employee of the Carrizozo Municipal Schools who is regularly employed full-time or at least 40 hours per week. The term employee shall not include casual employees or part-time employees, including but not limited to

temporary or seasonal employees, nor does it include supervisory, managerial, confidential or student employees. Volunteers, substitutes and employees on long term leave or long term substitutes status are not recognized.

F. Employer - means the Carrizozo Municipal Schools Board of Education, the governing body of the Carrizozo School District.

G. Exclusive Representative - means a labor organization that, as a result of certification by the State Public Employer Labor Relations Board, represents all employees in an appropriate bargaining unit for the purpose of collective bargaining.

H. Fact-Finding - means the procedure following mediation whereby the parties involved in an impasse submit their differences to a third party for an advisory recommendation.

I. Impasse - means failure of the employee and the exclusive representative, after good-faith bargaining, to reach agreement in the course of negotiating a collective bargaining agreement.

J. Labor Organization - means any employee organization which represents employees in collective bargaining.

K. Local Board - means the local labor relations board created under NMSA 1978, Section 10-7D-10 and having the powers and duties specified by the Public Employee Bargaining Act, NMSA 1978, Section 10-7D-1 to 10-7D-26.

L. Lockout - means an act by the employer to prevent employees from reporting to work and performing services for the purpose of resisting demands of the employees' exclusive representative or for the purpose of gaining a concession from the exclusive representative.

M. Management Employee - means an employee who is engaged primarily in executive and management functions and is charged with the responsibility of developing, implementing, administering or effectuating management procedures or employee policies. Positions and job categories covered under this definition are indicated below:

1. Superintendent
2. Principal/Administrator
3. Supervisors

N. Mediation - means assistance by an impartial third party to resolve an impasse between an employer and exclusive representative regarding employment relations through interpretation, suggestion and advice.

O. Professional Employee - means an employee whose work is predominantly intellectual and varied in character and whose work involves the consistent exercise of discretion and judgment in its performance and requires knowledge of an advanced nature in a field of learning customarily requiring specialized study at an institution of higher education or its equivalent. The work of a professional employee is of such character that the output or result accomplished cannot be standardized in relation to a given period of time.

P. Strike - means an employee's refusal, in concerted action with other employees, to report for duty or his willful absence in whole or in part from the full, faithful, and proper performance of the duties of employment for the purpose of inducing, influencing or coercing a change in conditions, compensation, rights, privileges or obligations of employment. The definition of strike includes but is not limited to such actions as sick-outs, work slow-downs, mass resignations and sympathy strikes.

Q. State Public Employee Labor Relations Board - means the Public Employee Labor Relations Board created by NMSA 1978, Section 10-7D-8 and having the powers and duties specified by the Public Employee Bargaining Act. NMSA 1978, Sections 10-7D-1 to 10-7D-26.

R. Supervisor - means an employee who devotes a substantial amount of work time to supervisory duties, who customarily and regularly directs the work of two or more other employees and/or who has the authority in the interest of the employer to hire, promote or discipline other employees or to recommend such actions effectively but does not include individuals who perform merely routine, incidental or clerical administrative duties or who occasionally assume supervisory or directory roles or whose duties are substantially similar to those of their subordinates and does not include head employees or employees who participate in peer review or occasional employee evaluation programs. Positions and job categories covered under this definition are indicated below:

1. Maintenance/Custodial Supervisor

717.5 EMPLOYEE RIGHTS - Employees other than management employees, supervisors and confidential employees, and those excluded in Section 716.4.E of this policy, may form, join or assist any labor organization for the purpose of collective bargaining through representatives chosen by employees through procedures set forth in this policy without interference, restraint or coercion. Such employees also have the right to refuse to form, join or assist any labor organization. No employee shall be required to pay "fairshare" contributions under any collective bargaining agreement entered into by the employer.

