

Alamogordo Public Schools



2023-2024

Employee Handbook

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Mission Statement

Alamogordo Public Schools will ensure that each student possesses the knowledge, skills, and character to create a successful and responsible life.

The district will accomplish this by:

- Making students our first priority,
- Setting high expectations defined by learner outcomes,
- Striving to meet student needs,
- Utilizing community partnerships, and
- Providing a safe, respectful, and positive learning environment.

Vision Statement

To develop an educational foundation for our students to be life-long learners, to care for others, to be adaptable, and to be prepared to thrive in a diverse, ever changing world.

Seven C's

Character
Commitment
Compassion
Communication
Collaboration
Courage
Common Sense

8 Norms of Collaboration

Listen with Respect
Pausing
Paraphrasing
Probing
Putting Ideas on the Table
Paying Attention to Self and Others
Presume Positive Intent
Balance Advocacy & Inquiry

Values & Beliefs

Integrity/Ethical – “Do the Right Thing”

- *Do what you say you are going to do!
- *Be accountable.

Truly Care for Others

- *Be willing to listen with an open mind.
- *Follow the GOLDEN RULE.
- *Be non-judgmental.

Positive Attitude

- *Belief “I can do”!
- *Aspire to be excellent in all you do.
 - * Work hard and smart.
- *Service to others before oneself.
 - * Commitment

Communication

- *Be transparent.
- *Speak direct and with focus.
 - *Be objective and fair.

Respect & Trust are Earned, Not Given

- *Be respectful to everyone.
- *Earn the respect of others.

Be a team player

- *Embrace diversity.



PROCEDURES OF CUSTOMER SERVICE

Alamogordo Public Schools

Courtesy and Respect

- ❖ Everyone will be treated with respect and dignity
- ❖ Each staff member will be courteous during all customer interactions
- ❖ Each staff member will maintain confidentiality and privacy
- ❖ Each staff member will display positive perspective

Responsiveness

- ❖ Responses will be timely. Each staff member will return phone calls and emails within one business day. If a response cannot be provided in the allotted time, the customer will be given an estimated time of response.
- ❖ Each staff member will personally assume the responsibility of assisting the customer or directing the customer to the appropriate person.

Communication

- ❖ Each staff member will acknowledge and greet customers upon their entrance into district facilities
- ❖ Each staff member will answer the telephone within three rings, and in a friendly and helpful manner, using the name of the facility and the staff member's name.
- ❖ Each staff member will ensure that information provided to customers is accurate and consistent, even if it requires a call back.
- ❖ Each staff member will utilize active listening techniques in all customer interactions.
- ❖ When a staff member is out of the office for more than one business day, voicemail and email features will be used to provide information regarding their return and message options for the customer

Environment

- ❖ Each staff member is responsible for creating an inviting, family-friendly environment in all district facilities
- ❖ Staff members should wear their identification badges at all times unless otherwise approved by their supervisor
- ❖ All facilities will be easy to navigate and signage will be visible and understandable.
- ❖ All facilities will post their office hours
- ❖ All signage will be posted in a positive manner or tone
- ❖ All communications will be updated regularly

Frontline Education Time & Attendance



Getting to Know the Timesheet

The timesheet can be broken down into three parts: Timesheet Navigation, Timesheet Details, and Timesheet Job Summary, and this article shows a brief overview of each part.

EMPLOYEE **Reinert, Greg** (greinert12399)

⚙️ Actions
📅 Weekly
06/29/2015 - 07/03/2015

TOTAL
+ 37:30

PAID
+ 28:00

✖️ Cancel All Changes
✅ Save Changes

⌵ Expand All
⌶ Collapse All

MON June 29, 2015
Total + 07:30 Paid + 05:30 ⌵

TUE June 30, 2015
Total + 07:30 Paid + 07:30 ⌶

LOCATION
Bridge Street Elementary School

JOB TYPE
Paraprofessional

DUE
07/05/2015

STATUS
Pending

🗑️ Delete Timesheet

SCHEDULE	Type	From	To	Duration	Paid
Regular	Work	08:00 AM	11:45 AM	03:45	--
	Break	11:45 AM	12:15 PM	00:30	No
	Work	12:15 PM	04:00 PM	03:45	--

➕ Add New Event

TIME EVENTS	IN	OUT	Total	Paid										
✎ Shift <table style="font-size: x-small; margin-left: 5px;"> <tr> <td style="border: 1px solid #ccc;">08:00 AM</td> <td style="border: 1px solid #ccc;">⌵</td> <td style="border: 1px solid #ccc;">04:00 PM</td> <td style="border: 1px solid #ccc;">+ 08:00</td> <td style="border: 1px solid #ccc;">+ 08:00</td> </tr> <tr> <td style="font-size: x-small;">-- (Actual)</td> <td></td> <td style="font-size: x-small;">-- (Actual)</td> <td></td> <td></td> </tr> </table>	08:00 AM	⌵	04:00 PM	+ 08:00	+ 08:00	-- (Actual)		-- (Actual)						
08:00 AM	⌵	04:00 PM	+ 08:00	+ 08:00										
-- (Actual)		-- (Actual)												

Account: **Account D** [Change](#)

ADMIN TIME	Start	End	Total	Paid					
✎ Auto Deduct Time <table style="font-size: x-small; margin-left: 5px;"> <tr> <td style="border: 1px solid #ccc;">11:45 AM</td> <td style="border: 1px solid #ccc;">⌵</td> <td style="border: 1px solid #ccc;">12:15 PM</td> <td style="border: 1px solid #ccc;">- 00:30</td> <td style="border: 1px solid #ccc;">- 00:30</td> </tr> </table>	11:45 AM	⌵	12:15 PM	- 00:30	- 00:30				
11:45 AM	⌵	12:15 PM	- 00:30	- 00:30					

[Disable](#)

TIMESHEET COMMENT	Total	Paid
✎ Insert Comment <div style="border: 1px solid #ccc; padding: 2px; width: 100%; font-size: x-small;"> [Empty Comment Box] </div>	+ 07:30	+ 07:30

WED July 01, 2015
Total + 07:30 Paid 00:00 ⌵

THU July 02, 2015
Total + 07:30 Paid + 07:30 ⌵

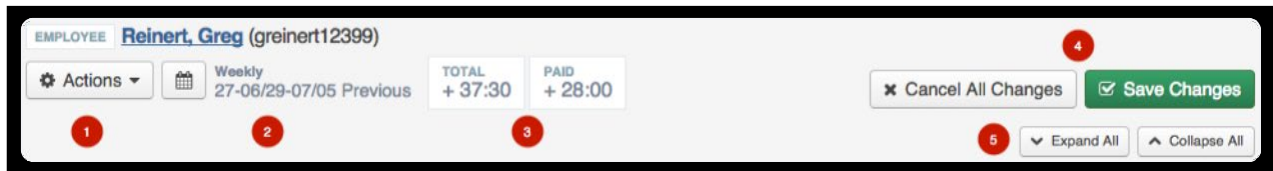
FRI July 03, 2015
Total + 07:30 Paid + 07:30 ⌵

Weekly 06/29/2015 - 07/03/2015 Summary

LOCATION	JOB TYPE	TYPE	TOTAL	PAID
Bridge Street Elementary School	Paraprofessional	Time Events	22:00	22:00
Bridge Street Elementary School	Paraprofessional	Leave	09:30	00:00
Bridge Street Elementary School	Paraprofessional	Holiday / Holiday Break	07:30	07:30
Bridge Street Elementary School	Paraprofessional	Admin Time	-01:30	-01:30
Total			37:30	28:00

Timesheet Navigation (Top of the Timesheet)

At the top of the timesheet, you will see the name of the user as well as the Actions Menu, Date Range, Summary of Hours and buttons for Saving, Canceling, Expanding and Collapsing the timesheets.



- 1 **Date Range** – This allows you to view past timesheets by choosing a particular week or selecting a custom date range.
- 2 **Summary of Hours** – This shows you at a glance both hours accounted for as well as hours that are paid.
- 3 **Expanding and Collapsing Buttons** – These buttons will allow you to expand or collapse all of the timesheets at once. You can also expand a single day by clicking the arrow in the top right corner of that day.

Timesheet Details (Middle of the Timesheet)

The Timesheet Details section is the main part of the timesheet. It includes the user's Schedule, Time Events, Admin Time, Leave, and Timesheet Comments.

MON June 29, 2015 Total + 07:30 Paid + 05:30 ^

LOCATION: Bridge Street Elementary School JOB TYPE: Paraprofessional DUE: 07/05/2015 STATUS: Pending

SCHEDULE	Type	From	To	Duration	Paid
Jury Duty: 173202797	Leave	08:00 AM	10:00 AM	02:00	No
1 Regular	Work	10:00 AM	11:45 AM	01:45	--
	Break	11:45 AM	12:15 PM	00:30	No
	Work	12:15 PM	04:00 PM	03:45	--

[Add New Event](#)

2 TIME EVENTS	IN	OUT	Total	Paid
Shift	10:00 AM -- (Actual)	04:00 PM -- (Actual)	+ 06:00	+ 06:00

Account: [Account D Change](#)

3 ADMIN TIME	Start	End	Total	Paid
Auto Deduct Time	11:45 AM	12:15 PM	- 00:30	- 00:30

[Disable](#)

4 LEAVE	From	To	Total	Paid
Jury Duty	08:00 AM	10:00 AM	+ 02:00	00:00

5 TIMESHEET COMMENT	Total	Paid
What a crazy day!	+ 07:30	+ 05:30

- 1 **Time Events** – These events are actual time worked. Time events can be recorded from a scan at a kiosk or manually entered directly into the timesheet. If time is manually entered, the time will appear as orange.
- 2 **Admin Time** – This is auto-deducted time, typically an unpaid break.
- 3 **Leave** – This is time deducted due to an absence or a calendar event such as a holiday or calamity day.
- 4 **Timesheet Comments** – This is a field where optional comments can be left for the approver.

Timesheet Job Summary (Bottom of the Timesheet)

At the bottom of the timesheet, the total hours for the time period as well as those hours that are paid will be broken down by Location, Job Type, and Event Type.

Weekly 06/29/2015 - 07/03/2015 Summary				
LOCATION	JOB TYPE	TYPE	TOTAL	PAID
Bridge Street Elementary School	Paraprofessional	Time Events	22:00	22:00
Bridge Street Elementary School	Paraprofessional	Leave	09:30	00:00
Bridge Street Elementary School	Paraprofessional	Holiday / Holiday Break	07:30	07:30
Bridge Street Elementary School	Paraprofessional	Admin Time	-01:30	-01:30
Total			37:30	28:00

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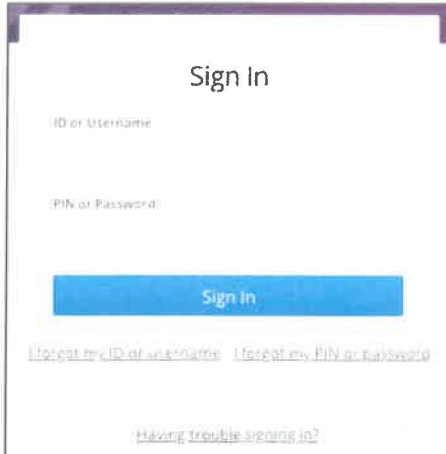
AESOP

Employee Leave System





Absence Management



SIGNING IN

To log in to the absence management application, type aesoponline.com in your web browser's address bar.

The Sign In page will appear. Enter your ID/username and PIN/password and click **Sign In**.

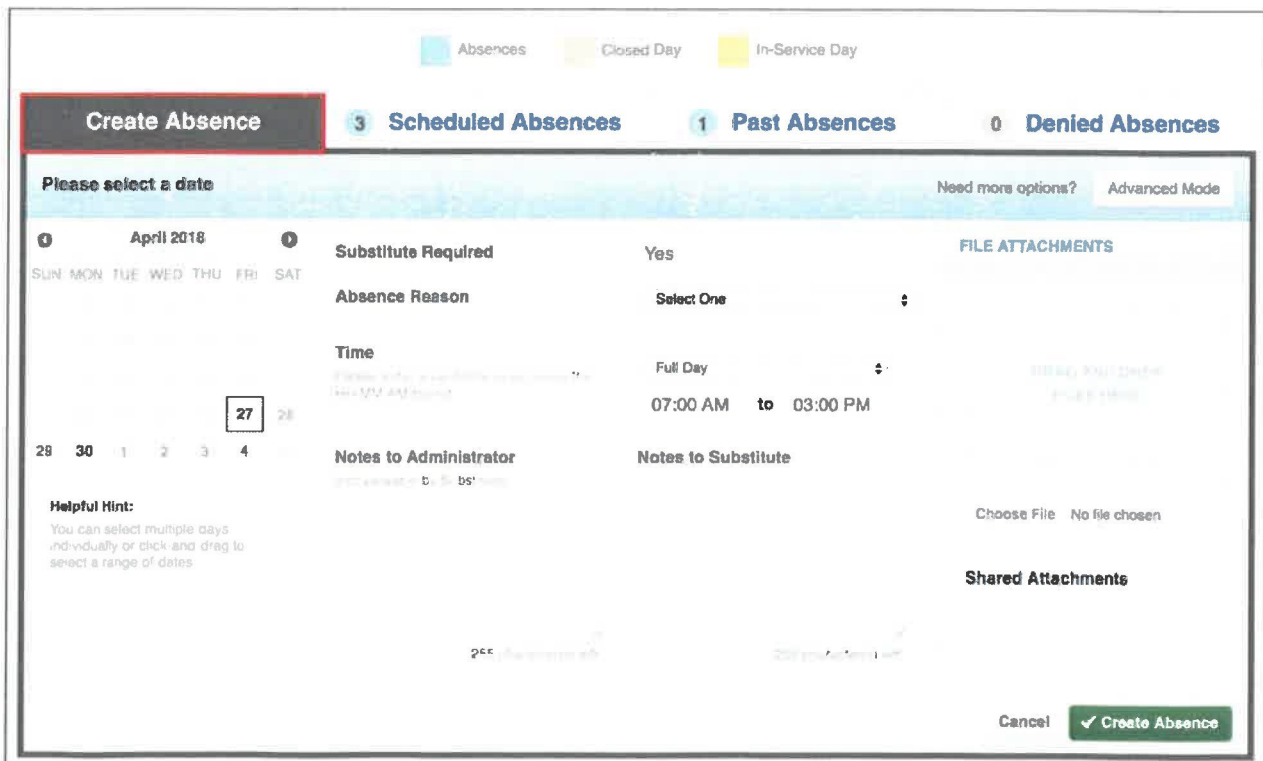
RECOVERING CREDENTIALS

If you cannot recall your credentials, use the recovery options or click the “**Having trouble signing in?**” link for more details.

CREATING AN ABSENCE

You can enter a new absence from your absence management home page under the **Create Absence** tab.

Enter the absence details including the date of the absence, the absence reason, notes to the administrator or substitute, etc. and attach any files, if needed. You can then click **Create Absence**.



MANAGING YOUR PIN AND PERSONAL INFORMATION

Using the “Account” option, you can manage your personal information, change your PIN number, upload shared attachments (lesson plans, classroom rules, etc.), manage your preferred substitutes, and more.

Personal Info	Personal Info
<p>Change Phone Pin</p> <p>Shared Attachments</p> <p>Preferred Substitutes</p> <p>Excluded Substitutes</p> <p>Absence Reason Balances</p>	<p>General Information</p> <p>Name: Amy Pond</p> <p>Phone: 6105553747</p> <p>Email Address: Apond@education.com</p> <p>Title:</p> <p>Room Number: Main Office</p> <p>Language: English Your language preference can be changed in your Account Settings.</p> <p>Address</p>



GETTING HELP AND TRAINING

If you have questions, want to learn more about a certain feature, or need more information about a specific topic, click **Help Resources** and select **Frontline Support**. This opens a knowledge base of help or training materials.

ACCESSING ABSENCE MANAGEMENT ON THE PHONE

In addition to web-based, system accessibility, you can also create absences, manage personal information, check absence reason balances, and more, all over the phone.

To call the absence management system, dial **1-800-942-3767**. You'll be prompted to enter your ID number (followed by the # sign), then your PIN number (followed by the # sign).

Over the phone you can:

- Create an absence (within the next 30 days) – **Press 1**
- Review upcoming absences – **Press 3**
- Review a specific absence – **Press 4**
- Review or change your personal information – **Press 5**

If you create an absence over the phone, please note the confirmation number that the system assigns the new absence, for future reference.



VECTOR SOLUTIONS

Employee Mandatory Training





VectorSolutions™
Vector Training, K-12 Student Edition

District Training Management

Logging In



While logged into Google Chrome, navigate to <https://alamogordo-nm.safeschools.com>

Google Single-Sign On will prompt you to log in to your district Google account.

Sign in with your **full district email address** and **password**.

Google

Sign in

Use your Google Account

Email or phone

john.smith@alamogordoschools.org

[Forgot email?](#)

Not your computer? Use Guest mode to sign in privately.
[Learn more](#)

[Create account](#)

Next

English (United States)



[Help](#)

[Privacy](#)

[Terms](#)

My Assignments



Once logged in, you will be taken to the **My Assignments** page.

View assigned courses in your training plan.



My Assignments

Training History

Extra Training

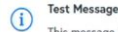
Language >

Greg Baldwin
Sign Out



My Assignments

Listed below are the courses assigned to you by your administrator. Additionally, you can track your progress towards completing each assignment.



Test Message

This message brought to you by SafeSchools Construction Zone

25% Mandatory Training

This is the description configured in Preferences



Diversity Awareness: Staff-to-Student
Full Course

The goal of this course is to provide school staff members with an overview of issues related to staff-to-student...

2 Days Past Due
Due: 2022-01-30
30 Minutes

Start →



Sexual Harassment: Staff-to-Staff
Full Course

Sexual harassment can have lasting effects for individuals, organizations and the community, such as psychological...

Due In 28 Days
Due: 2022-03-01
35 Minutes

Start →



Active Shooter
Full Course (Administrators)

The course intends to prepare personnel for "active shooter" situations by providing information on how the...

Due In 58 Days
Due: 2022-03-31
47 Minutes

Start →



Crisis Response and Recovery
Full Course

This course is an awareness-level course that gives administrators the fundamentals of dealing with crises ...

Certificate ↓

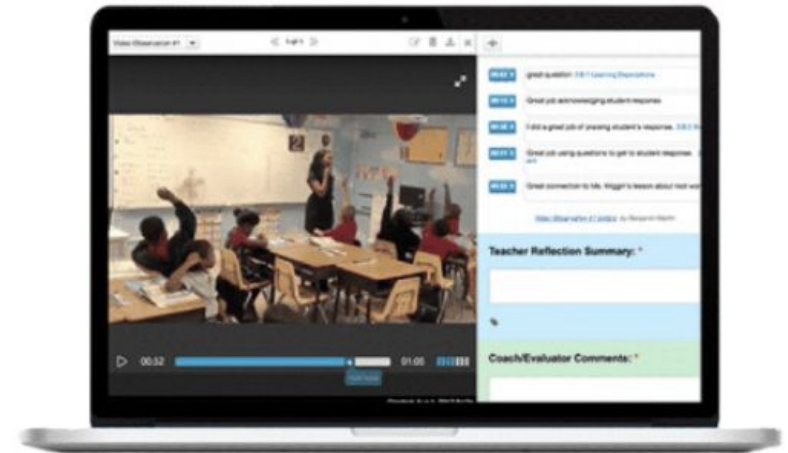
Start Course



Select **Start Course** or select a **Course Selection**

The screenshot shows a course page for "Diversity Awareness: Staff-to-Student". At the top, there is a blue header with the course title and a "Full Course" label. Below this, a "START COURSE" button is highlighted with a red square. The main content area is divided into two columns. The left column, titled "Course Sections", lists four sections: "Introduction" (3 Minutes, Required), "Tutorial" (10 Minutes, Required), "Scenarios" (7 Minutes, Required), and "Final Assessment" (4 Questions, 80% required to pass, Required). The "Introduction" section is highlighted with a red square. The right column, titled "Course Requirements", shows an "Assessment Requirement" of 80%. Below this, the "Course Details" section indicates a "Total Course Duration" of 30 Minutes and a "Category" of "Human Resources".