717.6 EMPLOYER RIGHTS - Unless limited by the provisions of a collective bargaining agreement or by other statutory provisions, the employer may:

- A. Direct and supervise all operations, functions and the work of its employees;
- B. Hire, lay-off, promote, demote, assign, transfer, discipline, suspend, discharge or terminate employees;
- C. Determine the nature of programs and services offered to students and citizens of the school district;
- D. Determine qualifications for employment and the nature and context of personnel examinations;

E. Take such actions as may be necessary in times of emergency when such a situation is declared to exist by the employer or the Superintendent;

F. Enter into contracts with agencies or companies for services or materials;

G. Limit the scope of payroll deductions allowed because of the limited capability of the accounting program;

H. Retain all rights not specifically limited by a collective bargaining agreement or by the Public Employee Bargaining Act (10-7D-1 to 10-7D-26, NMSA, 1978).

717.7 LOCAL BOARD - CREATION TERMS - In the event the employer decides to create a "Local Board," the following provisions shall apply:

A. The Local Board shall consist of three members appointed by the President of the Carrizozo Municipal School Board with the consent of the Carrizozo Municipal School Board. The President shall appoint one member on the recommendation of individuals representing labor, one member on the recommendation of individuals representing management, and one member shall be appointed on the recommendation of the first two appointees. Once created, the employer shall present a request to the State Public Employee Labor Relations Board for approval of the Local Board.

B. The Local Board, if the employer decides to create one, shall be created only after a petition has been received to organize and bargain collectively with its employees.

C. Local Board members shall serve for a period of one year. Vacancies shall be filled in the same manner as the original appointment, and such appointments shall only be made for the remainder of the expired term. A Local Board member may serve an unlimited number of terms.

D. During the term for which the member is appointed, no Local Board member shall hold or seek another political office or be an employee of a union or an organization representing public employees or public employers.

E. Each Local Board member shall serve without compensation. Members of the Local Board shall be reimbursed for actual necessary expenses as allowed by the "Per Diem and Mileage Act".

F. The cost of any adjudicatory hearing will be borne equally by the parties to the hearing.

717.8 LOCAL BOARD POWERS AND DUTIES - The Local Board shall:

A. Promulgate rules and regulations necessary to accomplish and perform its functions and duties as established in this policy, including the establishment of procedures for:

1. designation of appropriate bargaining units;
2. the selection, certification and decertification of exclusive representatives; and
3. the filing of, hearing on and determination of complaints of prohibited practices.

B. Hold hearings and make inquiries necessary to carry out its functions and duties.

C. Request from employers and labor organizations the information and data necessary to carry out the Local Board's functions and responsibilities.

D. Issue subpoenas requiring, upon reasonable notice, the attendance and testimony of witnesses and the production of any evidence, including books, records, correspondence or documents relating to any matter in question, when deemed necessary. The Local Board may prescribe the form of the subpoena, but it shall adhere insofar as practicable to the form used in civil actions in the district court. The Local Board may administer oaths and affirmations, examine witnesses and receive evidence.

E. Decide all issues by majority vote and shall issue its decisions in the form of written orders and opinions subject to the provisions of Section 716.20 below. The decisions of the Local Board on interpretation and application of this policy and collective bargaining agreements are final and binding on the parties.

F. Have the power to enforce provisions of this policy through the imposition of appropriate administrative remedies.

G. Have no power to promulgate policy for the employer, except as specified in Section 716.8.A above, other than its own operation.

H. No rule, regulation or decision promulgated by the Local Board shall require, directly or indirectly, as a condition of continuous employment, any employee covered by this policy to become a member or pay money to any labor organization that is certified as an exclusive representative.

717.9 HEARING PROCEDURES - Notwithstanding the provisions of the Carrizozo Board of Education's grievance procedures, the Local Board may hold hearings for the purpose of:

- A. Information gathering and inquiry.

B. Adopting rules and regulations.

C. Adjudicating disputes and enforcing the provisions of this policy and rules and regulations adopted pursuant to the policy.

D. Adopting regulations setting forth procedures to be followed during adjudicatory hearings of the Labor Board. Such regulations shall provide that adjudicatory hearings will satisfy the applicable requirements of due process specified by the state and federal constitutions.

E. No regulation proposed to be adopted by the Local Board that affects any person or governmental entity outside of the Local Board shall be adopted, amended or repealed without public hearing and comment on the proposed action before the Local Board. The public hearing shall be held after notice of the subject matter of the regulation, the action proposed to be taken, the time and place of the hearing, the manner in which interested persons may present their views and the method by which copies of the proposed regulation, proposed amendment or repeal of an existing regulation may be obtained. All meetings of the Local Board shall be held in Lincoln County. Notice shall be published once at least thirty (30) days prior to the hearing date in the newspaper of general circulation in the county, and notice shall be mailed at least thirty (30) days prior to the hearing date to all persons who have made a written request for advance notice of hearings.

F. All adopted rules and regulations shall be filed in accordance with applicable Carrizozo Municipal School Board Policies and State Regulations and Statutes.

G. A verbatim record made by electronic or other suitable means shall be made of every rule-making and adjudicatory hearing. The record shall not be transcribed unless required for judicial review or unless ordered by the Local Board. Payment for the transcription shall be made by the party requesting it.

717.10 APPROPRIATE BARGAINING UNITS - The State Public Employee Labor Relations Board, or if created, the Local Board shall:

A. Designate, upon receipt of a petition for a representation election filed by a labor organization, the appropriate bargaining units for collective bargaining. Appropriate bargaining units shall be established on the basis of occupational groups having a clear and identifiable community of interest in employment terms, conditions and related personnel matters among the employees involved. Bargaining units shall not be determined by craft or trade designations. The parties, by mutual agreement and approval of the State Public Employee Labor Relations Board or, if created, the Local Board, may consolidate occupational groups. Essential factors in determining appropriate bargaining units shall include principles of efficient administration of the district, the history of collective bargaining and the assurance to

employees of the fullest freedom in exercising the rights guaranteed by the Public Employees Bargaining Act and this policy.

B. Hold a hearing, within thirty (30) days of a disagreement arising between the employer and the labor organization concerning the composition of an appropriate bargaining unit, concerning the composition of the bargaining unit before designating an appropriate bargaining unit.

C. Neither supervisors, managers, confidential not other employees excluded under Section 716.4.E of this policy shall be included in any appropriate bargaining unit.

717.11 ELECTIONS - Whenever, in accordance with regulations prescribed by the State Public Employee Labor Relations Board, or if created, the Local Board, a petition is filed by a labor organization containing the valid signatures of at least thirty (30) percent of the employees in an appropriate bargaining unit, the State Employee Labor Relations Board or, if created, the Local Board, shall conduct a secret ballot representation election.

Once a labor organization has filed a valid petition with the State Public Employee Labor Relations Board or, if created, the Local Board, calling for a representation election, other labor organizations may seek to be placed on the ballot. Such an organization shall file petition containing the valid signatures of not less than ten (10) percent of the employees in the appropriate bargaining unit no later than ten (10) days after the State Public Labor Relations Board or Local Board and the employer post a written notice that the petition containing the signatures of not less than thirty (30) percent of the employees has been filed by a labor organization.

Every election mandated by the provisions set forth under paragraphs 1 and 2 of this section shall include the option "no representation" on the ballot.

Within thirty (30) days of an election in which no choice receives a majority of the votes cast, a runoff election between the two choices receiving the largest number of votes cast shall be conducted. The State Public Employee Labor Relations Board or , if created, the Local Board, shall certify the results of the election and, if a labor organization receives a majority of the votes cast, the State Public Employee Labor Relations Board or, if created, the Local Board, shall certify the labor organization as the exclusive representative of all employees in the appropriate bargaining unit.

No labor organization shall be certified as an exclusive representative unless at least sixty (60) percent of the members of the bargaining unit vote in the election.

No election shall be conducted if an election or run-off election has been conducted in the twelve (12) months period immediately preceding the proposed representation election. No election shall be held during the term of an existing collective

bargaining agreement, except as provided in Section 716.13, paragraph 2 of this policy.

Election disputes shall be resolved by the State Public Employee Relations Board or, if created, the Local Board.

The cost of the elections shall be borne equally by the parties requesting an election.

717.12 EXCLUSIVE REPRESENTATIVE - A labor organization that has been certified by the State Public Employee Labor Relations Board or, if created, the Local Board, as representing the employees in the appropriate bargaining unit shall be the exclusive representative of all employees in the appropriate bargaining unit. The exclusive representative shall act for all employees in the appropriate bargaining unit and negotiate a collective bargaining agreement covering all employees in the appropriate bargaining unit without discrimination or regard to membership in the labor organization.