Course progress will save as long as you complete the **entire section**.




Read Disclaimers



Review and **Accept** or **Deny** the course disclaimer prior to taking each course.

Diversity Awareness :

Staff-to-Student

 Scroll to bottom and accept to continue to the course.

Disclaimers

"This product is designed to provide accurate and authoritative information in regard to the subject matter covered. It is sold with the understanding that the publisher is not engaged in rendering legal, accounting, or other professional service. If legal advice or other expert assistance is required, the services of a competent professional person should be sought."

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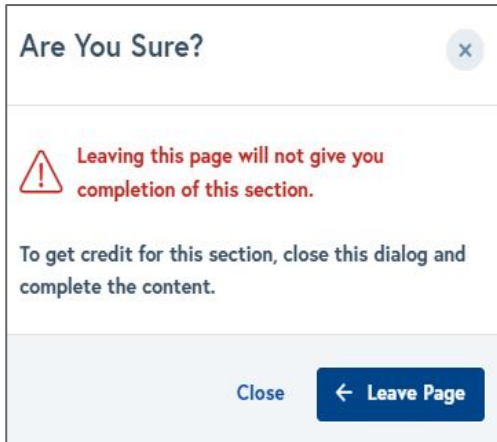
Copyright

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For information, address:

Vector Solutions, 2135 Dana Avenue
Suite 300
Cincinnati, OH 45207.

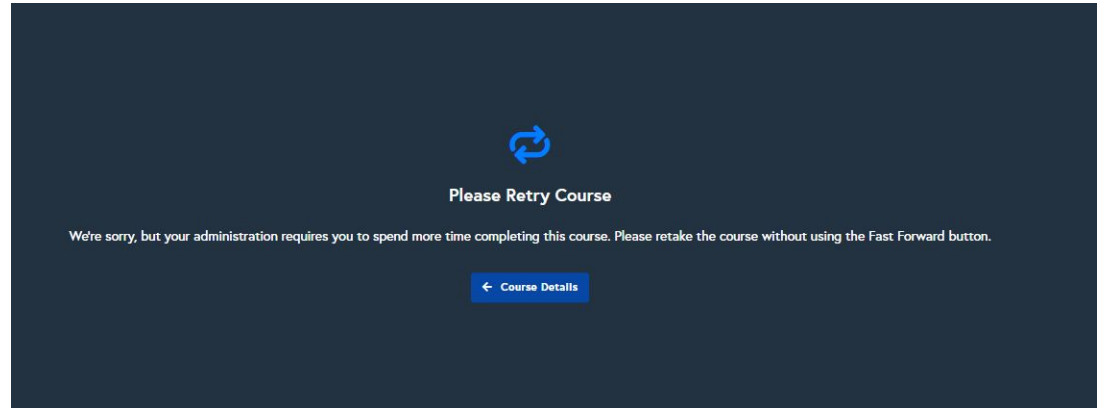
Course Completion



Note: Leaving a page *before* completion of the course section will **NOT** save progress and credit will **NOT** be received.

DO NOT fast forward through a slide.
Vector solutions tracks time spent on a page.

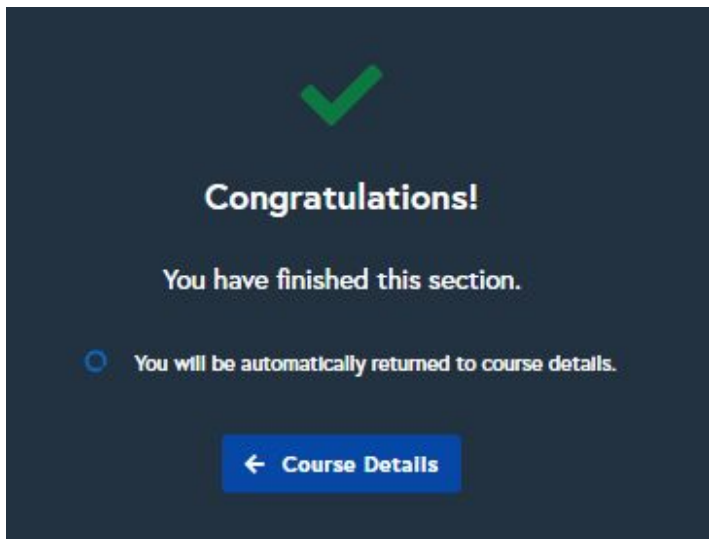
Note: You will need to retake the course selection that was not watched in its entirety.



Final Assessment



You will automatically return to the **Course Details** once you have finished viewing the course.



Select **Final Assessment** to start the test portion of the training.

Note: The majority of online courses require a passing score of 80%.



Training Completion



Completed training will have a **checkmark** next to the training title.

Access your certificate by selecting the **Certificate** button next to the completed course.

Mandatory Training
25%
This is the description configured in Preferences

Course Title	Course Type	Status	Due Date	Duration	Action
Diversity Awareness: Staff-to-Student	Full Course	2 Days Past Due	2022-01-30	30 Minutes	Continue →
Sexual Harassment: Staff-to-Staff	Full Course	Due In 28 Days	2022-03-01	35 Minutes	Start →
Active Shooter	Full Course (Staff)	Due In 58 Days	2022-03-31	46 Minutes	Start →
Crisis Response and Recovery	Full Course	Completed (Checkmark)	-	-	Certificate 📄

Training Certificate



Select **View Certificate** to print a certificate.

The screenshot shows the 'Training History' page for Greg Baldwin. It includes a sidebar with navigation options like 'My Assignments', 'Training History', 'Extra Training', 'Language', and 'Greg Baldwin Sign Out'. The main content area has a header 'Training History for Greg Baldwin' and filters for 'From Date' (2021-11-01) and 'To Date' (2022-02-03), along with a 'Refresh List' button. A table lists three courses:

COURSE	DURATION	COMPLETION DATE	CERTIFICATE
Crisis Response and Recovery: Full Course	22 Minutes	January 31, 2022	View Certificate
Athletic Liability: Full Course	45 Minutes	February 2, 2022	
Bloodborne Pathogen Exposure Prevention: Full Course	22 Minutes	February 2, 2022	View Certificate

Note: The **View Certificate** option only appears next to the courses you've completed.

The certificate displays information that is specific to the completed course.

The screenshot shows a specific training certificate for Greg Baldwin. It includes the user's name and email, the course title 'Crisis Response and Recovery Training History', the version 'Full Course', and the completion date '2022-01-31 00:00:00'. A green 'View Certificate' button is visible, and a note at the bottom states: 'This course was completed as offline training. No course statistics are available.'

Training History



Track course completions in
Training History.

Adjust the **From** and **To**
dates, as necessary.



- My Assignments
- Training History**
- Extra Training
- Language >
- Greg Baldwin
Sign Out

Training History for Greg Baldwin

From Date: 2021-11-01 To Date: 2022-02-03 [Refresh List](#)

COURSE	DURATION	COMPLETION DATE	CERTIFICATE
Crisis Response and Recovery: Full Course	22 Minutes	January 31, 2022	View Certificate
Athletic Liability: Full Course	45 Minutes	February 2, 2022	
Bloodborne Pathogen Exposure Prevention: Full Course	22 Minutes	February 2, 2022	View Certificate



EMPLOYEE SELF SERVICE (ESS)





Alamogordo Public Schools - Employee Access

Employee Access is our new Employee Self Service application that is replacing iVisions Employee Self Service (ESS) and provides a more user-friendly interface and increased security to protect you, our employees.

To access, please log in to:

<https://alamogordopublicschoolsnm.tylerportico.com/tesp/employee-selfservice>

Your username and password will be your email address and password for the district.

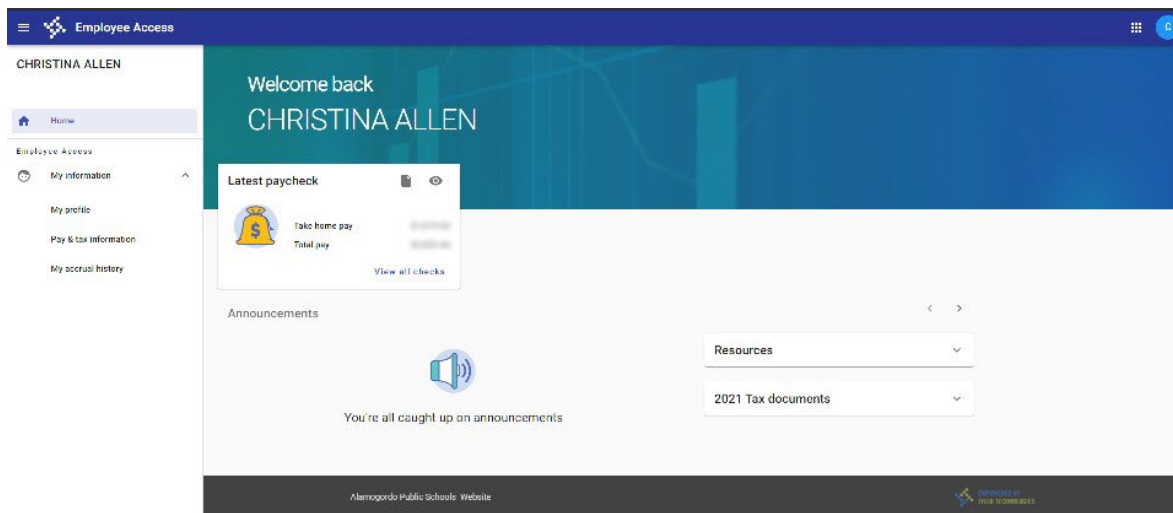
Note: The first-time logging into this new site will require you to enter the following to confirm your identity:

- last four digits of your social security number,
- date of birth, and
- mailing zip code

Employee Access Overview

Home (Dashboard)

The dashboard provides at-a-glance information including District Announcements and links to important Resources.



My Profile

My Profile allows you to view and edit the contact information on file with the District. Update your demographic and personal information using the pencil icons on each corresponding section.

Note: Changes made are not immediate and must be reviewed by HR before being applied to your profile.

Employee Access

CHRISTINA ALLEN My profile

My info Emergency contacts Dependents Achievements

Home

Employee Access

My information

My profile

Pay & tax information

My annual history

My info

Personal information

Name: CHRISTINA ALLEN Employee Number

Contact information

Mailing Address: 1200 Hawaii Ave + Add address

Work Email (primary): christina.allen@alamogordo.k12.ca.us

Work Phone: (575) 812-6000 + Add phone

Home Phone

Demographics

Gender: Female Primary language Hispanic or Latino

Race Marital status

Update **Emergency Contacts**, **Dependents**, and view your **Certification** and **Education** history on file with the payroll system.

My profile

My info Emergency contacts Dependents **Achievements**

Certifications

Certificate name	Type	Area	Level	Number	Issue date	Expiration date	Endorsements
------------------	------	------	-------	--------	------------	-----------------	--------------

Rows per page: 5 1-1 of 1 < >

Education

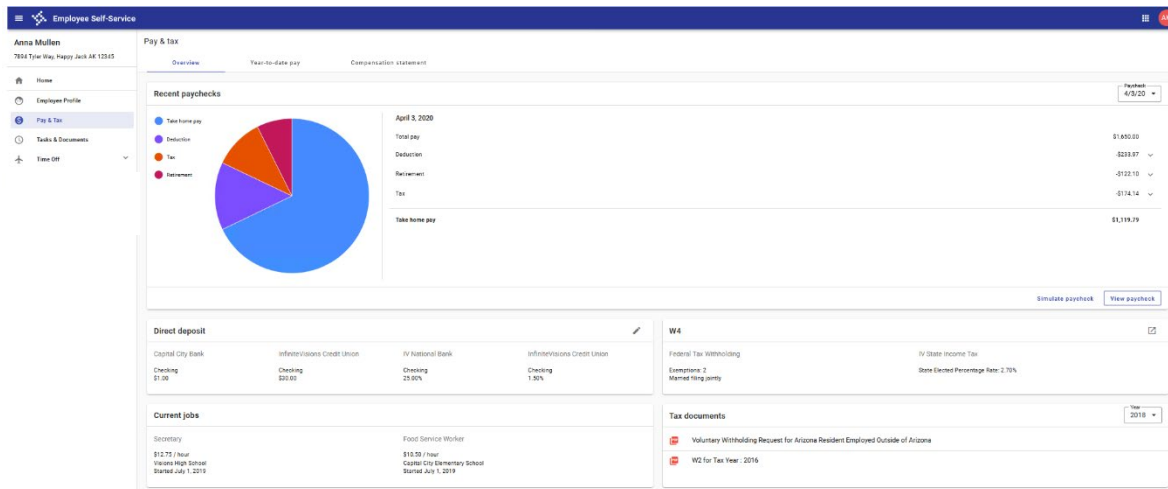
You don't have any education on record

Pay & Tax Information

Pay & Tax provides a visual representation of your paycheck with drill in functionality for more information. You may also access the **Paycheck Simulator** and **PDF copies of pay stubs** from here.

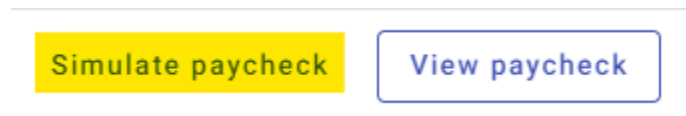
Pay & Tax is also where you may view your direct deposit information on file and edit, view, and update W4 information, access W2 documentation, and view your job information.

Additional tables also display calendar **Year to Date pay information** as well as **Compensation Statements**.

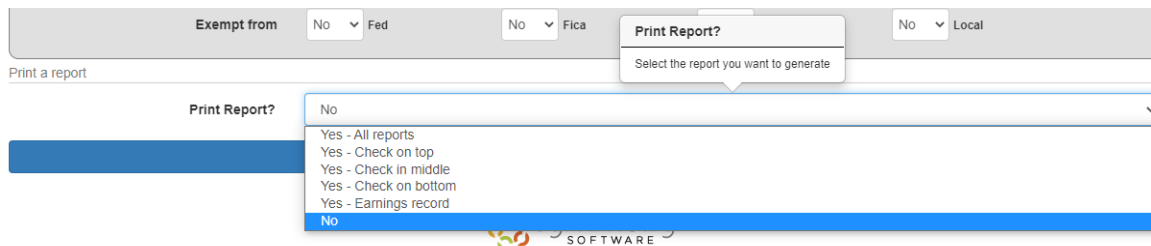


Paycheck Simulator

Click the Simulate paycheck link to view a salary calculator to run “What If?” deduction modifications.




Select an option from the drop-down menu to Print Report and update withholding options at a later time.



Edit W4 Withholding

Select the Pop-Out icon within the Pay & tax information section to bring up the Employee Withholding Resource Center wizard.

W4  Edit

Federal Income Tax Allowances: 0 Exemptions: 0 Tax Status: Single or Married filing separately Is Exempt: No	State Income Tax Allowances: 0 Exemptions: 0 Tax Status: Single or Married filing separately Is Exempt: No
---	---

Employee Withholding Resource Center

Welcome!

The assistant can guide you to the correct forms. You can also choose which forms you would like to fill out if you're certain.

Submitted forms will be reviewed by your Human Resources Department and uploaded to Employee Documents in iVisions.

Tip: On the form submission page you may print your forms by using the browsers print function (Ctrl + P in Windows, Cmd Shift P in OSX) and selecting the Portrait layout.

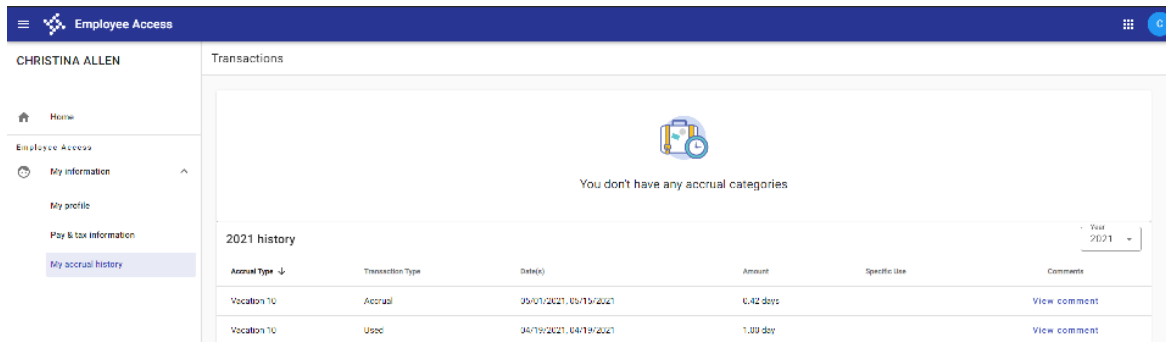
Guide me

Let me choose

✕ Sign out

My Accrual History

Accrual History gives you access to view all leave transactions by year. Choose the fiscal year in the drop-down at top right, and sort each column by **leave accrual type**, **transaction type**, **date(s)**, and **amount**.



Employee Access

CHRISTINA ALLEN

Home

Employee Access

My information

My profile

Pay & tax information

My accrual history

Transactions

You don't have any accrual categories

2021 history Year 2021

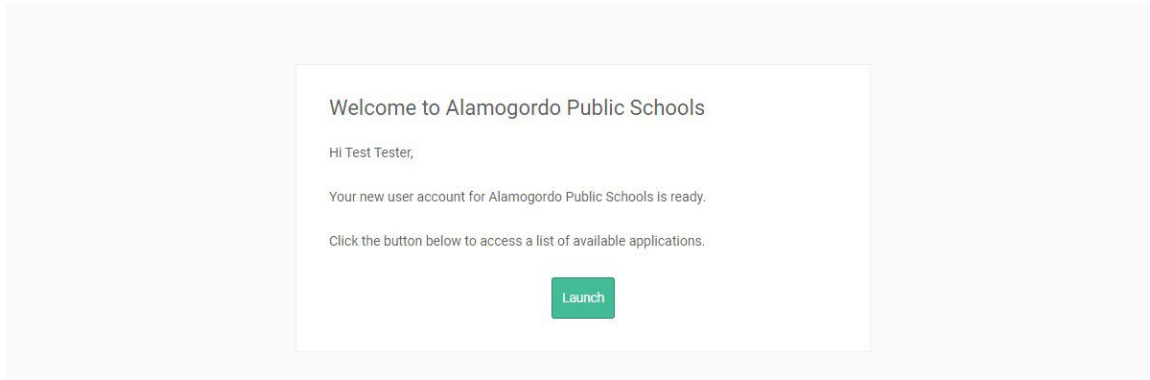
Accrual Type ↓	Transaction Type	Date(s)	Amount	Specific Use	Comments
Vacation 10	Accrual	09/01/2021, 09/15/2021	0.42 days		View comment
Vacation 10	Used	04/19/2021, 04/19/2021	1.00 day		View comment

Non-Network Users

Former employees needing to access Employee Access but who are no longer in the APS’s third-party Authentication system will have to be added to the system manually by either TSS or Human Resources.