The existence of an exclusive bargaining representative shall not prevent employees in or out of a bargaining unit from presenting their grievances or charges of prohibited practices without the intervention of the exclusive representative. Any adjustment in employer policy or practice which results from such grievance made shall not be inconsistent with or in violation of the collective bargaining agreement then in effect between the employer and the exclusive representative. At any hearing on a grievance or charge of prohibited practice brought individually by the employee, the exclusive representative shall be afforded the opportunity to be present and make its views known but shall not be a party to such proceeding.

717.13 DECERTIFICATION OF EXCLUSIVE REPRESENTATIVE – Any member of a labor organization or a labor organization itself may initiate the decertification of a labor organization as the exclusive representative if thirty (30) percent of the employees in the appropriate bargaining unit make a written request to the State Public Employees Labor Relations Board or, if created, the Local Board, for a decertification election to be held in the manner prescribed by the State Public Employee Labor Relations Board or, if created, the Local Board.

When there is a collective bargaining agreement in effect, a request for a decertification election shall be made to the State Public Employee Labor Relations Board or, if created, the Local Board, no earlier than ninety (90) days or no later than sixty (60) days before the expiration of the collective bargaining agreement; provided, however, that a request for an election may be filed at any time after the expiration of the third year of a collective bargaining agreement with a term of more than three (3) years.

When, within the time period prescribed in paragraph 2 of this section, a competing labor organization files a petition containing signatures of a least thirty (30) percent

of the employees in the appropriate bargaining unit, a representation election rather than a decertification election shall be conducted.

When an exclusive representative has been certified but no collective bargaining agreement is in effect, the State Public Employees Labor Relations Board or, if created, the Local Board, shall not accept a request for decertification election earlier than twelve (12) months subsequent to a labor organization's certification as the exclusive representative.

717.14 SCOPE OF BARGAINING - Except for retirement provided under the Educational Retirement Act, the employer and exclusive representatives shall bargain in good faith on wages, hours and other terms and conditions of employment. However, neither the employer nor the exclusive representative shall be required to agree to a proposal or to make a concession. All collective bargaining agreements between the parties shall be reduced to writing.

The obligation to bargain collectively imposed by this policy shall not be construed as authorizing the employer and/or exclusive representative to enter into any agreement that is in conflict with the provisions of any other statute, regulation or policy of the federal or state governments or this policy. In the event of such conflict, the statute, regulation or policy shall prevail.

Payroll deductions of the exclusive representative's membership dues shall be a mandatory subject of bargaining if either party wishes to negotiate the issue. The amount of dues, if such a provision is agreed to by the parties, shall be certified in writing by an official of the labor organization and shall not include special assessments, penalties or fines of any type levied by the exclusive representative. The employer shall honor such payroll deductions unless revoked by an employee or for so long as the labor organization is certified as the exclusive representative. During the time that a State Public Employee Labor Relations Board or Local Board certification is in effect for a particular appropriate bargaining unit, the public employer shall not deduct dues for any other labor organization.

Any agreement by the employer and an exclusive representative that requires the expenditures of funds shall be contingent upon the approval of the Carrizozo Municipal Schools Board of Education.

Every agreement shall include a grievance procedure to be used for the settlement of disputes pertaining to employment terms and conditions and related personnel matters. The grievance procedure shall provide for a final and binding determination. The final determination shall constitute an arbitration award within the meaning of the Uniform Arbitration Act. The costs of any arbitration proceeding conducted pursuant to this section shall be shared equally by the parties.

The following meetings shall be closed:

A. Meetings for the discussion of bargaining strategy preliminary to collective bargaining negotiations between the employer and the exclusive representative of the employees.

B. Collective bargaining sessions.

C. Consultations and impasse resolution procedures at which the employer and/or the exclusive representative of the appropriate bargaining unit are present.

717.15 NEGOTIATIONS AND IMPASSE PROCEDURES - Negotiations shall be conducted in closed session. Agreement on contract negotiations shall be accomplished as follows:

A. The President of the local chapter of the exclusive representative and the superintendent of schools shall initial the agreement as negotiated.

B. The agreement as initialed shall thereafter be presented to the governing authority of the exclusive representative for ratification.

C. Upon written notification that the contract has been ratified by the exclusive representative, the superintendent of schools shall present the agreement to the Carrizozo Municipal Schools Board of Education for approval. Upon majority approval by the Board of Education, the agreement shall constitute the agreement of parties.