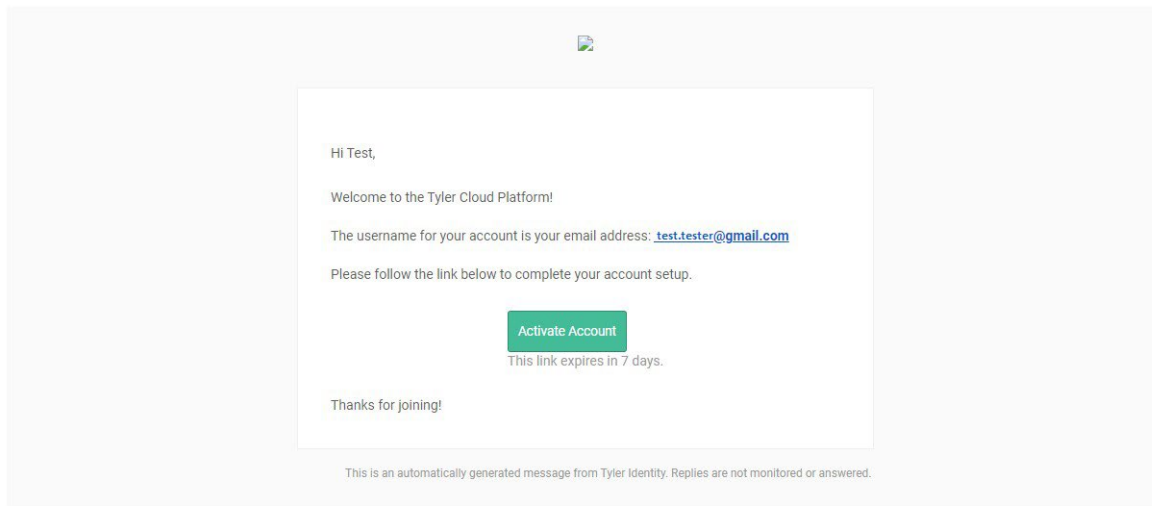
An email to the former employee’s personal email address will be sent to them from noreply@tylerportico.com to access the site.

From: No Reply <noreply@tylerportico.com>
Subject: Welcome to Alamogordo Public Schools
To: Test Tester <test.test@gmail.com>



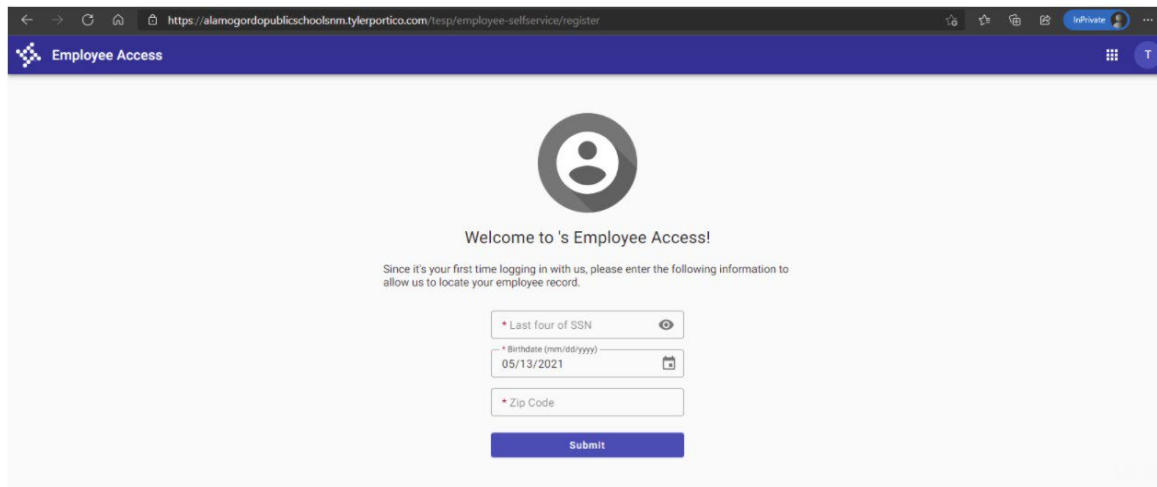
An additional email will also be sent from no-reply@tyleridentity.com with the subject “Welcome to the Tyler Cloud Platform!” to finish the registration process and setup their password

From: Tyler Identity Admin <no-reply@tyleridentity.com>
Subject: Welcome to the Tyler Cloud Platform!



Note: The activation link is only valid for 7 days, and may be sorted in the Junk or Spam folder in the user’s email.

The former employee will be asked to enter qualifying information to re-connect their account.



NOTE: Citizen Portal, which is designed for use with terminated employees and provides only access to pay stubs and tax information, is coming soon!

FRONTLINE-HRMS

EMPLOYEE CONTRACTS



Employee Contracts

Employees can view and sign contracts in HRMS.

Once the employee has an email created, a welcome email with instructions on how to view and sign contracts in HRMS is sent.

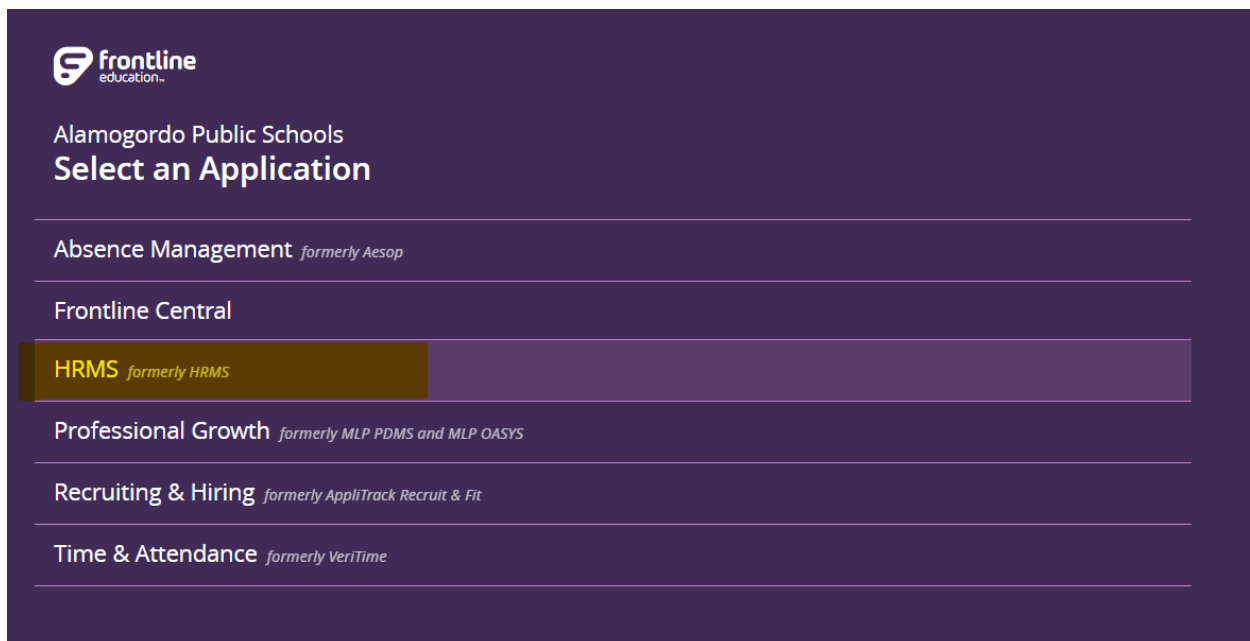
Subject: REMINDER SY 2023-2024 Alamogordo Public Schools
Employee Contract

You have an Employee Contract to complete. Please ensure your contract is reviewed and signed on or before your start date.

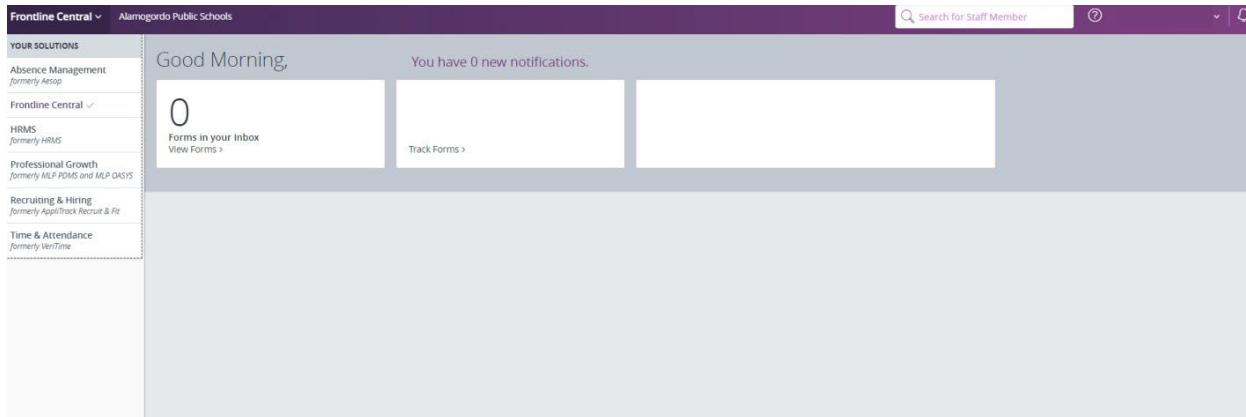
You must have a Frontline account set up to sign your contract. An invitation email is sent when you are added to the system and typically comes to your work email as soon as it is created.

To review and accept your contract, please go through the following steps:

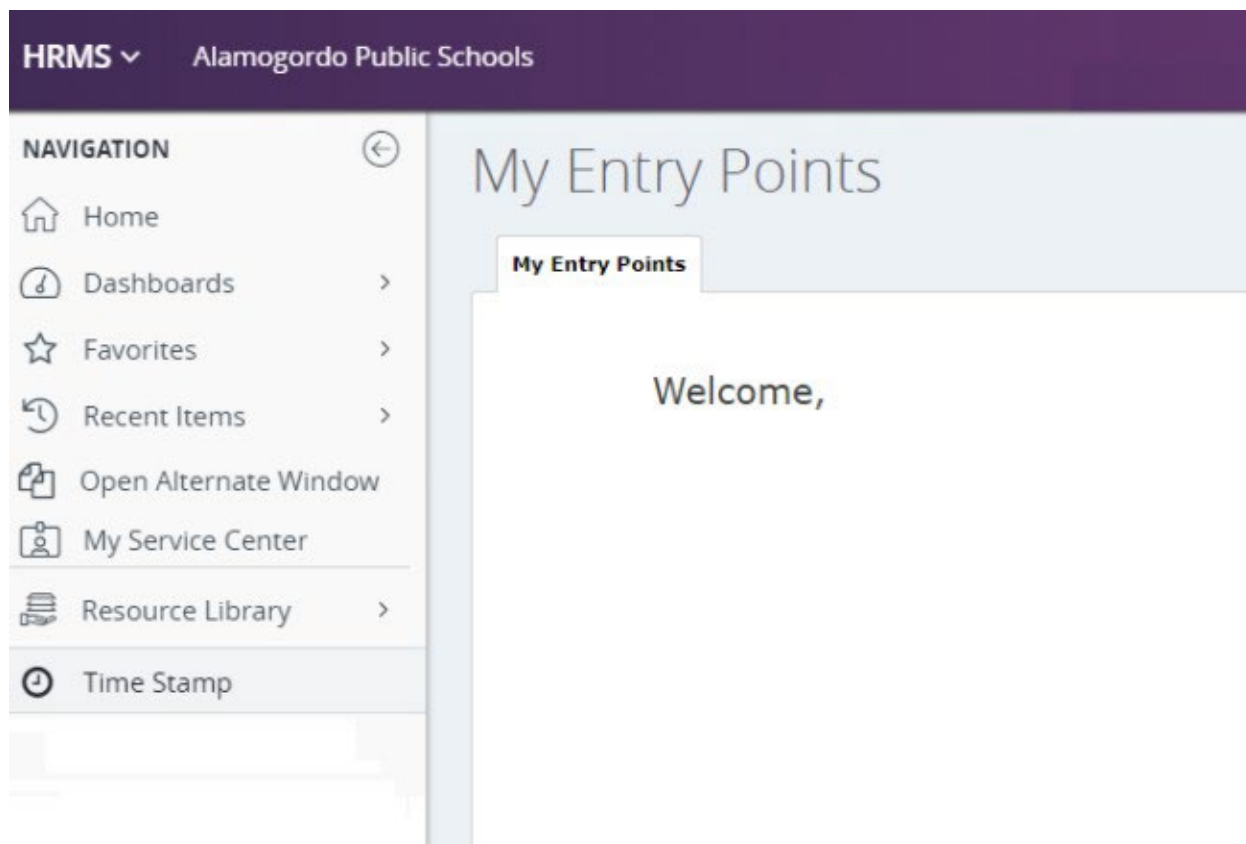
You will login to your Frontline account at [https:// app.frontlineeducation.com/](https://app.frontlineeducation.com/) and you will sign your contract in HRMS. You can select this in the app options when you first login in



Or in the drop-down.




Select **My Service Center** on the left sidebar



You will be asked to confirm your identity. Ensure your phone number is correct on the screen. If it is not please contact the Human Resources department.

Select the **Voice** option for a phone call with an access code or **SMS/Text** for a text to your cell phone with the access code.



Welcome to the Alamogordo Public Schools Employee Service Center

How would you like to confirm your identity?


123-456-7891 - Voice

123-456-7891 - SMS/Text

Next

Cancel

Enter the access code that is provided and select **Yes, this is a trusted, private computer** or **No, this is a public/shared computer** based on how you are accessing your contract.



Welcome to the Alamogordo Public Schools Employee Service Center

Please enter the access code:

|

Remember Me: Yes, This is a trusted, private computer

No, this is a public/shared computer

Ok

Resend

The Employee Service Center will pull up in another window. Select **My Employment Records**

The screenshot shows the HRMS interface for Alamogordo Public Schools. The top navigation bar is purple with 'HRMS' and 'Alamogordo Public Schools'. Below it is a light blue 'Welcome' banner. On the left is a vertical menu with items: 'My Service Center Home' (highlighted in yellow), 'My Personal Information', 'My Employment Records', and 'LogOff'. The main content area on the right features the 'frontline education' logo, the text 'Employee Service Center', a welcome message for 'JOHN SMITH', and sections for 'My Personal Information' and 'My Employment Records'.

Select **My Contract**

This screenshot is similar to the previous one but with 'My Contract' selected in the left-hand menu. The menu items are: 'My Service Center Home', 'My Personal Information', 'My Employment Records', 'My Job Description', 'My Contract' (highlighted), and 'LogOff'. The main content area on the right is partially visible, showing the 'frontline education' logo and the text 'Employee Service Center' and 'Welcome to the Alamogordo Public Schools Employee Service Center'.

Enter the last four of your Social Security number and your date of birth, and select **logon**

HRMS ▾ Alamogordo Public Schools

Contract Logon

ID:

Contract Logon

For your protection please enter the following information to ensure your privacy: the last four digits of your SSN and your date of birth.

Last four of SSN:

Birthdate:

Logon

Read through the text and select **I Agree** or **I Do Not Agree**

HRMS ▾ Alamogordo Public Schools

Contract Logon

ID:

Electronic Business

I hereby certify that information provided in this login is my personal information and can be used for the purpose of acquiring a copy of my contract or at-will agreement with the Alamogordo Public Schools.

I agree that the information provided is true and correct.

Welcome to the Alamogordo Public Schools Frontline Contract site.

I Agree **I Do Not Agree**

Select the **contract name** in blue to view

Year Contract Name: Status: Date Accepted/Rejected:

2022 [Name of Contract](#) - is available.
[Here](#)

Viewed Contract

Accept/Reject Contract:



Another window will open to view your Contract

Select **Accept** to accept your contract or **Reject** to decline your contract

Sign your name in all caps as it appears

*Issues? Contact: HR@alamogordoschools.org

APS CENTER OF EXCELLENCE

Work Orders & Questions





APS Center of Excellence

Contact the new **APS Center of Excellence** for a one-stop shop for all work orders & questions! All support tickets will be entered on your behalf and followed up in a timely manner.

Email: center@alamogordoschools.org

Call Center Phone: (575) 812-8573

APS Gmail



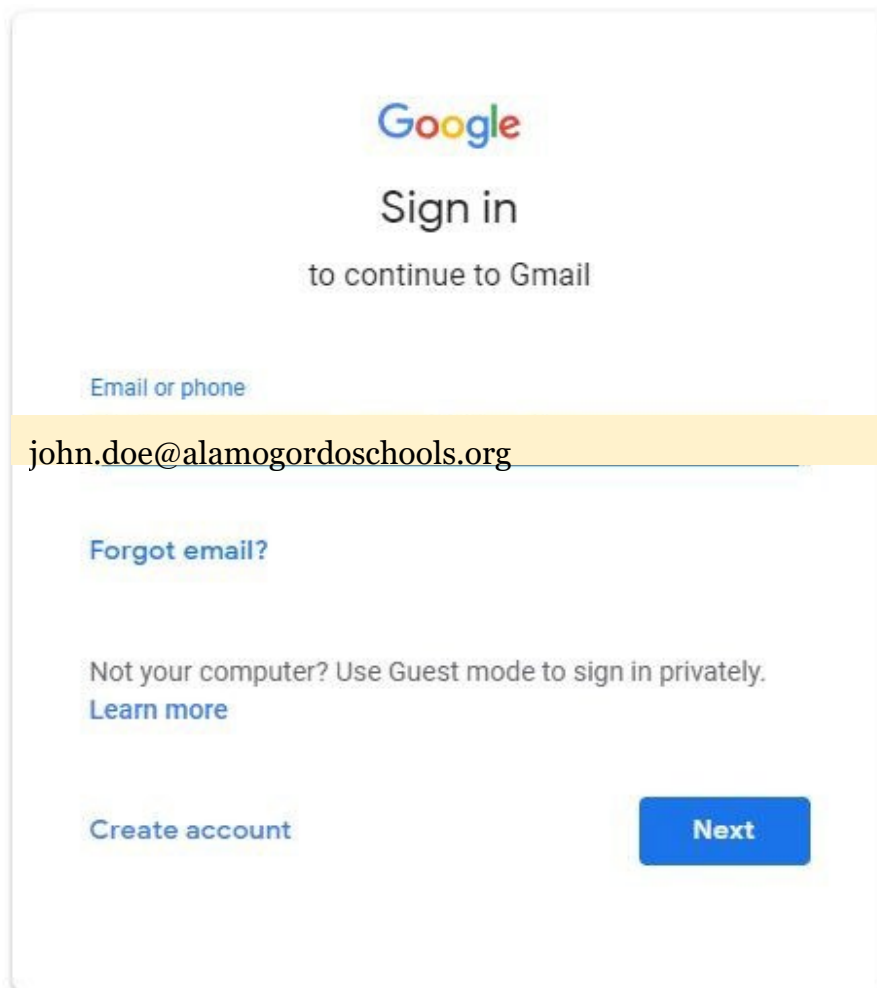
To access your APS Email account, go to: Gmail.com

Username: firstname.lastname@alamogordoschools.org

Temporary Password: Aps1234\$

john.doe@alamogordoschools.org

*Once you login, you will be prompted to change your password.



The image shows a screenshot of the Google Sign in page. At the top, the Google logo is displayed in its multi-colored font. Below the logo, the text "Sign in" is centered, followed by "to continue to Gmail" in a smaller font. A text input field is present with the placeholder text "Email or phone". The email address "john.doe@alamogordoschools.org" is entered into this field and is highlighted with a yellow background. Below the input field, there are three links: "Forgot email?", "Not your computer? Use Guest mode to sign in privately. Learn more", and "Create account". At the bottom right of the page, there is a blue button labeled "Next".

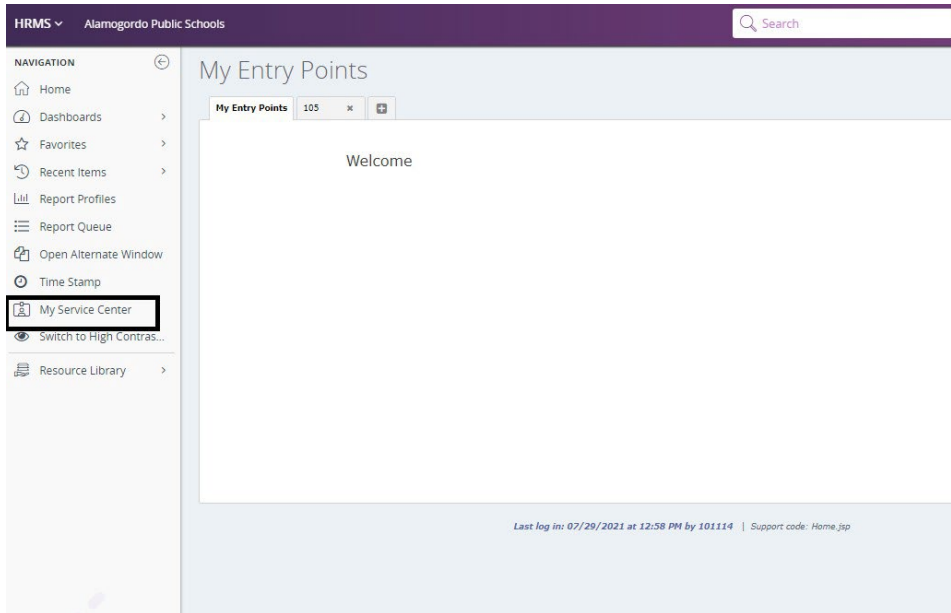
Voluntary Resignation (HRMS)



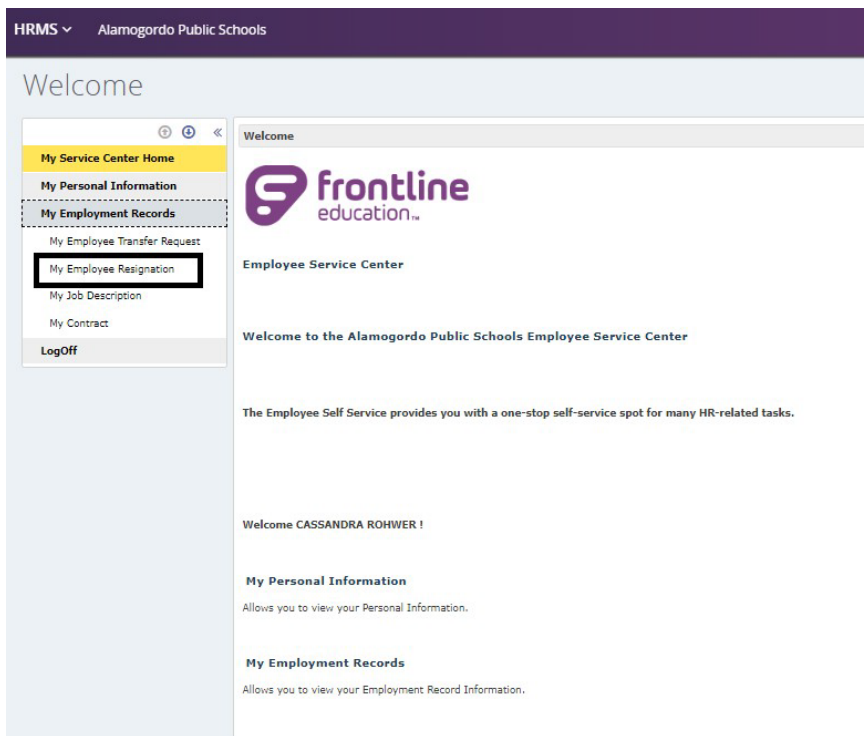
Employee Voluntary Resignation

Employees can utilize the My Service Center in HRMS to send a voluntary resignation.

Navigate to HRMS and select the My Service Center



Select My Employment Records and select My Employee Resignation



Fill out the **Proposed Last Date of Work, Separation Type, and Separation Reason**. Upload your resignation letter. Submit your resignation.

The screenshot shows the 'Employee Separation Notice' form in the HRMS system. The form includes fields for Employee ID, Last Check Address, Phone, Proposed Last Date of Work, Separation Type, and Separation Reason. A red error message states: 'Proposed Last Date of Work must be a date within the Assignment Start Date and Assignment End Date.' There is an 'Attachments' section with a 'Drop files here' area and an 'Upload' button. At the bottom, there are 'Submit' and 'Cancel' buttons. The page header shows 'HRMS - Alamo Public Schools' and a help icon.

Confirm the information and select ok.

The confirmation dialog box has a purple header with the word 'Confirmation' and a close button (X). The main text reads: 'I confirm that by selecting the Ok button, I will be submitting my resignation notice and my last day worked will be 05-29-2020'. Below the text are two blue buttons: 'Ok' and 'Cancel'.

What's Next?

The employee voluntary resignation will be pushed through an acknowledge and approval workflow before being processed.

Out-processing Procedure



Alamogordo Public Schools

Out Processing Procedure

Employee submits ***Employee's Notice of Voluntary Resignation*** through the Service Center in the Human Resource Management System (HRMS)



Employee's Notice of Voluntary Resignation will go through an acknowledge and approval workflow to be processed. Employee will be notified when the process is complete.



The Benefits Specialist will send an email to the employee within five (5) days of receiving ***Employee's Notice of Voluntary Resignation***.

The Benefits Specialist will include the following information in their correspondence:

- An offer to meet in person with the employee
- A request for the employee's personal email address
- New Mexico Educational Retirement board (NMERB) Packet (if applicable)
- Explain the process for donating unused sick leave to the District Sick Leave Bank
- Explain Eligibility for Leave Buy Back
 - Must be retiring from Alamogordo Public Schools
 - Must have at least five (5) years continuous employment with Alamogordo Public Schools
 - Buy back is at the rate of \$ per day up to 30 days.

Out-Processing Checklist



All Employees need to return the following to their site supervisor or secretary:

- Employee Badge
- HAFB ID (If applicable)
- Electronic Access Key and/or Keys
- Cellular Phone
- Laptop Computer
- iPad
- Misc. Technology Equipment
- Any and all items belonging to the Alamogordo Public Schools

Teachers need to do the following in addition to what is required above:

- Return Teacher Manuals and/or Textbooks
- Submit Student Grades
- Update Student Cumulative Folder

Failure to return all of the items belonging to the Alamogordo Public School District is theft.

APS Board of Education Policies & Procedures



APS Board of Education Policies & Procedures

Equal Employment Opportunity	pgs. 53-55
Staff Ethics and Conduct	pgs. 55-65
Discipline, Suspension, Termination, Discharge	pgs. 65-78
Staff Dress Code	pg. 78-79
Attendance & Punctuality	pg. 79-80
Anti-Bullying Policy	pgs. 80-86
Technology Acceptable Use Policy	pgs. 86-88
Staff Conduct with Students	pg. 88
Public Solicitations in Schools	pg. 88
Sales Calls and Demonstrations	pg. 88
Alcohol/Drug and Tobacco Policies	pgs. 88-99
Nondiscrimination on the Basis of Sex	pgs. 99-109
Reporting Child Abuse/Child Protection	pgs. 109-110
Workers Compensation	pg. 110-111
Accident Reports/Prevention	pgs. 111-112
Maintenance Control of Materials & Equipment	pg. 112
Staff Personal Security and Safety	pg. 112-113
Teaching About Controversial/Sensitive Issues	pgs. 113-117
School Ceremonies and Observances	pgs. 117-118
Professional Staff Duty and Responsibilities	pg. 118
Distributing/Posting Promotional Materials	pgs. 118-119
Collective Bargaining Agreement (CBA)	pg. 119

A-0250 AC

NONDISCRIMINATION/EQUAL OPPORTUNITY

The Board is committed to a policy of nondiscrimination and equal opportunity in relation to race, color, religion, sex, sexual orientation, age, national origin, and disability. This policy will prevail in all matters concerning staff members, students, the public, educational programs and services, and individuals with whom the Board does business. The Superintendent will appoint the compliance officers and/or Title IX Coordinators.

All reports or grievances regarding discrimination in employment other than those regarding discrimination on the basis of sex should be directed to the Superintendent's office of compliance. All complaints or reports of discrimination on the basis of sex shall be directed to the Title IX Coordinator per Policy ACA.

Adopted: May 19, 2021

G-0200 GBA

EQUAL EMPLOYMENT OPPORTUNITY

Discrimination against an otherwise qualified individual with a disability or any individual by reason of race, color, religion, sex, sexual orientation, age, or national origin is prohibited. Efforts will be made in recruitment and employment to ensure equal opportunity in employment for all qualified persons.

Pursuant to the New Mexico Human Rights Act, it shall be considered an unlawful discriminatory practice for an employer, unless based on a bona fide occupational qualification or other statutory prohibition, to refuse to hire, to discharge, to promote or demote or to discriminate in matters of compensation, terms, conditions or privileges of employment against any person otherwise qualified because of race, age, religion, color, national origin, ancestry, sex, sexual orientation, gender identity, pregnancy, childbirth or condition related to pregnancy or childbirth, physical or mental handicap or serious medical condition, or, if the employer has fifty (50) or more employees, spousal affiliation; provided, however, that 29 U.S.C. Section 631(c)(1) and (2) shall apply to discrimination based on age.

G-0211 GBA-R REGULATION

EQUAL EMPLOYMENT OPPORTUNITY

Compliance Officer

The Superintendent shall be the compliance officer. Any person who feels unlawfully discriminated against or to have been the victim of unlawful discrimination by an agent or employee of the District or who knows of such discrimination against another person should file a complaint with the Superintendent. If the Superintendent is the one alleged to have unlawfully discriminated, the complaint shall be filed with the President of the Board.

Complaint Procedure

The District is committed to investigating each complaint and to taking appropriate action on all confirmed violations of policy. The Superintendent shall investigate and document complaints filed pursuant to this regulation as soon as reasonable. In investigating the complaint, the Superintendent will maintain confidentiality to the extent reasonably possible. The Superintendent shall also investigate incidents of policy violation that are raised by the Board, even though no complaint has been made.

If after the initial investigation the Superintendent has reason to believe that a violation of policy has occurred, the Superintendent shall determine whether or not to hold an administrative hearing and/or to recommend bringing the matter before the Board.

If the person alleged to have violated policy is a teacher or an administrator, the due process provisions of the District's Policy GCQF shall apply, except that the supervising administrator may be assigned to conduct the hearing. In cases of serious misconduct, dismissal or suspension proceedings in accordance with statutes may be initiated.

If the person alleged to have violated policy is a support staff employee, the Superintendent may follow due process and impose discipline under Policy GDQD if the evidence so warrants. The Superintendent also may recommend a suspension without pay, recommend dismissal, or impose other appropriate discipline.

If the person alleged to have violated policy is a student, the Superintendent may impose discipline in accordance with policies JK and JKD.

If the Superintendent's investigation reveals no reasonable cause to believe policy has been violated, the Superintendent shall so inform the complaining party in writing.

Timelines

The complaint must be filed within thirty (30) calendar days after the complaining party knew or should have known that there were grounds for a complaint/grievance.

Once the written complaint has been filed using the forms provided by the District, the Superintendent shall require the immediate supervisor or site administrator to investigate and respond in writing to the complaining party within five (5) working days.

If the immediate supervisor or site administrator does not respond, the Superintendent will have ten (10) additional working days to respond in writing to the complaining party.

If the Superintendent does not respond within the established time, then the complaining party may request in writing that the issue be brought before the Board. The Board will then review the record of the investigation and have thirty (30) days to respond to the complaining party in writing.

**G-0231 GBA-E EXHIBIT
EQUAL EMPLOYMENT OPPORTUNITY**

COMPLAINT FORM

(To be filed with the compliance officer as provided in GBA-R)

Please print:

Name: _____ Date: _____

Address: _____

Telephone: _____ Secondary Phone: _____

Best time to be reached: _____

E-mail address: _____

I wish to complain against:

Name of person, school (department), program, or activity:

Address: _____

Specify your complaint by stating the problem as you see it. Describe the incident, the participants, the background to the incident, and any attempts you have made to solve the problem. Be sure to note relevant dates, times, and places.

Date of the action against which you are complaining: _____

If there is anyone who could provide more information regarding this, please list name(s), address(es), and telephone number(s).

Name Address Telephone Number

The projected solution

Indicate what you think can and should be done to solve the problem. Be as specific as possible.

I certify that this information is correct to the best of my knowledge.

Signature of Complainant

The compliance officer, as designated in GBA-R, shall give one (1) copy to the complainant and shall retain one (1) copy for the file.

**G-0650 GBEA
STAFF ETHICS
(Statement of Ethics for School Employees)**

We, professional educators of New Mexico, affirm our belief in the worth and dignity of humanity. We recognize the supreme importance of the pursuit of truth, the encouragement of scholarship, and the promotion of democratic citizenship. We regard as essential to these goals the protection of freedom to learn and to teach with the guarantee of equal educational opportunity for all. We affirm and accept our responsibility to practice our profession according to the highest ethical standards. We acknowledge the

magnitude of the profession we have chosen and engage ourselves, individually and collectively, to judge our colleagues and to be judged by them in accordance with the applicable provisions of this code.

Principle I: Commitment to the student. We measure success by the progress of each student toward achievement of their maximum potential. We therefore work to stimulate the spirit of inquiry, the acquisition of knowledge and understanding and the thoughtful formulation of worthy goals. We recognize the importance of cooperative relationships with other community institutions, especially the home. In fulfilling our obligation to the student, we:

- deal justly and considerately with each student;
- encourage the student to study and express varying points of view and respect the student's right to form their own judgment;
- conduct conferences with or concerning students in an appropriate place and manner;
- seek constantly to improve learning facilities and opportunities.

Principle II: Commitment to the community. We believe that patriotism in its highest form requires dedication to the principles of our democratic heritage. We share with all other citizens the responsibility for the development of sound public policy. As educators, we are particularly accountable for participating in the development of educational programs and policies and for interpreting them to the public. In fulfilling our obligations to the community, we:

- share the responsibility for improving the educational opportunities for all;
- recognize that each educational institution has a person authorized to interpret its official policies;
- acknowledge the right and responsibility of the public to participate in the formulation of educational policy;
- evaluate through appropriate professional procedures conditions within a district or institution of learning, make known serious deficiencies and take action deemed necessary and proper;
- assume full political and citizenship responsibilities, but refrain from exploiting the institutional privileges of our professional positions to promote political candidates of [or] partisan activities;
- protect the educational program against undesirable infringement and promote academic freedom.

Principle III: Commitment to the profession. We believe that the quality of the services of the education profession directly influence[s] the future of the nation and its citizens. We therefore exert every effort to raise educational standards, to improve our service, to promote a climate in which the exercise of professional judgment is encouraged, to demonstrate integrity in all work-related activities and interactions in the school setting and to achieve conditions which attract persons worthy of the trust to careers in education. Aware of the value of united effort, we contribute actively to the support, planning and programs of our professional organizations. In fulfilling our obligations to the profession, we:

- recognize that a profession must accept responsibility for the conduct of its members and understand that our own conduct may be regarded as representative of our profession;
- participate and conduct ourselves in a responsible manner in the development and implementation of policies affecting education;
- cooperate in the selective recruitment of prospective teachers and in the orientation of student teachers, interns and those colleagues new to their positions;
- accord just and equitable treatment to all members of the profession in the exercise of their professional rights and responsibilities;
- refrain from assigning professional duties to nonprofessional personnel when such assignment is not in the best interest of the student;
- refrain from exerting undue influence based on the authority of our positions in the determination of professional decisions by colleagues;
- keep the trust under which confidential information is exchanged;
- make appropriate use of the time granted for professional purposes;

- interpret and use the writings of others and the findings of educational research with intellectual honesty;
- maintain our integrity when dissenting by basing our public criticism of education on valid assumptions as established by careful evaluation of facts;
- respond accurately to requests for evaluation of colleagues seeking professional positions;
- provide applicants seeking information about a position with an honest description of the assignment, the conditions of work and related matters.

Principle IV: Commitment to professional employment practices. We regard the employment agreement as a solemn pledge to be executed both in spirit and in fact in a manner consistent with the highest ideals of professional service. Sound professional personnel relationships with governing boards are built upon integrity, dignity and mutual respect between employees, administrators and local school boards. In fulfilling our obligations to professional employment practices, we:

- apply for or offer a position on the basis of professional and legal qualifications;
- apply for a specific position only when it is known to be vacant and refrain from such practices as underbidding or commenting adversely about other candidates;
- fill no vacancy except where the terms, conditions and policies are known;
- adhere to and respect the conditions of a contract or to the terms of an appointment until either has been terminated legally or by mutual consent;
- give prompt notice of any change in availability of service, in status of applications or in change in position;
- conduct professional business through recognized educational and professional channels.

Adopted: September 15, 2021

**G-0750 GBEB
STAFF CONDUCT
(Standards of Professional Conduct)**

We, licensed New Mexico educators acknowledge that ethical values in our schools cannot exist without ethical leadership. It is our ultimate goal to educate children so that they may become productive citizens; we understand that our guidance and ability to provide choices has a profound effect on reaching this goal. In affording students and each other choices, we agree to consider the consequence of each choice, the moral value best exemplified by the recommended choice, and our position on the choice if it were applied to us. These principles apply equally to all licensed educators in all schools except where they are uniquely applicable to public schools or where they conflict with principles of religious freedom.

Moral values are to ethical leadership what years of experience are to a successful educator. The former sets the stage for success of the latter. Abstract principles that espouse excellence do not easily equate into simple behavioral maxims. We are certain that some foundational concepts can be embraced because they truly celebrate desirable moral values. These concepts are: respect for one's self and others, honesty and openness, the delicate balance between absolute freedom and safety, the equally delicate balance between confidentiality and the right to know, equality of opportunity, fairness to all, and personal integrity.

In the final analysis it is our consistent ethical leadership that wins the most allies and produces the best results. Not only does this code highlight our professional responsibilities, but also it stimulates us to discuss the professional implications of our ethical choices and ethical recommendations, causes us to assess and reassess our application of moral values, and sets forth concrete behaviors appropriate for education professionals. We are committed to this code and understand that it provides minimally accepted standards of professional conduct in education.