The following impasse procedure shall be followed by the employer and exclusive representatives:

A. If an impasse occurs, either party may request that a mediator be assigned to the negotiations. A mediator from the Federal Mediation and Conciliation Service will be assigned to assist negotiations unless the parties agree to another mediator.

B. If the impasse continues after a sixty (60) day mediation period, either party may request from the State Public Employee Labor Relations Board or, if created the Local Board, that a fact-finder be selected by the parties from the list of individuals requested from the Federal Mediation and Conciliation Service unless the parties mutually agree to another fact-finder.

C. The fact-finder shall conduct hearings and submit written findings and recommendations to the parties. If the parties have not reached agreement within ten (10) days after receipt of the fact-finder's report, the State Public Employee's Labor Relations Board or, if created, the Local Board, shall publish the fact-finder's report.

D. The cost of the impasse proceedings shall be borne equally by the parties.

717.16 EMPLOYER: PROHIBITED PRACTICES - The employer shall not:

A. Discrimination against an employee with regard to terms and conditions of employment because of the employee's membership in a labor organization.

B. Interfere with, restrain or coerce any employee in the exercise of any right guaranteed under this policy.

C. Dominate or interfere in the formation, existence or administration of any labor organization.

D. Discriminate in regard to hiring, tenure or any term of condition of employment in order to encourage or discourage membership in a labor organization.

E. Discharge or otherwise discriminate against an employee because he has signed or filed an affidavit, petition, grievance or complaint or given any information or testimony under the provisions of this policy or because an employee is forming, joining or choosing to be represented by a labor organization.

F. Refuse to bargain collectively in good faith with the exclusive representative.

G. Refuse or fail to comply with any provision of this policy or regulations of the State Public Employee Labor Relations Board of, if created, the Local Board.

H. Refuse or fail to comply with any collective bargaining agreement.

717.17 EMPLOYEES-LABOR ORGANIZATIONS: PROHIBITED PRACTICES

—

An employee, labor organization or its representative shall not:

A. Discriminate against an employee with regard to labor organization membership because of race, color, religion, creed, age, sex, national origin, ancestry, and/or disabilities.

B. Solicit membership for an employee or labor organization during the employee's duty hours. Duty hours shall not include lunch.

C. Interfere with, restrain or coerce any employee in the exercise of any right guaranteed by the provisions of this policy.

D. Interfere with, restrain or coerce any elected official, employee or representative of the employer in the conduct of his duties.

E. Refuse to bargain collectively in good faith with the employer.

F. Refuse or fail to comply with any collective bargaining or other agreement with the employer.

G. Refuse or fail to comply with any provision of this policy, rule or regulation adopted by the State Public Employee Labor Relations Board or, if created, the Local Board.

H. Picket homes or private business or elected officials or employees.

I. Interfere with or coerce the employer in the selection of its agent for bargaining.

J. Engage in discussions with a member of the employer school board concerning the negotiations process with the intent to influence or otherwise undermine the employer's authority or ability to negotiate with the exclusive representative.

717.18 STRIKES AND LOCKOUTS PROHIBITED - No employee or labor organization shall engage in a strike. No employee or labor organization shall cause, organize, instigate, encourage or support a strike. No employer shall cause, organize, instigate, support or engage in any employee lockout.

Any labor organization that causes, instigates, organizes, encourages or supports an employee strike, walkout or slowdown may be decertified as the exclusive representative for that appropriate bargaining unit by the State Public Employee Labor Relations Board or, if created, the Local Board, and shall be barred from serving as the exclusive representative of any bargaining unit of employees for a period of not more than one year.

The employer may apply to the District Court for injunctive relief to end a strike.

717.19 AGREEMENTS VALID - ENFORCEMENT - All collective bargaining agreements and other agreements between employers and exclusive representatives are valid and enforceable according to their terms when entered into in accordance with the provisions of this policy.

717.19 JUDICIAL ENFORCEMENT STANDARD OF REVIEW - The State Public Employee Labor Relations Board or, if created, the Local Board, may request the district court to enforce any order issued pursuant to this policy, including those for appropriate temporary relief and restraining orders pursuant to the procedures and standards set forth in Section 23A of the Public Employees Bargaining Act, which section is adopted and incorporated herein by reference.