Standard I – Duty to the student. We endeavor to stimulate students to think and to learn while at the same time we seek to protect them from any harm. Ethical leadership requires licensed educators to teach

not only by use of pedagogical tools, but also by consistent and justifiable personal example. To satisfy this obligation, we:

- shall, in compliance with the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g, 34C.F.R. Part 99), the Individuals with Disabilities Education Act (20 U.S.C. Section 1401 et seq., 34 C.F.R. Part 80), the Mental Health and Developmental Disabilities Code (Section 43-1-19, NMSA 1978), the Inspection of Public Records Act (Section 14-2-1 et seq., NMSA 1978), the Public School Code (Section 22-1-8, NMSA 1978), and the Children's Code (Sections 32A-2-32, 32A-4-3, NMSA 1978), withhold confidential student records or information about a student or his/her personal and family life unless release of information is allowed, permitted by the student's parent(s)/legal guardian, or required by law;
- shall not discriminate or permit students within our control, supervision or responsibility to discriminate against any other student on the basis of race, color, national origin, ethnicity, sex, sexual orientation, disability, religion, or serious medical condition;
- shall avoid using our positions as licensed school employees to exploit or unduly influence a student into engaging in an illegal act, immoral act, or any other behavior that would subject a licensed school employee or student to discipline for misconduct whether or not the student actually engages in the behavior;
- shall tutor students only in accordance with local board policies, if any, only after written permission from the student's parent(s)/legal guardian, and only at a place or time approved by the local school and/or the student's parent(s)/legal guardian;
- shall not give a gift to any one (1) student unless all students situated similarly receive or are offered gifts of equal value for the same reason;
- shall not lend a student money except in clear and occasional circumstances, such as where a student may go without food or beverage or be unable to participate in a school activity without financial assistance;
- shall not have inappropriate contact with any student, whether or not on school property, which includes but is not limited to:
 - all forms of sexual touching, sexual relations or romantic relations;
 - inappropriate touching which is any physical touching, embracing, petting, hand-holding, or kissing that is unwelcome by the student or is otherwise inappropriate given the age, sex and maturity of the student;
 - any open displays of affection toward mostly-boys or mostly-girls; and
 - offering or giving a ride to a student unless absolutely unavoidable as where a student has missed his/her usual transportation and is unable to make reasonable substitute arrangements;
- shall not interfere with a student's right to a public education by sexually harassing a student or permitting students within our control, supervision or responsibility to sexually harass any other student, which prohibited behavior includes:
 - making any sexual advances, requests for sexual favors, repeated sexual references, any name calling by means of sexual references or references directed at gender-specific students, any other verbal or physical conduct of a physical nature with a student even where the licensed educator believes the student consents or the student actually initiates the activity, and any display/distribution of sexually oriented materials where students can see them; and
 - creating an intimidating, hostile or offensive work/school environment by at a minimum engaging in any of the prohibited behaviors set forth at Paragraph (7) or Subparagraph (a) of Paragraph (8), Subsection B of 6.60.9.9 NMAC, above.

Standard II – Duty to the profession. The education profession has been vested by the public with an awesome trust and responsibility. To live up to that lofty expectation, we must continually engender public confidence in the integrity of our profession and must strive consistently in educating the children of New Mexico, all of whom will one-day shape the future. To satisfy this obligation, we:

- shall not make a false or misleading statement or fail to disclose a material fact in any application for educational employment or licensure;
- shall not orally or in writing misrepresent our professional qualifications;
- shall not assist persons into educational employment whom we know to be unqualified in respect to their character, education, or employment history;
- shall not make a false or misleading statement concerning the qualifications of anyone in or desiring employment in education;
- shall not permit or assist unqualified or unauthorized persons to engage in teaching or other employment within a school;
- shall not disclose personal, medical, or other confidential information about other educational colleagues to anyone unless disclosure is required or authorized by law;
- shall not knowingly make false or derogatory personal comments about an educational colleague, although first amendment protected comments on or off campus are not prohibited;
- shall not accept any gratuity, gift, meal, discount, entertainment, hospitality, loan, forbearance, favor, or other item having monetary value whose market value exceeds one hundred dollars (\$100), excluding approved educational awards, honoraria, plaques, trophies, and prizes;
- shall avoid conduct connected with official duties that is unfair, improper, illegal or gives the appearance of being improper or illegal;
- shall not sexually harass any school employee, any school visitor or anyone else we might encounter in the course of our official duties, which includes:
 - making any sexual advances, requests for sexual favors, repeated sexual references, and name calling by means of sexual references or references directed at any gender-specific individuals named above;
 - making any other verbal gesture or physical conduct with any of the above-named individuals even where the licensed educator believes they consent, or they actually initiate the activity;
 - displaying or distributing any sexually oriented materials where the above-named individuals can see them; and
 - creating an intimidating, hostile, or offensive work/school environment by engaging in any of the prohibited behaviors set forth at Subparagraphs (a), (b) or (c), Paragraph (10), Subsection C of 6.60.9.9 NMAC, above;
- shall educate oneself at least annually about avoiding sexual harassment by either attending periodic training, reviewing sexual harassment literature or the Equal Employment Opportunity Commission (EEOC) guidelines found at Title 29 Code of Federal Regulations Part 1604 (29 C.F.R. Section 1604.1 et seq.) or contacting appropriate school human resources personnel;
- shall not engage in inappropriate displays of affection, even with consenting adults, while on school property or during school events off campus;
- shall not without permission of a supervisor use public school property to conduct personal business or our personal affairs;
- shall use educational facilities and property only for educational purposes or purposes for which they are intended consistent with applicable policy, law and regulation;
- shall not discriminate against any school employee, or any other person with whom we have any dealings or contact in the course of our official duties, on the basis of race, color, national origin, ethnicity, sex, sexual orientation, disability, religion, or serious medical condition;
- shall not engage in any outside employment:
 - the performance of which conflicts with our public school duties, such as where a licensed educator takes a private job that would require performance in the very school district where he/she is employed;
 - where we use confidential/privileged information obtained from our public school employment as part or all of our private employment duties; and
 - that impairs our physical ability to perform our school duties;
- shall not, with the intent to conceal/confuse a fact, change or alter any writing or encourage anyone else to change or alter any document:

- in connection with our official school duties;
- in connection with another licensed person's official school duties;
- in connection with any standardized or non-standardized testing;
- in connection with any school application or disclosure process; and
- in connection with any writing submitted to the public education department related to our initial or continued licensure, including endorsements;
- shall not in connection with any State Board-approved teacher test knowingly make any misrepresentations about one's identity, or engage in any false or deceptive acts of test-taking or test-registering;
- shall not engage in any conduct or make any statement:
 - that would breach the security of any standardized or non-standardized tests;
 - that would ignore administering portions or the entirety of any standardized or non-standardized testing instructions;
 - that would give students an unfair advantage in taking a standardized or non-standardized test;
 - that would give a particular school or a particular classroom an unfair advantage in taking a standardized or non-standardized test; and
 - that would assist students in obtaining services or benefits for which they do not qualify or are not entitled;
- shall not, when on school property or off campus while representing the school or attending a school function, engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct which tends to disturb the peace.
- shall not hold, or continue to hold, employment for which educator licensure or certification is required when the individual knew, should have known or is informed by the State Public Education Department (PED), that the individual does not hold the required credentials; and
- shall not use school information technology equipment, hardware, software or internet access to view, download, display, store or print pornographic images or advertisements, nude images, or sexually explicit depictions or language;
- shall not engage in unprofessional conduct, which conduct shall include but not be limited to the following:
 - striking, assaulting or restraining a student for no valid reason;
 - using any written or spoken words in public schools or at school events that are inflammatory, derogatory or otherwise demonstrate a bias against a person or group, on the basis of their race, religion, culture, ethnicity, sexual preference, sexuality or physical disability;
 - bringing firearms onto school property or possessing them on school property, except with proper authorization;
 - possessing or consuming alcohol beverages at school;
 - possessing or using illegal drugs;
 - being under the influence of alcohol or illegal drugs at school;
 - actively obstructing an investigation into the possible unethical or illegal conduct of a school employee; and
 - engaging in favoritism or preferential treatment toward any school employee or applicant in regard to that individual's hiring, discipline, terms of employment, working conditions or work performance due to that individual's familial relationship with the licensee;
- shall report any knowledge of inappropriate contact, as provided by Paragraph (7) of Subsection B of 6.60.9.9 NMAC with a student or other school employee to the local school authority within thirty (30) days of obtaining such knowledge.

Sanctions

The standards of professional conduct establish minimal standards of accepted professional conduct with which all educators and administrators are required to comply. Therefore, the Secretary of Education through the professional licensure unit ("licensure unit") of the public education department (PED), may revoke or suspend the licensure of any person, or may deny applications for licensure or relicensure to

any person, who is within the scope of the department regulation and who after hearing is found to have failed to comply with one (1) or more of the enumerated provisions of the standards of professional conduct set forth in Section 6.60.9.9 NMAC, exclusive of the preamble.

In General

All employees of the District are expected to conduct themselves in a manner consistent with effective and orderly education and to protect students and District property. No employee shall, by action or inaction, interfere with or disrupt any District activity or encourage any such disruption. No employee, other than one who has obtained authorization from the appropriate school administrator, shall carry or possess a weapon on school grounds. All employees shall at all times attempt to maintain order, abide by the policies, rules, and regulations of the District, and carry out all applicable orders issued by the Superintendent.

Licensed personnel are to follow statements of ethics and standards of conduct indicated in NMAC 6.60.9.8 NMAC and 6.60.9.9 NMAC.

All School District personnel, employees and school volunteers are directed to make themselves aware of and follow federal and state laws, School Board policies, procedures and regulations regarding ethics and conduct.

Investigation and Reporting of Alleged Ethical Misconduct

Any School District personnel, school employee, school volunteer, contractor or contractor's employee who knows or has a reasonable suspicion that a child or student has been subject to ethical misconduct by any School District personnel, school employee, school volunteer, contractor or contractor's employee shall report the matter to:

- the Superintendent; or
- the department.

If a Superintendent receives a report of ethical misconduct, the Superintendent shall immediately transmit to the department by telephone the facts of the report and the name, address and telephone number of the reporter. The Superintendent shall transmit the same information in writing within forty-eight (48) hours. A school shall take immediate steps to ensure the safety of enrolled students. The identity of any alleged victims will be protected.

A written report shall contain the name, address and age of the child or student; the child's or student's parents, guardians or custodians; the School District personnel, school employee, school volunteer, contractor or contractor's employee who is alleged to have committed ethical misconduct; and any evidence of ethical misconduct, including the nature and extent of any injuries and other information that the maker of the report believes might be helpful to investigate a report of ethical misconduct. The written report shall be submitted upon a standardized form developed by the department. All written reports are to be filed by date and name and are to include any information received or gathered in any investigation. Such records are to be made available to the office of investigation: the Superintendent, Department or law enforcement.

The person making the report shall be notified by the office receiving the report within five (5) days (mailed within five [5] days) by mail or other notification that the report is being investigated.

The Superintendent shall investigate all allegations of ethical misconduct about any School District personnel, school employee, school volunteer, contractor or contractor's employee who resigns, is being discharged or terminated or otherwise leaves employment after an allegation has been made. If the investigation results in a finding of ethical misconduct by a licensed school employee, the Superintendent shall report the identity of the licensed school employee and attendant circumstances of the ethical misconduct on a standardized form to the department and the licensed school employee within thirty (30)

days following the separation from employment or immediately if the finding of the ethical misconduct is sexual misconduct with an adult or child.

The Superintendent shall also report allegations of sexual assault or sexual abuse involving any School District personnel, school employee, school volunteer, contractor or a contractor's employee to the appropriate law enforcement agency.

No agreement between a departing school employee and the Governing Authority or Superintendent shall diminish or eliminate the responsibility of investigating and reporting the alleged ethical misconduct to the department or, if legally mandated, to law enforcement, and any such agreement to the contrary is void.

The Secretary of Education may initiate action to suspend, revoke or refuse to renew the license of:

- a Superintendent who fails to report ethical misconduct;
- any licensed School District personnel or licensed school employee who fails to report child abuse or neglect pursuant to Section 32A-4-3 NMSA 1978;
- any licensed School District or school employee who fails to report ethical misconduct in accord with the School Personnel Act and statutes.

Adopted: September 15, 2021

G-0762 GBEB-RC REGULATION (Code of Conduct for All Personnel)

The District further recognizes the need to adopt local standards of ethical behavior and conduct for both certified and non-certified personnel. Therefore, the Board of Education adopts the following Code of Conduct for all employees establishing standards and expectations for employee behavior, which, if violated, may form a basis for discipline, up to and including termination or discharge.

This Code highlights employment responsibilities and sets forth concrete behaviors appropriate for all school personnel. We are committed to this Code and understand that it provides minimal standards of accepted conduct for employees of the School District.

Pertaining to students, all school employees shall:

- refrain from disclosing confidential student records or information about a student or his/her personal and family life unless the release of information has been approved by the student's parent/legal guardian, or is allowed or required by law in compliance with the Family Educational Rights and Privacy Act of 1974 (FERPA), the Individuals with Disabilities Education Act (IDEA), the New Mexico Mental Health and Developmental Disabilities Code (NMSA § 43-1-19), the Inspection of Public Records Act (NMSA § 14-2-1 et seq.), the Public School Code (NMSA § 22-1-9-8), and the Children's Code (NMSA § 32A-2-32 & 32A-4-3) (as amended or recodified in the future);
- not discriminate against any student on the basis of race, religion, color, national origin, ancestry, sex or gender, pregnancy, sexual orientation, gender identity, physical or mental handicap, serious medical condition, disability, or spousal affiliation, nor permit students within the employee's control, supervision or responsibility to do so;
- avoid using their position as a school employee to exploit a student or influence a student to engage in an illegal act, immoral act, or any other behavior that would subject school employee or student to discipline for misconduct whether or not the student actually engages in the behavior;
- refrain from fraternizing with students outside the context of school or school-sponsored activities, and tutor students only in accordance with Board policies, if any, upon obtaining written permission from the student's parent/legal guardian, and at a place
- refrain from giving any gift to any student unless all similarly-situated students receive or are offered the same gift for the same reason;
- shall not use their positions, their influence, or their authority over students to make personal demands upon students unrelated to the purposes of their education. Employees shall not become intimately involved with students, shall not engage in or respond to romantic, sexually oriented,

or other intimate relations, or activities with students, nor participate in any unethical behaviors or conduct with them prohibited by the Board of Education's policies;

- refrain from lending a student money except in instances of emergencies, or in which a student's safety or well-being may otherwise be threatened, or the student will otherwise be unable to participate in a school activity, and all such instances and the reason for the action shall be reported to the employee's supervisor as soon as practicable;
- avoid inappropriate contact with students - regardless of time or location - including, but not limited to:
 - all forms of sexual contact, and sexual or romantic relations;
 - inappropriate physical contact, embracing, petting, hand-holding, or kissing;
 - favoritism with regard to boys or girls;
 - offering or giving a ride to a student unless absolutely necessary to the student's safety or well-being, and all such instances shall be reported to the employee's supervisor as soon as practicable;
- report any instances to the Superintendent or any School District administrator in which the employee reasonably suspects that another employee has engaged in sexual or physical contact prohibited by this policy with a student, or that any other adult has engaged in sexual contact with a minor student;
- abide by the prohibitions of NMSA § 30-9-11 (1978) or any other statute whether federal or state, which imposes felony sanctions for a school employee who has had sexual relations with a student less than eighteen years of age;
- become familiar with and abide by Board of Education policies related to inappropriate contact with students and sexual harassment of students by employees or by students, avoid sexual harassment of students, and not permit students within the control, supervision or responsibility of the employee to sexually harass any other student, such as by any verbal or physical conduct of a sexual nature with a student---including any sexual advances or requests for sexual favors, and use of any sexually oriented names or references-even when the employee believes the student is initiating or consents to such conduct, and avoidance of any possession, display, or distribution of sexually-oriented materials or information at school except any that are part of the curriculum;
- report to the administration any instance in which the employee suspects that a student has been subjected to sexual harassment at school, during school-sponsored activities, or during school transportation to or from such activities;
- avoid any unauthorized or inappropriate discipline of a student or corporal punishment in excess of, or contrary to, Board policy, and under no circumstances shall corporal punishment be such that it injures a student, and, in interactions with students:
 - control anger, de-escalate conflicts and confrontations, avoid loss of temper, and refrain from any form of physical or verbal abuse of students, except reasonable physical intervention limited to restraint of students actively engaged in, or threatening, physical violence or harm toward himself or herself, other staff members, or other students, and instances of such physical restraint shall be reported to the administration as soon as practicable;
 - refrain from using or tolerating on school premises, while at any school activity, and during school transportation to or from any school activity, the use of vulgar, profane, or personally offensive terms, names or nicknames, racial, ethnic, or sexual epithets, and racially, ethnically, or sexually insensitive terms, racial, ethnic, or sexual jokes or slurs, crude anatomical references, other offensive, profane or abusive verbal or non-verbal communications;
 - obtain written supervisory approval with regard to particular words, terms, or other communications the employee uses or proposes to use that are or may be otherwise prohibited by this Code;

- avoid being provoked into a response barred by this policy, by student conduct or communications;
- avoid engaging in violent or threatening behavior toward students, regardless of provocation, except when required for the immediate defense from serious physical harm of the employee, another student, staff member, or authorized person on campus.

In general, all school employees shall:

- comply with all Board policies and administrative regulations regarding standards of employee behavior or conduct;
- disclose all material facts in all procedures for obtaining employment or licensure, and refrain from making false or misleading statements in connection therewith;
- avoid misrepresentation of his or her qualifications for employment or promotion;
- refrain from assisting persons in obtaining educational employment whom he or she knows to be unqualified with respect to their character, education, or employment history;
- refrain from making false or misleading statements concerning the qualifications of anyone seeking employment with the School District;
- refrain from permitting or assisting unqualified or unauthorized persons to obtain employment with the School District;
- avoid disclosure of personal, medical, or other confidential information about other employees to anyone, unless disclosure is required or authorized by law;
- avoid making false and derogatory statements about other employees;
- refrain from accepting any gratuity, gift, meal, discount, entertainment, hospitality, loan, forbearance, favor, off-contract time employment or other item, offered on the basis of the employee's employment with the School District, and exceeding in fair market value one-hundred-dollars (\$100), excluding approved educational or employment-related awards, honoraria, plaques, trophies, and prizes;
- avoid conduct connected with the performance of official duties that is improper or illegal, or which creates the appearance of impropriety or illegality;
- become familiar with and abide by the Board's policies related to sexual harassment of employees, and avoid sexual harassment of any school employee, any school visitor, and anyone else whom he or she might encounter in the course of official duties, by any verbal or physical conduct of a sexual nature - including unwelcome sexual advances or requests for sexual favors, and the use of any sexually-oriented jokes, innuendos, names, or references - and avoidance of any possession, display, or distribution of sexually-oriented materials or information at school except any that is part of the curriculum;
- refrain from engaging in public displays of affection, even with consenting adults, while on school property, during school-sponsored activities, and during school transportation to and from such activities;
- use educational facilities and property only for purposes related to the legitimate school-related business for which they are intended, consistent with applicable policy, law and regulation, and avoid use of public school facilities or property to conduct personal business or personal affairs;
- not discriminate on the basis of race, age, religion, color, national origin, ancestry, sex or gender, pregnancy, sexual orientation, gender identity, physical or mental handicap, serious medical condition, disability, spousal affiliation, military status in employment or the provision of services of any school employee or any other person with whom he or she has any dealings or contact in the course of official duties;
- avoid all outside employment which conflicts with school employment duties, or which uses confidential or privileged information obtained from public school employment, or that impairs the employee's physical ability to perform school employment duties;
- refrain from changing or altering, and from encouraging or assisting anyone else to change or alter any record or document with the intent to conceal or confuse a fact in connection with:

- official school duties;
- another person's official school duties;
- any standardized or non-standardized testing;
- any school application or disclosure process;
- any submission to any state or federal regulatory authority.
- refrain from permitting a student's final course grade to be changed in a manner contrary to district policy, withholding material information regarding a potential grade change, and/or recommending a final course grade change with the knowledge the change is not warranted or is not in compliance with district policy.
- avoid knowingly engaging in any conduct or making any statement that would:
 - breach the security of any standardized or non-standardized test;
 - omit all or part of the testing instructions of any standardized or non-standardized test;
 - assist students in obtaining services or benefits to which they do not qualify or are not entitled;
- avoid engaging in violent, abusive, indecent, profane, boisterous, disruptive, unreasonably loud, or otherwise disorderly conduct such as would tend to disturb the peace or interfere with or obstruct the lawful mission, processes, procedures or functions of the schools or the School District while on school property, while present at a school activity, and during school transportation to or from such activities;
- refrain from violent, threatening, or unprofessional conduct toward other employees, supervisors, parents, members of the school community, members of the general public, and others with whom the employee has contact in connection with his or her duties;
- avoid engaging in any behavior prohibited by the state's criminal code of federal law, and in conduct that may result in criminal penalties, civil fines, or similar sanctions;
- respond in a prompt, direct, and professional manner to lawful directives, instructions, and requests from supervisors or administrators.