Any person or party affected by a final decision, order or regulation of the State Public Employee Labor Relations Board or, if created, the Local Board, may appeal to the district court for further relief pursuant to procedures and standards set forth in

Section 23B of the Public Employees Bargaining Act, which section is adopted and incorporated herein by reference.

717.21 SEVERABILITY - If any part of this policy is held invalid, the remainder or its application to other situations or persons shall not be affected.

717.22 EFFECTIVE DATE - The effective date of the Carrizozo Municipal Schools Employee-Employer Relations Policy is **September 29, 1993.**

CARRIZO MUNICIPAL SCHOOLS STUDENT WELLNESS PROGRAM

718-Other Instructional Policy

WELLNESS POLICY

The Carrizozo Municipal Schools are committed to providing a school environment that enhances learning and development of lifelong wellness practice

MISSION STATEMENT

To provide our students life long learning in Nutrition and Wellness.

VISION

To have a positive impact on students' nutrition and health education.

FOCUS AREAS:

- **Child Nutrition programs comply with federal, state and local requirements. Child nutrition programs are accessible to all children.**
- **Sequential and interdisciplinary nutrition education is provided and promoted.**
- **Patterns of meaningful physical activity connect to students' lives outside of physical education.**
- **All school-based activities are consistent with local wellness policy goals.**
- **All foods and beverages made available on campus (including vending, concessions, a la carte, student stores, parties, and fundraising) during the school day are consistent with current Dietary Guidelines for Americans.**
- **All foods made available on campus adhere to food safety and security guidelines.**
- **The school environment is safe, comfortable, pleasing, and allows ample time and space for eating meals. Food and/or physical activity is NOT used as a reward or punishment.**
- **In all aspects of local wellness, the school staff will act as role models for good nutrition and physical activity behaviors.**

Nutrition Guidelines;

- **Nutrition education will be integrated into other areas of the curriculum such as math, science, language arts and social studies.**

- **The staff responsible for nutrition education will be adequately prepared and participate in professional development activities to effectively deliver an accurate nutrition education program as planned**
- **Nutrition education information will be reviewed by a qualified, credential nutrition professional (e.g. School Food and Nutrition Specialist, (SFNS), a Registered Dietitian (R.D.), who is specialized in school-based nutrition)**
- **The school cafeteria serves as a “learning laboratory” to allow students to apply critical thinking skills taught in the classroom.**
- **Nutrition education will involve sharing information with families and the broader community to positively impact students and the health of the community.**
- **School district(s) will provide information to families that encourage them to teach their children about health and nutrition and to provide nutritious meals for their families.**
- **Students will be encouraged to start each day with a healthy breakfast.**

Physical Activity Guidelines:

- **Physical activity will be integrated across curricula and throughout the school day. Movement can be made a part of science, math, social studies and language arts.**
- **Physical education courses will be the environment where students learn, practice and are assessed on developmentally appropriate motor skills, social skills and knowledge.**
- **Policies ensure that state-certified physical education instructors teach all physical education classes.**
- **Policies ensure that state physical education classes have a student /ratio similar to other classes.**
- **Time allotted for physical activity will be consistent with research, national and state standards. Children should have several opportunities for physical activity lasting 15 minutes or more approximately every two hours, especially during the daytime hours.**
- **Provide a daily recess period, which is not used as a punishment or a reward. Consider planning recess before lunch since research indicates that physical activity prior to lunch can increase the nutrient intake and reduce food waste.**
- **Physical activity participation will take into consideration the “ balancing equation” of food intake and physical activity.**
- **Physical education includes the instruction of individual activities as well as non-competitive team sports to encourage life-long physical activity.**
- **Adequate equipment is available for all students to participate in physical education. Physical activity facilities on school grounds will be safe.**

- **The school provides a physical and social environment that encourages safe and enjoyable activity for all students, including those who are not athletically gifted.**
- **Information will be provided to families to help them incorporate physical activity into their student's lives.**
- **Schools are encouraged to provide community access to and encourage students and community members to use the school's physical activity facilities outside the normal school day.**
- **Schools encourage families and community members to institute programs that support physical activity, such as a walk to school program.**