The failure to abide by the standards of conduct set forth in this policy shall constitute insubordination, and/or misconduct, and shall be considered conduct outside the normal scope of duties of school personnel and, thus, not subject to the procedures for correction of unsatisfactory work performance applicable to discharge of licensed personnel for unsatisfactory work performance, set forth under NMAC 6.69.2 and the employee will be subject to discharge or termination for misconduct as set forth in NMSA § 22-10A-24 and § 22-10A-27 (2003).

After final action is taken to discharge or terminate the employment of any licensed or certified school employee, or any other person providing instructional services in a school who does not hold a standard license but whose presence was authorized by the New Mexico Public Education Department through a waiver, substandard license, substitute license, or an educational plan approved by the New Mexico Public Education Department, when such discharge or termination of employment is based in whole or in part upon a violation of this Code of Ethics and Conduct, the Superintendent or designee shall report such.

**G-6100 © GCQF
DISCIPLINE, SUSPENSION, TERMINATION
AND DISCHARGE OF PROFESSIONAL STAFF MEMBERS**

Unless limited by the provisions of a collective bargaining agreement or by other statutory provision, a public employer may:

- direct the work of, hire, promote, assign, transfer, demote, suspend, discharge or terminate public employees;
- determine qualifications for employment and the nature and content of personnel examinations;

- take actions as may be necessary to carry out the mission of the public employer in emergencies; and
- retain all rights not specifically limited by a collective bargaining agreement or by the Public Employee Bargaining Act.

For purposes of this policy:

- "Discharge" means the act of severing the employment relationship with a licensed school employee prior to the expiration of the current employment contract.
- "Terminate" means, in the case of a licensed school employee, the act of not reemploying an employee for the ensuing school year.
- "Working day" means every school calendar day, excluding Saturday, Sunday or legal holiday.
- "Just cause" means a reason that is rationally related to an employee's competence or turpitude or the proper performance of assigned duties and that is not in violation of the employee's civil or constitutional rights.
- "Administrative leave" means the assignment of an employee to the employee's home to await further instructions pending the outcome of an investigation or inquiry into the actions of the employee in order to avoid interference in the inquiry. The use of "administrative leave" is not a disciplinary action.

Categories of Misconduct

Licensed staff members may be disciplined for infractions that include, but are not limited to, the following categories:

- Engaging in unprofessional conduct.
- Committing fraud in securing appointment.
- Exhibiting incompetency in their work.
- Exhibiting inefficiency in their work.
- Exhibiting improper attitudes.
- Neglecting their duties.
- Engaging in acts of insubordination.
- Engaging in acts of child abuse or child molestation.
- Engaging in acts of dishonesty.
- Being under the influence of alcohol while on duty.
- Engaging in the use, possession, or distribution of narcotics or habit-forming drugs.
- Being absent without leave.
- Engaging in discourteous treatment of the public.
- Engaging in improper political activity.
- Engaging in willful disobedience.
- Being involved in misuse or unauthorized use of school property.
- Being involved in excessive absenteeism.
- Possessing alcohol on school-owned property.
- Carrying or possessing a weapon on school grounds unless they have obtained specific authorization from the appropriate school administrator.
- Engaging in ethical misconduct by inappropriate touching, sexual harassment, discrimination or intended behavior to induce a child into engaging in illegal, immoral or other prohibited behavior.
- Racialized aggression defined as any aggressive act which can be characterized, categorized or which appears as such to be racial in nature. Such aggression is prohibited. A link to a state-wide hotline for reporting such incidents is provided on the District Website located at www.aps4kids.org.

General Provisions for Discipline

General provisions for discipline are as follows:

- Informal consultation. Nothing contained herein will limit a supervising administrator's prerogative to engage in informal consultation with a licensed employee to discuss matters of concern related to the employee's performance, conduct, et cetera.
- Persons authorized to impose discipline. Any supervising licensed administrator who is the immediate or primary supervisor of a staff member is authorized to impose a penalty or penalties, short of termination.
- Administrative discretion. In adopting these policies/procedures, it is the intention of the District that they be interpreted and applied in a reasonable fashion. The policies are not intended to restrict or eliminate the discretion traditionally afforded to supervising administrators to determine whether discipline is appropriate. Administrators are therefore directed to continue to use reasonable discretion in determining whether a particular alleged violation merits discipline.
- Right not to impose discipline. The District reserves the right not to discipline a staff member for conduct that violates this policy.
- Additional reasons for discipline. A staff member may be disciplined for conduct that has occurred but that, at or near the time of misconduct, was not the subject of or identified as a reason for a specific proceeding under this policy.
- Amendments. The District reserves the right to amend this policy in any way at any time. Any amendment shall have prospective application only.
- Severability. If any provision of this policy is held to be invalid for any reason, such action shall not invalidate the remainder of this policy. If any provision of this policy conflicts with any provisions in any other policies adopted by the District, the provisions of this policy shall prevail.

Minor Discipline

Minor disciplinary action includes, without limitation thereto, removal from grounds, written warning, written reprimand, or suspension. Minor disciplinary action shall be imposed by the staff member's administrative supervisor upon informing the employee of any violations of state or federal statutes, policies, rules or the New Mexico code of ethics and offering a minimum due process hearing and opportunity to express the employee's side of the issue before implementing the disciplinary action. The disciplinary action shall be confirmed in writing to the employee. The discipline may only be appealed to the next level of administration. The hearing procedure shall be as follows.

Step 1 - Notice:

- Upon the supervising administrator's determination of the existence of cause to impose discipline, the supervising administrator shall notify the staff member of intent to impose discipline. The notice shall be in writing and shall be delivered in person or by first-class mail. The notice shall include the following:
 - The conduct or omission on the part of the staff member that constitutes the reason for discipline.
 - A scheduled meeting time between the supervising administrator and the staff member. Such meeting shall be scheduled not more than ten (10) working days after the date the licensed staff member receives the notice.
 - A statement of the disciplinary action the supervising administrator intends to impose.
 - Copies of any available relevant documentation, at the discretion of the supervising administrator.

Step 2 - Hearing:

- At the hearing, the supervising administrator shall discuss with the staff member the conduct that warrants disciplinary action and shall provide the staff member with any appropriate evidence and a copy of relevant documentation if not previously provided.
- The supervising administrator shall conduct the hearing in an informal manner, without adherence to the rules of evidence and procedure required in judicial proceedings.

- A record of the hearing shall be made by electronic recordation.

Step 3 - Decision (in writing):

- At the hearing, or within seven (7) working days following the hearing, the supervising administrator shall, in writing, inform the licensed staff member of the decision. If the decision is to impose discipline, written notice of the discipline shall be enclosed.

Appeal of Minor Discipline

A staff member who wishes to object to a minor disciplinary action shall submit a written complaint to the supervisor's superior within five (5) work days of receiving notice of the disciplinary action. Failure to request the hearing in the time frame indicated will be considered acceptance of the discipline imposed. The appeal shall specifically describe the part of the determination with which the staff member disagrees, such as:

- Determination was founded upon error of construction or application of any pertinent regulations or policies.
- Determination was unsupported by any evidence as disclosed by the entire record.
- Determination was materially affected by unlawful procedure.
- Determination was based on violation of any statutory or constitutional right.
- Determination was arbitrary and capricious.
- The penalty was excessive.

The appeal shall be based on the record of the hearing. The supervising administrator, the Superintendent, or, when appropriate, the Governing Authority may, at the conclusion of the appeal, uphold the discipline, modify the decision, or refer the matter back to the level from which it was appealed for rehearing and additional information. Such decision, along with specific direction as to the effective date of any discipline, shall be communicated to the staff member within a reasonable amount of time following the appeal, not to exceed seven (7) working days. The decision upon appeal is final for all minor disciplinary actions.

Termination Pursuant to 22-10A-24 NMSA (1978)

The following procedures will be used to impose any termination permitted under 22-10A-24 NMSA (1978) except that it does not apply to:

- A licensed school employee employed to fill the position of a licensed school employee entering military service;
- A licensed school employee who is employed as a licensed school administrator; or
- An unlicensed school employee employed to perform primarily District-wide management functions; or
- A person who does not hold a valid license or has not submitted a complete application for licensure within the first three (3) months from beginning employment duties.

Step 1 - Notice:

- Upon the Superintendent's determination of the existence of cause to terminate, and on or before fifteen (15) working days prior to the last day of the school year, the Superintendent shall notify the staff member of intent to terminate. The notice shall be in writing and shall be delivered in person or by first-class mail to the last address provided for personnel records. The notice shall include the following:
 - The statement that the employee has the right to request written reasons for the decision to terminate and such reasons shall be provided within ten (10) working days of such request.

- For a licensed employee who has not been offered and accepted a third-year contract for services and licensed educational assistants with less than one (1) year of employment the decision to terminate is not contestable under the School Personnel Act.
 - For licensed employees who have been offered and accepted a third-year contract for service and licensed educational assistants employed for more than one (1) year the following appeal procedure shall apply.

Step 2 - Appeal Requirements and Content:

- Termination may be appealed to the Governing Authority by a professional staff employee who has been employed for more than two (2) consecutive years and licensed educational assistants employed for more than one (1) year by making a request to the Superintendent within five (5) working days of the date of receipt of the notice of termination requesting a meeting with the Governing Authority.
 - The appeal shall be granted if the employee responds to the Superintendent in writing within ten (10) working days of receiving the reasons for termination with the following information:
 - ❖ A statement of contention that the employee believes the decision is without just cause.
 - ❖ A brief statement of the reason(s) why the staff member believes the decision is without just cause.
 - ❖ A statement of the facts that the employee believes support this contention.

Step 3 - Appeal Procedure:

- The Governing Authority shall meet to hear the employee's statement in no less than five (5) or more than fifteen (15) working days after receipt of the statement.
- The hearing shall be conducted informally in accordance with the provisions of the Open Meeting Act.
 - Hearing Procedure:
 - ❖ The employee and the Superintendent may each be accompanied by a person of their choice.
 - ❖ The Superintendent shall present the factual basis for determination that just cause exists for the termination, limited to the reasons provided to the employee.
 - ❖ The employee shall present contentions, limited to the reason(s) why the licensed staff member believes the decision is without just cause.
 - ❖ Rebuttal to the employee's presentation may be presented as deemed relevant by the Governing Authority.
 - ❖ Witnesses called may be questioned by the Governing Authority, the Superintendent or an appointed representative, and the employee or an appointed representative.
 - ❖ The Governing Authority may consider only such evidence as is presented at the hearing and need consider only such evidence as it considers reliable.
 - The Governing Authority shall take such action as is necessary in accordance with the Open Meeting Act to uphold or deny the recommendation to terminate. The Governing Authority shall notify the employee and the Superintendent of its decision in writing within five (5) working days from the conclusion of the meeting.

Termination-Arbitration Appeal Pursuant to 22-10A-25 NMSA (1978)

An employee still aggrieved by a decision of the Governing Authority may appeal the decision to an arbitrator by doing the following:

- Submitting a written appeal to the Superintendent within five (5) working days from receipt of the Governing Authority's written decision or refusal to grant a hearing on the issue of termination.
- Accompanying the written appeal shall be a statement of particulars specifying the grounds on which it is contended that the decision was impermissible pursuant to subsection E of Section 22-10A-24 NMSA (1978).
- Including in the contentions a statement of facts supporting the contentions.

Failure of the employee to submit a timely appeal or a statement of particulars with the appeal shall disqualify the employee for any appeal and render the Governing Authority's decision on termination final.

If the arbitration appeal is timely and complete, the Governing Authority and the employee shall meet within ten (10) working days from the receipt of the request for an appeal and select an independent arbitrator, qualified in accord with the applicable statute, to conduct the appeal. If the parties fail to agree on an arbitrator, they shall request the presiding judge in the judicial district in which the employee's public school is located to select an independent arbitrator within five (5) working days of the date of the request.

A de novo (new) hearing shall be conducted within thirty (30) working days of selection of the independent arbitrator. The arbitrator shall give written notice of the date, time and place of the hearing, sending such notice to the employee and Governing Authority.

The parties shall be provided a copy of the relevant portion of this policy which shall include:

- Discovery shall be limited to depositions and requests for production of documents on a time schedule to be established by the arbitrator.
- The arbitrator may issue subpoenas for the attendance of witnesses and to produce books, records, documents and other evidence at the request of either party and has the power to administer oaths. Subpoenas issued shall be served and enforced in the manner provided by law for the service and enforcement of subpoenas in a civil action or in the manner provided by the American Arbitration Association's voluntary labor arbitration rules if that entity is used by the parties.
- The Governing Authority shall be required to prove by a preponderance of the evidence that just cause to discharge the employee existed at the time of the notice of intent to discharge the employee by the administration.
- Hearing Procedure:
 - The employee and the Governing Authority may each be accompanied by counsel.
 - The Governing Authority shall present the basis for determination that just cause exists for the discharge.
 - The employee shall present reason(s) why the recommendation is without just cause.
 - Either party shall be permitted to call witnesses and to introduce documentary evidence.
 - Witnesses called may be questioned by the Governing Authority or a representative, and the employee or a representative.
 - Technical rules of evidence shall not apply, but, in ruling on the admissibility of evidence, the independent arbitrator may require reasonable substantiation of the statements or records tendered, the accuracy of truth of which is in reasonable doubt.
 - A record shall be made of the hearing and each party may order the record at the expense of the party.
- The arbitrator shall notify the employee and the Governing Authority of the decision in writing within ten (10) working days from the conclusion of the arbitration hearing. The decision shall

contain findings of fact and conclusions of law affirming or reversing the action of the Governing Authority.

The parties shall be guided by the statute and arbitrator as to the conduct of the hearing, each party bearing its own costs. The arbiter's fees and other expenses in the conduct of the arbitration shall be assigned at the discretion of the independent arbitrator.

No official record shall be made of the proceeding but the party desiring a record may arrange for a record, paying the expense.

Discharge per 22-10A-27 NMSA (1978)

A licensed school employee may be discharged only for just cause following procedures as indicated below:

Notice:

- Upon the Superintendent's determination of the existence of cause to discharge, the Superintendent shall notify the licensed staff member of intent to recommend discharge. The notice shall state the cause for the recommendation and shall advise the employee of a right to a discharge hearing before the Governing Authority.
- The notice shall be in writing and shall be provided in accordance with the law for service of process in civil actions.
- If the licensed school employee does not exercise that right to hearing, the Superintendent shall discharge the licensed school employee.

Employee's Request for Hearing:

- An employee who receives notice of intent to recommend discharge may exercise the right to a hearing before the Governing Authority by giving the Superintendent written notice of that election within ten (10) working days of receipt of the notice of intent to recommend discharge.
- The Governing Authority shall hold a discharge hearing no less than twenty (20) and no more than forty (40) working days after the receipt of the staff member's election of a hearing.

Preliminary Information

- At least ten (10) days written notice of the date, time and place of the discharge hearing shall be provided to the employee with such notice in the same form as used in civil proceedings. The notice shall indicate the following:
 - Both the Superintendent and the licensed school employee may be accompanied by a person of their choice.
 - Each party is to complete and respond to discovery by deposition and production of documents prior to the hearing date established.
 - The Governing Authority may issue subpoenas for the attendance of witnesses and to produce books, records, documents and other evidence at the request of either party and has the power to administer oaths.
 - The Superintendent shall be required to prove by preponderance of the evidence that just cause to discharge the licensed school employee existed at the time of the notice of intent to discharge.
 - Procedure for the conduct of the hearing shall be as follows:

- ❖ The Superintendent shall present the factual basis for determination that just cause exists for the termination based upon information available at the time the employee was given notice of the intent to discharge.
 - ❖ The employee shall present reason(s) why the recommendation is without just cause.
 - ❖ Either party shall be permitted to call witnesses and to introduce documentary evidence.
 - ❖ Witnesses called may be questioned by the Superintendent or an appointed representative, and the employee or an appointed representative.
 - ❖ The Governing Authority may consider only such evidence as is presented at the hearing and need consider only such evidence as it considers reliable.
 - ❖ A record shall be made of the hearing and each party may have one (1) copy of the record at the expense of the Governing Authority.
- The Governing Authority shall notify the employee and the Superintendent of its decision in writing within twenty (20) days from the conclusion of the hearing. The Governing Authority shall take such action as is necessary in accordance with the Open Meeting Act.

Discharge-Arbitration Appeal Pursuant to 22-10A-28 NMSA (1978)

An employee aggrieved by a decision of the Governing Authority to discharge may appeal the decision to an arbitrator by doing the following: Submitting a written appeal to the Governing Authority within ten (10) working days from receipt of the written decision of the Governing Authority.

The Governing Authority may delegate responsibility for the arbitration to the Superintendent.

If the arbitration appeal is timely the Governing Authority (or Superintendent as delegee) and the employee shall meet within ten (10) working days from the receipt of the request for an appeal and select an independent arbitrator, qualified in accord with the applicable statute, to conduct the appeal. If the parties fail to agree on an arbitrator, they shall request the presiding judge in the judicial district in which the public school is located to select an independent arbitrator within five (5) working days from the date of the request.

The hearing shall be conducted within thirty (30) working days of selection of the independent arbitrator. The arbitrator shall give written notice of the date, time and place of the hearing, sending such notice to the employee and Governing Authority.

The parties shall be provided a copy of the relevant portion of this policy which shall include:

- Discovery shall be limited to depositions and requests for production of documents on a time schedule to be established by the arbitrator.
- The arbitrator may issue subpoenas for the attendance of witnesses and to produce books, records, documents and other evidence at the request of either party and has the power to administer oaths. Subpoenas issued shall be served and enforced in the manner provided by law for the service and enforcement of subpoenas in a civil action or in the manner provided by the American Arbitration Association's voluntary labor arbitration rules if that entity is used by the parties.
- The Governing Authority shall be required to prove by preponderance of the evidence that just cause to discharge the certificated employee existed at the time of the notice of intent to discharge the employee by the administration.
- Hearing Procedure:
 - The employee and the Governing Authority may each be accompanied by counsel.
 - The Governing Authority shall present the basis for determination that just cause exists for the discharge.

- The employee shall present reason(s) why the recommendation is without just cause.
 - Either party shall be permitted to call witnesses and to introduce documentary evidence.
 - Witnesses called may be questioned by the Governing Authority or a representative, and the employee or a representative.
 - Technical rules of evidence shall not apply, but, in ruling on the admissibility of evidence, the independent arbitrator may require reasonable substantiation of the statements or records tendered, the accuracy of truth of which is in reasonable doubt.
 - Either party desiring a record of the arbitration proceedings may, at the party's own expense, record or otherwise provide for a transcript of the proceedings; provided, however, that the record so provided shall not imply any right of automatic appeal or review.
- The arbitrator shall notify the employee and the Governing Authority of the decision in writing within thirty (30) working days from the conclusion of the arbitration hearing. The decision shall contain findings of fact and conclusions of law affirming or reversing the action of the Governing Authority.

Each party shall bear its own costs and expenses.

Additional Provisions and Conditions

During the pendency of any hearing, neither the licensed staff member nor the supervising administrator shall contact the Superintendent or a Governing Authority member to discuss the merits of the supervising administrator's recommendation except as provided by this policy.

This policy addresses only discipline, termination or discharge and has no application to any of the following:

- Letters or memorandums directed to a licensed staff member containing directives or instructions for future conduct.
- Counseling of a licensed staff member concerning expectations of future conduct.
- Placing an employee on administrative leave with pay and assignment of the employee to home during work hours in order to conclude a review of the employee's actions or activities pending an administrative recommendation.

The Governing Authority shall file annually a record with the Secretary of Education of all terminations and discharges and all actions arising from terminations and discharges.

Adopted: September 15, 2021

**G-9300 © GDQD
DISCIPLINE, SUSPENSION, TERMINATION AND DISCHARGE
OF SUPPORT STAFF MEMBERS**

Unless limited by the provisions of a collective bargaining agreement or by other statutory provision, a public employer may:

- direct the work of, hire, promote, assign, transfer, demote, suspend, discharge or terminate public employees;
- determine qualifications for employment and the nature and content of personnel examinations;
- take actions as may be necessary to carry out the mission of the public employer in emergencies;
- and
- retain all rights not specifically limited by a collective bargaining agreement or by the Public Employee Bargaining Act.

For purposes of this policy:

- "Terminate" means, in the case of a noncertificated school employee, the act of severing the employment relationship with the employee.
- "Working day" means every calendar day, excluding Saturday, Sunday or legal holiday.
- "Administrative leave" means the assignment of an employee to the employee's home to await further instructions pending the outcome of an investigation or inquiry into the actions of the employee in order to avoid interference in the inquiry. The use of "administrative leave" is not a disciplinary action.

Categories of Misconduct

Staff members may be disciplined for infractions that include, but are not limited to, the following categories:

• Absence without leave	• Incompetence or inefficiency
• Abuse of leave	• Insubordination
• Alcohol or drug impairment	• Neglect of duty
• Child abuse or molestation	• Unauthorized possession of a weapon on school grounds
• Discourteous treatment of the public	• Unauthorized use of school property
• Dishonesty	• Unlawful conduct
• Excessive absenteeism	• Use of illegal drugs
• Fraud in securing employment	• Violation of a directive of a supervisor
• Improper attitude	• Violation of a District policy or regulation

- Racialized aggression defined as any aggressive act which can be characterized, categorized or which appears as such to be racial in nature is prohibited. A link to a state-wide hotline for reporting such incidents is provided on the District Website located at www.aps4kids.org.

General Provisions for Discipline are as follows:

- Informal consultation. Nothing contained herein will limit a supervising administrator's prerogative to engage in informal consultation with an employee to discuss matters of concern related to the employee's performance, conduct, etc.
- Persons authorized to impose discipline. Any supervising licensed administrator who is the immediate or primary supervisor of a staff member is authorized to impose a penalty or penalties, short of termination.

- Administrative discretion. In adopting these policies/procedures, it is the intention of the District that they be interpreted and applied in a reasonable fashion. The policies are not intended to restrict or eliminate the discretion traditionally afforded to supervising administrators to determine whether discipline is appropriate. Administrators are therefore directed to continue to use reasonable discretion in determining whether a particular alleged violation merits discipline.
- Right not to impose discipline. The District reserves the right not to discipline a staff member for conduct that violates this policy.
- Additional reasons for discipline. A staff member may be disciplined for conduct that has occurred but that, at or near the time of misconduct, was not the subject of or identified as a reason for a specific proceeding under this policy.
- Amendments. The District reserves the right to amend this policy in any way at any time. Any amendment shall have prospective application only.
- Severability. If any provision of this policy is held to be invalid for any reason, such action shall not invalidate the remainder of this policy. If any provision of this policy conflicts with any provisions in any other policies adopted by the District, the provisions of this policy shall prevail.

Minor Discipline

Minor disciplinary action includes, without limitation thereto, removal from the grounds, written warning, written reprimand, or suspension. Minor disciplinary action shall be imposed by the staff member's administrative supervisor upon informing the employee of any violations of state or federal statutes, policies, rules or the New Mexico code of ethics and offering a hearing and opportunity to express the employee's side of the issue before implementing the disciplinary action. The disciplinary action shall be confirmed in writing to the employee. The discipline may only be appealed to the next level of administration. The hearing procedure shall be as follows.

Step 1 - Notice and Hearing:

- Upon the supervising administrator's determination of the existence of cause to impose discipline, the supervising administrator shall notify the staff member of intent to impose discipline, the conduct or omission on the part of the staff member that constitutes the reason for discipline, and provide the employee an opportunity to explain the employee's side of the issue. A reasonable effort to determine the circumstances of the incident will be made. The discipline may be imposed immediately or following any further investigation.

Step 2- Decision (in writing):

- At the hearing, or within seven (7) working days following the hearing, the supervising administrator shall inform the employee in writing of the disciplinary action, if imposed and summarize the discussion at the hearing.

Appeal of Minor Discipline

A staff member who wishes to object to a minor disciplinary action shall submit a written appeal request to the supervisor's superior within five (5) work days of receiving notice of the disciplinary action. Failure to request the appeal in the time frame indicated will be considered acceptance of the discipline imposed. The discipline shall be suspended if the appeal is timely made. The appeal shall specifically describe the part of the determination with which the staff member disagrees, such as:

- Determination was founded upon error of construction or application of any pertinent regulations or policies.
- Determination was unsupported by any evidence as disclosed by the entire record.
- Determination was materially affected by unlawful procedure.

- Determination was based on violation of any statutory or constitutional right.
- Determination was arbitrary and capricious.
- The penalty was excessive.

The appeal shall be based on the staff member's submission as listed above and the summary of the hearing made by the supervisor. The supervising administrator, the Superintendent, or, when appropriate, the Governing Authority may, at the conclusion of the appeal, uphold the discipline, modify the decision, or refer the matter back to the level from which it was appealed for rehearing and additional information. Such decision, along with specific direction as to the effective date of any discipline, shall be communicated to the staff member within a reasonable amount of time following the appeal, not to exceed seven (7) working days. The decision upon appeal is final for all minor disciplinary actions.

Termination Pursuant to 22-10A-24 NMSA (1978)

The following procedures will be used to impose any termination permitted under 22-10A-24 NMSA (1978) except that it does not apply to:

- A noncertificated school employee employed to perform primarily District-wide management. (22-10A-26 NMSA)

Step 1 - Notice:

- Upon the Superintendent's determination of the existence of cause to terminate, the Superintendent shall notify the staff member of intent to terminate. The notice shall be in writing and shall be delivered in person or by first-class mail. The notice shall include the following:
 - The statement that the employee has the right to request written reasons for the decision to terminate and such reasons shall be provided within five (5) working days of such request.
- A local Board may terminate a nonlicensed school employee with less than one (1) year of employment for any reason it deems sufficient.
 - For a nonlicensed school employee who has been employed for more than one (1) year the following appeal procedure shall apply.

Step 2-3 Appeal Requirements and Content:

- Termination may be appealed to the Governing Authority by a nonlicensed school employee who has been employed for more than one (1) year by making a request to the Superintendent within five (5) working days of the date of receipt of the notice of termination requesting reasons for the termination decision and a meeting with the Governing Authority.
 - The appeal shall be granted if the employee responds to the Superintendent in writing within ten (10) working days of receiving the reasons for termination with the following information:
 - ❖ A statement of contention that the employee believes the decision is without just cause.
 - ❖ A brief statement of the reason(s) why the staff member believes the decision is without just cause.
 - ❖ A statement of the facts that the employee believes support this contention.

Step 4 - Appeal Procedure:

- The Governing Authority shall meet to hear the employee's statement in no less than five (5) or more than fifteen (15) working days after receipt of the statement.

- The hearing shall be conducted informally in accordance with the provisions of the Open Meeting Act.
 - Hearing Procedure:
 - ❖ The employee and the Superintendent may each be accompanied by a person of their choice.
 - ❖ The Superintendent shall present the factual basis for determination that just cause exists for the termination, limited to the reasons provided to the employee.
 - ❖ The employee shall present contentions, limited to the reason(s) why the staff member believes the decision is without just cause.
 - ❖ Rebuttal to the employee's presentation may be presented as deemed relevant by the Governing Authority.
 - ❖ Witnesses called may be questioned by the Governing Authority, the Superintendent or an appointed representative, and the employee or an appointed representative.
 - ❖ The Governing Authority may consider only such evidence as is presented at the hearing and need consider only such evidence as it considers reliable.
 - The Governing Authority shall take such action as is necessary in accordance with the Open Meeting Act to uphold or deny the recommendation to terminate. The Governing Authority shall notify the employee and the Superintendent of its decision in writing within five (5) working days from the conclusion of the meeting.

Termination-Arbitration Appeal Pursuant to 22-10A-25 NMSA (1978)

An employee still aggrieved by a decision of the Governing Authority may appeal the decision to an arbitrator by doing the following:

- Submitting a written appeal to the Superintendent within five (5) working days from receipt of the Governing Authority's written decision or refusal to grant a hearing on the issue of termination.
- Accompanying the written appeal shall be a statement of particulars specifying the grounds on which it is contended that the decision was impermissible pursuant to subsection E of Section 22-10A-24 NMSA (1978).
- Including in the contentions a statement of facts supporting the contentions.

Failure of the employee to submit a timely appeal or a statement of particulars with the appeal shall disqualify the employee for any appeal and render the Governing Authority's decision on termination final.

If the arbitration appeal request is timely and complete, the Governing Authority and the employee shall meet within ten (10) working days from the receipt of the request for an appeal and select an independent arbitrator, qualified in accord with the applicable statute, to conduct the appeal. If the parties fail to agree on an arbitrator, they shall request the presiding judge in the judicial district in which the employee's public school is located to select an independent arbitrator within five (5) working days of the date of the request.

A de novo (new) hearing shall be conducted within thirty (30) working days of selection of the independent arbitrator. The arbitrator shall give written notice of the date, time and place of the hearing, sending such notice to the employee and Governing Authority.

The parties shall be provided a copy of the relevant portion of this policy which shall include:

- Discovery shall be limited to depositions and requests for production of documents on a time schedule to be established by the arbitrator.
- The arbitrator may issue subpoenas for the attendance of witnesses and to produce books, records, documents and other evidence at the request of either party and has the power to administer

oaths. Subpoenas issued shall be served and enforced in the manner provided by law for the service and enforcement of subpoenas in a civil action or in the manner provided by the American Arbitration Association's voluntary labor arbitration rules if that entity is used by the parties.

- The Governing Authority shall be required to prove by a preponderance of the evidence that just cause to discharge the employee existed at the time of the notice of intent to discharge the employee by the administration.
- Hearing Procedure:
 - The employee and the Governing Authority may each be accompanied by counsel.
 - The Governing Authority shall present the basis for determination that just cause exists for the discharge.
 - The employee shall present reason(s) why the recommendation is without just cause.
 - Either party shall be permitted to call witnesses and to introduce documentary evidence.
 - Witnesses called may be questioned by, the Governing Authority or a representative, and the employee or a representative.
 - Technical rules of evidence shall not apply, but, in ruling on the admissibility of evidence, the independent arbitrator may require reasonable substantiation of the statements or records tendered, the accuracy of truth of which is in reasonable doubt.
 - Either party desiring a record of the arbitration proceedings may, at the party's own expense, record or otherwise provide for a transcript of the proceedings; provided, however, that the record so provided shall not imply any right of automatic appeal or review.
- The arbitrator shall notify the employee and the Governing Authority of the decision in writing within ten (10) working days from the conclusion of the arbitration hearing. The decision shall contain findings of fact and conclusions of law affirming or reversing the action of the Governing Authority.

The parties shall be guided by the statute and arbitrator as to the conduct of the hearing, each bearing their own costs. The arbiter's fees and other expenses in the conduct of the arbitration shall be assigned at the discretion of the independent arbitrator.

Adopted: September 15, 2021

STAFF DRESS CODE

G-0800 GBEBA

The Board recognizes its employees as highly skilled professionals who have a unique role in the school system as they interact with students, parents, and the community at large. Employees have the responsibility to set a positive tone and establish a dignified environment which encourages learning and fosters mutual respect. Employees are role models not only in their words and actions but also in their dress. The dress code defines consistent and appropriate parameters of employee dress. Employee dress should meet or exceed the standards set for students.

G-0811 GBEBA – R REGULATION

The manner and dress of employees shall be business casual. All employees are to be neatly groomed and dressed in clothing suitable for the subject of instruction, the work performed, and/or the occasion. Responsibility for acceptable dress rests primarily with the employee. However, administrators and supervisors shall require acceptable dress on the part of all employees. The guidelines are applicable to all full-time and part-time employees as well as substitute employees, student teachers, college interns, and aides. Food service, school nurses, maintenance, custodial, graphics, technology and transportation personnel are expected to dress according to the guidelines established by their supervisors.

There may be some special circumstances that permit the relaxation of the dress code. Employees shall dress appropriately for the activity being undertaken. Some examples include, but are not limited to: physical education teachers when teaching the physical education portion of the curriculum; art or other

teachers when working with messy materials; teachers when working in laboratory classes and shops with dangerous equipment or materials; and, staff when participating in special events (e.g., field days and field trips).

An employee's dress or appearance shall not be so unusual, inappropriate, or lacking in cleanliness that it clearly disrupts class or learning activities. Jeans without rips or tears are acceptable. The following are examples of unacceptable attire: Shorts, mini-skirts, mini-skorts, tops with straps of less than 2 inches in width unless covered by another top, tight fitting clothing, see-through or revealing clothing, unkempt or torn clothing, overalls, tee shirts, sweat pants, undergarments worn as an outer garment or exposed undergarments, rubber/plastic beach shoes/flip flops, and clothing that promotes alcoholic beverages, tobacco, the use of controlled substances, depicts violence, is of a sexual nature, or is of a disruptive nature.

Yoga pants, jeggings, leggings, tights, exercise/training sportswear, excessively tight pants must be worn with a shirt or skirt that is longer than the ends of fingers while arms are at rest while standing.

Supervisors and school level administrators are authorized to enforce this policy. Any employee in violation of this policy may be asked by his or her supervisor to go home and change clothes and/or refrain from wearing such clothing in the future. Repeated problems with an employee's inappropriate dress or appearance may result in disciplinary action, up to and including dismissal.

Requests for reasonable accommodations shall be sent to the Director of Human Resources for those employees who, because of a sincerely held religious belief, cultural heritage, or medical reason seek a waiver of a particular part of this policy for dress or appearance.

It is the site administrator's or designee's responsibility to ensure that enforcement of this policy is done so in a consistent manner. While it is inevitable that there will be differences of opinion regarding the appropriateness of attire, the final decision lies with the Superintendent or the Superintendent's designee.

**G-2511 GCC – E REGULATION
PROFESSIONAL / SUPPORT STAFF
LEAVES AND ABSENCES
(Attendance and Punctuality)**

It is the policy of the School District to encourage habits of good attendance and punctuality on the part of its employees whether they are classified as certified or non-certified. Unauthorized absences or tardiness will not be tolerated and may result in disciplinary action to include termination and discharge.

- Employees are expected to report to work whenever scheduled. They shall notify their supervisor in advance whenever they are unable to report to work on time. If their supervisor is unavailable, employees should contact the Human Resources Department. A failure to notify the school, department or administrative unit of any anticipated absence or delay in reporting for work will result in loss of compensation during the absence and may be grounds for disciplinary action to include termination and discharge.
- Employees must be at their work stations at the starting hour and at the prescribed time after meal periods. Employees who for any reason will be delayed more than (five to ten) minutes in reporting for work are requested to call their supervisor promptly to explain the circumstances.
- Employees who are delayed in reporting for work more than thirty (30) minutes and who have not notified their supervisor of their expected tardiness may lose their right to work the balance of the work day. Those employees permitted to report to work late will be paid only for the time they actually work.
- Excessive absenteeism and chronic tardiness are patterns of behavior that are easily identified. It is equally important that these behavior patterns be documented, and this is the worksite supervisor's responsibility.

- Employees who are absent from work for three (3) consecutive days without good cause and without giving notice to their immediate supervisor or the Superintendent of Schools shall be considered as having voluntarily resigned their position by abandonment of their position. Appropriate due process procedures would prevail on a case-by-case basis.
- Employees who leave the work site during the duty day must obtain permission from their immediate supervisor except for scheduled lunch breaks.

J-4616 JK-RF
Student Discipline
Anti-Bullying

Alamogordo Public Schools believes that providing an educational environment for all students that is free from harassment, bullying and cyberbullying supports a total learning experience that promotes academic and personal growth, healthy interpersonal relationships, safety, and wellness.

For this reason, harassment, bullying, and cyberbullying of students are strictly prohibited on District property, at District-sponsored activities, on District-sponsored transportation, or on the way to-and-from-school transportation. The District also prohibits electronic communication directed at a student, that is published with the intent that it be seen by or disclosed to that student and that substantially interferes with the student's ability to participate in or benefit from the services, activities or privileges provided by the District.

In furtherance of this commitment, each district school shall:

- establish an annual bullying prevention program for student included in New Mexico's health education content standards with benchmarks and performance standards;
- provide annual training on bullying prevention to all employees and volunteers who have significant contact with students; and
- incorporate information on the bullying prevention policy into new employee training.

Likewise, the Superintendent shall:

- ensure that developmentally, culturally and linguistically appropriate variants of Policy JK and this regulation are available on the District's public websites;
- identify a District-wide point of contact for bullying-related matters; and
- inform parents and students about Policy JK and this regulation annually through student handbooks and other comparable handbooks and resources.

Definitions:

- "**Bullying**" means any severe, pervasive or persistent act or conduct that targets a student, whether physically, electronically or verbally, and that:
 - occurs on District property, including electronic communication on or with the use of its property; at sponsored functions; and on the way to-and-from-school transportation, or on any school-sponsored transportation;
 - may be based on a student's actual or perceived race, religion, color, national origin, ancestry, sex, sexual orientation, gender identity, spousal affiliation, physical or cognitive disability or any other distinguishing characteristics; or on an association with a person, or group with any person, with one (1) or more of the actual or perceived distinguishing characteristic; and
 - can be reasonable predicted to:
 - place a student in reasonable fear of physical harm to the student's person or property;
 - cause a substantial detrimental effect on a student's physical or mental health;

- substantially interfere with a student's academic performance, attendance or participation in extracurricular activities; or
- substantially interfere with a student's ability to participate in or benefit from the services, activities or privileges provided by the District.
- **"Cyberbullying"** means any bullying that takes place through electronic communication, with or without the use of District property.
- **"Electronic communication"** means a communication transmitted by means of an electronic device, including a telephone, cellular phone, computer, electronic tablet, pager or video or audio recording device.
- **"Gender identity"** means a student's self-perception, or perception by another, of the student's identity as a male or female based upon the student's appearance, behavior, or physical characteristics that are in accord with, or opposed to, the student's physical anatomy, chromosomal sex or sex at birth.
- **"Harassment"** means a pattern of conduct that is intended to annoy, seriously alarm or terrorize another person or group of people.
- **"Physical or cognitive disability"** means a physical or cognitive impairment that substantially limits one (1) or more of a student's major life activities.
- **"Progressive discipline"** means disciplinary action other than suspension or expulsion from school that is designed to correct and address the basic causes of a student's specific misbehavior while retaining the student in class or in school, or restorative school practices to repair the harm done to relationships and other students from the student's misbehavior, and may include:
 - meeting with the student and the student's parents;
 - reflective activities, such as requiring the student to write an essay about the student's misbehavior;
 - counseling;
 - anger management;
 - health counseling or intervention;
 - mental health counseling or intervention;
 - participation in skill-building and conflict resolution activities;
 - community services; and
 - in-school detention or suspension, which is for a constructive purpose and which may take place during lunchtime, recess, after school or during weekends.
- **"Regular volunteers"** means those persons, including relative of students, who commit to serve on a regular basis at the School District without compensation.
- **"Sexual orientation"** means heterosexuality, homosexuality, bisexuality, whether actual or perceived.

Notice And Training Of Prohibition Against Bullying

Notice

- The prohibition against bullying and cyberbullying shall be publicized by including the following statement in the student handbook(s):

"Bullying and cyberbullying behavior by any student in the Alamogordo Public Schools is strictly prohibited, on District property, at District-sponsored activities, on District-sponsored transportation, or on the way to-and-from-school transportation. Such conduct may result in disciplinary action, including suspension and/or expulsion from school. "Bullying" means any severe, pervasive or persistent act or conduct that targets a student, whether physically, electronically, or verbally, and that is intended to cause distress upon one (1) or more students in the school, on school grounds, in school vehicles, at a designated bus stop, or at school activities or sanctioned events. Bullying includes, but is not limited to, harassment, intimidation or menacing acts of a student which may, but need not be based on the student's race, color, sex, ethnicity, national origin, religion, disability, age or sexual orientation that a reasonable person under the circumstances should know will have the effect of:

Placing a student in reasonable fear of physical harm to the student's person or property; or
Physically harming a student or damaging a student's property; or
Insulting or demeaning any student or group of students in such a way as to disrupt or interfere with students' educational performance or participation in school activities or the school's educational mission.

"Cyberbullying" means any bullying that takes place through electronic communication, with or without the use of District property.

Students and parents may file verbal or written reports concerning suspected acts of bullying behavior to District or campus administrators. Although anonymous reporting will be allowed, no formal disciplinary measures shall be taken solely on the basis of an anonymous report of an actual bullying incident. Any report of suspected bullying behavior, violations of the bullying prevention policy or regulations, or complaints of retaliation, will be promptly investigated by a campus principal or designee. If acts of bullying are verified, prompt disciplinary action may be taken against the perpetrator, up to and including suspension and/or expulsion. Contact your school administrator with bullying-related concerns."

- All staff will be notified of the Anti-Bullying Policy, as well as their responsibilities regarding prevention and reporting bullying behavior. A copy of the policy will be disseminated annually.
- The Anti-Bullying Policy will be available on the Alamogordo Public Schools website, and in all student, staff, and parent handbooks.

Training: All employees, including administrative, instructional and other campus personnel, and regular volunteers shall be provided and required to participate in, annual training on bullying prevention. Additionally, training on the bullying prevention policy will be incorporated into new employee induction.

Complaint/Reporting Procedures

Report Prohibited Conduct. Any student may report bullying, cyberbullying or harassment as set forth in Policy JK and this regulation, to any staff member. Any staff member who receives a report of bullying, cyberbullying or harassment as set forth in Policy JK and this regulation, or who observes such conduct must make a report to the principal no later than two (2) school days after observing or receiving a report of such conduct. The District shall also have a means of anonymously reporting bullying, cyberbullying or harassment; however, anonymous complaints can only be investigated to the extent possible given available information. No formal disciplinary measures may be taken solely on the basis of the information in an anonymous complaint.

- A parent may file a verbal or written report of suspected bullying, cyberbullying, or harassment with the appropriate campus principal.
- All means of reporting such conduct shall provide a means for a person to report in his or her preferred language.
- Nothing in Policy JK or this regulation shall prevent any person from reporting possible bullying, cyberbullying, or harassment directly to the office of the Superintendent.
- Complaints of bullying, cyberbullying, or harassment by the building principal shall be filed with the Superintendent or designee.
- Complaints of bullying, cyberbullying, or harassment by the Superintendent shall be filed with the Board President.

Bullying, cyberbullying, or harassment conduct which targets a student's sex, sexual orientation, or gender identity shall be promptly reported to the District's Title IX Coordinator who shall address the report in a manner consistent with the District's Title IX policy and applicable law. If the prohibited conduct targets the student's physical or cognitive disability, it shall be promptly reported to the Section 504 Compliance Officer.

Confidentiality of Complaints. All complaints of conduct that may be in violation of Policy JK and this regulation, as well as the identity of the complainant, shall remain confidential, to the extent permitted by law and to the extent necessary for communicating with administrators and staff during the investigative process on an educationally necessary basis or as necessary to properly investigate.

To the extent permitted under the Family Educational Rights and Privacy Act (FERPA) the school principal is required to notify the parent or guardian of a student who is found to have been a target of bullying of the action taken to prevent any further acts of bullying.

Freedom from Retaliation. The District prohibits retaliation against an individual who either orally reports or files a written complaint regarding bullying, cyberbullying, or harassment, or who participates in or cooperates with an investigation, or is a witness to incidents of such prohibited conduct.

Responsibility of Each Campus for Bullying Prevention Plan. Each campus principal shall develop and implement a written bullying prevention plan. Each plan shall be consistent with the rules promulgated by the New Mexico Public Education Department and shall be based on unique school needs. Each campus plan shall include:

- the implementation of a custom, data-driven bullying prevention program, or adoption of a pre-existing evidence-based bullying prevention program;
- a bullying reporting process consistent with Policy JK and this regulation and which ensures the confidentiality of the complainant, victim(s), witness(es), alleged perpetrator(s), to the extent permitted by law;
- measures that provide complainant, victim(s), witness(es), alleged perpetrator(s) freedom from retaliation;
- measure to discourage and implement consequences for false reporting of prohibited conduct;
- procedures for administrative investigations of allegations of prohibited conduct, consistent with Policy JK and this regulation;
- measures to provide students with age-appropriate instruction in bullying prevention and reporting;
- procedures for distributing at the beginning of every school year a summary of the District policy prohibiting bullying, as part of the student handbook; and
- measures to provide annual bullying training to all campus staff and campus volunteers who have significant contact with students, which includes bullying prevention strategies/interventions, identification and reporting of prohibited conduct, and appropriate responses to acts of bullying.

False Report. A student or employee who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding bullying shall be subject to appropriate disciplinary action.

Investigation of Complaints

Principal responsible for investigation. The building principal has the overall responsibility for the prompt investigation and equitable resolution of complaints of bullying, cyberbullying, or harassment, unless the complaint is against the principal, in which case the Superintendent or designee shall be responsible for the investigation.

Documentation of Conduct. School principal must accept and investigate all reports of bullying, cyberbullying, or harassment as set forth in Policy JK and this regulation.

Administrators who receive reports of bullying, cyberbullying, or harassment should document the report in STI (student database) and identify both the complainant and the person accused of engaging in the prohibited conduct. A copy of this report will be submitted to the Safety Specialist and Superintendent.

Conduct of Investigation:

- Upon receipt of a report of possible bullying, cyberbullying, or harassment, the investigating principal, shall notify the parents of the student alleged to have committed an act of bullying, cyberbullying, or harassment and the parents of the students targeted by the alleged act, unless the principal believes, in his or her professional capacity, that notifying the parents would endanger the health or well-being of a student, in which case notification may be delayed as appropriate.
- The investigating principal may authorize interim corrective measures, where he or she determines such actions are necessary to prevent further bullying, cyberbullying, or harassment during the course of the investigation.

- The principal or his/her designee shall appropriately and promptly investigate all reports of conduct, communications, or electronic communications that violate Policy JK and this regulation.
- Both the complainant and person(s) accused of engaging in conduct, communications or electronic expressions in violation of Policy JK and this regulation, may identify witnesses for the principal or designee to interview and may offer evidence for the principal or designee to consider.
- The investigation shall consist of personal interviews with the complainant, the individual(s) against whom the complaint was filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of other methods or review documents deemed relevant by the investigator.

Concluding the Investigation. The investigation shall be completed promptly. The principal (or investigator) shall document the investigation of the report of bullying, cyberbullying, or harassment to the Superintendent upon completion of the investigation. The report shall include:

- a description of the allegations;
- witnesses interviewed;
- a determination of whether the allegations were substantiated;
- whether the misconduct found would appear to constitute violation of Policy JK and this regulation; and
- any progressive disciplinary consequences for the involved student(s), if any. Such consequences shall be designed to:
 - appropriately correct the bullying, cyberbullying, or harassment, or other misconduct;
 - prevent another occurrence of misconduct or retaliation;
 - protect the target of the prohibited conduct;
 - be individualized in a manner that considers: 1) the nature of the incident; 2) the developmental age of the student who engaged in the prohibited conduct; and 3) any history of misbehavior by the student who engaged in the prohibited conduct;
 - for incidents of cyberbullying, use the least restrictive means necessary to address the identified interference with the student's ability to participate in or benefit from the services, activities or privileges provided by the District.

A copy of the completed report will be maintained by the District Safety Specialist for no less than four (4) years.

The District will report aggregate incidents of bullying and incidents of harassment under any applicable federal or state law, along with responses to these incidents, and report this information annually to the Public Education Department in accordance with law.

If the complaint involves the Superintendent, the investigator's report shall be filed directly with the New Mexico Public Education Department, Educator Ethics Bureau.

Notice of Findings. Within ten (10) school days from the time the principal or designee receives the complaint or allegations, the complainant and alleged offending party(ies) shall be notified individually, in writing, of the findings of the investigation and of any corrective actions that will be taken. School principal is required to notify the parent or guardian of a student who is reasonably believed to have committed prohibited conduct as set forth in Policy JK and this regulation and consequences that may result from that conduct and/or any further acts of bullying. If, in the administrator's professional opinion, notifying the parents would endanger the health or well-being of a student, the administrator may delay such notification as appropriate.

Post-Investigation Actions. In addition to any disciplinary actions taken, if bullying was found to have occurred, the principal or designee shall develop a student safety support plan for the student(s) who were targets of prohibited conduct that address safety measures the school will take to protect the targeted student(s) against further acts of such conduct.

Appeal of Investigation Findings. If a student who was accused of prohibited conduct or was the target of such conduct is not satisfied with the outcome of the initial investigation, the student may file a written

appeal with the Superintendent or designee within thirty (30) days of receipt of investigation findings. The Superintendent or designee's decision regarding such appeal is final.

Consequences for Bullying

Verified acts of bullying, cyberbullying, or harassment shall result in intervention by the building principal, that is intended to ensure that the prohibition against bullying behavior is enforced, prevent additional occurrence of bullying, protect the victim of the bullying, and prohibit retaliation.

Because bullying behavior can take many forms and can vary dramatically in its seriousness, and the impact it has on the targeted individual and other students, there is no one response to bullying. While conduct that rises to the level of "bullying" as defined above will generally warrant disciplinary action against the perpetrator of such bullying, whether to discipline and to what extent to impose disciplinary action (detention, in and out-of-school suspension, or expulsion) is a matter for the professional discretion of the building principal. However, in the application of consequences, the building principal will consider the nature of the incident, the developmental age and or cognitive level of the perpetrator and the historical problem behavior of the perpetrator.

With consequences for cyberbullying behavior, the building principal will design the consequences such that while correcting the cyberbullying and preventing further incidents, the student with cyberbullying behavior remains able to participate in or benefit from the services, activities, or privileges provided by the school to the greatest extent possible.

If harassment or bullying continues, the perpetrator will be immediately suspended and removed from the school, pending a long-term hearing.

Students whose behavior is found to be in violation of Policy JK and this regulation may also be subject to discipline, up to and including expulsion. Disciplinary decisions shall comply with state and federal IDEA and Section 504 requirements.

Individuals who engage in conduct that may be unlawful will be referred to law enforcement officials.

Bullying Prevention Program

The above reporting and investigation policies are one (1) component of Alamogordo Public School's bullying prevention efforts. Each school within the district shall establish annually, the use of a custom, data-driven bullying prevention program, or adoption of a pre-existing evidence-based bullying prevention program, to be included in the New Mexico's health education content standards with benchmarks and performance standards.

"Health Education" is the instructional program that provides the opportunity to motivate and assist all students to maintain and improve their health, prevent disease, and reduce health related risk behaviors. It allows students to develop and demonstrate increasingly sophisticated health-related knowledge, attitudes, skills, and practices. It meets the content standards with benchmarks and performance standards as set forth in 6.30.2.19 NMAC.

District curriculum recognizes the importance of and implements bully prevention skills in all grade levels. Bullying behavior is mentioned specifically in many areas of the Health Education performance standards, in all grade levels. All students need to be aware of bullying behavior beginning in Kindergarten and continuing throughout their school years. It imperative that students are comfortable with understanding, describing, and recognizing bullying behaviors, and then in the later grades being able to analyze those behaviors and role play refusal skills.

Reporting Requirements Under 6.12.7.5 through 6.12.7.10 NMAC

Beginning with the 2020-2021 school year, the District shall annually submit the following to the Public Education Department ("Department") in a method prescribed by the department and in a timeframe determined by the department:

- a status report on the implementation of the provision of this regulation;
- data elements on the implementation of this regulation to include:
 - the aggregate number of bullying incidents of students within the District;
 - the aggregate number of harassment incidents of students within the District; and

- the corresponding responsive action or disposition taken by the District, by type of action, for each bullying incident or a student and for each harassment incident of a student.
- the District shall include, in its reporting, when known, a tabulation of the number of bullying incidents of students and the number of harassment incidents of students associated with each of the following actual or perceived distinguishing characteristics: a) race; b) color; c) national origin; d) ancestry; e) sex; f) sexual orientation; g) gender identity; h) spousal affiliation; i) physical or cognitive disability; or j) an association with a person, or group with any person, with one (1) or more of the actual or perceived distinguishing characteristics.

I-6411 IJNDB-RA Regulation

Use of Technology Resources in Instruction

(Safety and use of Electronic Information Services)

Use of the electronic information services (EIS) requires that the use of the resources be in accordance with the following guidelines and support the education, research, and educational goals of the District. Filtering, monitoring, and access controls shall be established to:

- Limit access by minors to inappropriate matter on the Internet and World Wide Web.
- Monitor the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications.
- Monitor for unauthorized access, including so-called "hacking," and other unlawful activities by minors online.
- Restrict access by minors to materials harmful to minors.

Content Filtering

A content filtering program or similar technology shall be used on the networked electronic information system (EIS) as well as on stand-alone computers capable of District authorized access to the Internet. The technology shall at a minimum limit access to obscene, profane, sexually oriented, harmful, or illegal materials. Should a District adult employee have a legitimate need to obtain information from an access-limited site, the Superintendent may authorize, on a limited basis, access for the necessary purpose specified by the employee's request to be granted access.

Monitoring

As a means of providing safety and security in direct electronic communications and to prevent abuses to the appropriate use of electronic equipment, all computer access to the Internet through the District electronic information systems (EIS) or stand-alone connection shall be monitored periodically or randomly through in-use monitoring or review of usage logs.

Access Control

Individual access to the EIS shall be by authorization only. Designated personnel may provide authorization to students and staff who have completed and returned an electronic information services user agreement. The Superintendent may give authorization to other persons to use the EIS.

Acceptable Use

Each user of the EIS shall:

- Use the EIS to support personal educational objectives consistent with the educational goals and objectives of the School District.
- Agree not to submit, publish, display, or retrieve any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, or illegal material.
- Abide by all copyright and trademark laws and regulations.
- Not reveal home addresses, personal phone numbers or personally identifiable data unless authorized to do so by designated school authorities.
- Understand that electronic mail or direct electronic communication is not private and may be read and monitored by school employed persons.

- Not use the network in any way that would disrupt the use of the network by others.
- Not use the EIS for commercial purposes.
- Follow the District's code of conduct.
- Not attempt to harm, modify, add, or destroy software or hardware nor interfere with system security.
- Understand that inappropriate use may result in cancellation of permission to use the educational information services (EIS) and appropriate disciplinary action up to and including expulsion for students.

In addition, acceptable use for District employees is extended to include requirements to:

- Maintain supervision of students using the EIS.
- Agree to directly log on and supervise the account activity when allowing others to use

District accounts.

- Take responsibility for assigned personal and District accounts, including password protection.
- Take all responsible precautions, including password maintenance and file and directory protection measures, to prevent the use of personal and District accounts and files by unauthorized persons.

Each user will be required to sign an EIS user agreement. A user who violates the provisions of the agreement will be denied access to the information services and may be subject to disciplinary action. Accounts may be closed and files may be deleted at any time. The District is not responsible for any service interruptions, changes, or consequences.

Details of the user agreement shall be discussed with each potential user of the electronic information services. When the signed agreement is returned to the school, the user may be permitted use of EIS resources through school equipment.

Consequences for Inappropriate Use

The system administrators will deem what is inappropriate use and may close an account at any time. The administration may request the system administrator to deny, revoke, or suspend specific employee accounts. If an employee has failed to comply with this policy, he/she may be:

- Removed from the system for a specific period of time or permanently, depending on the nature of the offense.
- Required to pay for damages with regard to technician time, computer resources, or other fees.
- Criminally charged under local, state, or federal laws.
- Subject to employee disciplinary action, up to and including termination or discharge in accordance with existing Board policies and applicable law.

I-6432 IJNDB-EB EXHIBIT
USE OF TECHNOLOGY RESOURCES IN INSTRUCTION
 Alamogordo Public Schools
 EMPLOYEE NOTIFICATION OF
 USE OF TECHNOLOGY RESOURCES IN INSTRUCTION
 ACCEPTABLE USE AGREEMENT

It is the responsibility of Alamogordo Public School employees to uphold the rules and regulations found in the technology acceptable use policy. By signing this agreement, you are affirming that you:

Have read and agree to abide by the School District policy and regulation on appropriate use of the electronic information system, as incorporated herein by reference.

Understand and will abide by the provisions and conditions indicated.

Understand that any violations of the stated terms and conditions may result in disciplinary action and the revocation of my use of electronic information services.

Agree to report any misuse of the (EIS) to a School District administrator. (Misuse may come in many forms but can be viewed as any messages sent or received that indicate or suggest pornography, unethical or illegal solicitation, racism, sexism, inappropriate language, or other issues described in the agreement.)

Print Employee's Full Name: _____

Employee's Signature: _____

Date: _____

G-0850 GBEBB STAFF CONDUCT WITH STUDENTS

Employees are expected to exercise general supervision over the conduct of students, not only while in the schoolroom, but also before and after school and during recess.

All personnel employed by the District are expected to relate to students of the District in a manner that maintains social and moral patterns of behavior consistent with community standards and acceptable professional conduct.

Relationships between staff members and students that include "dating," "courtship," "sexual relationships," or "romantic involvement" are prohibited. These behaviors deviate from ethical or professional standards and shall be deemed unacceptable and contrary to the expectations of District governance.

Staff/student relationships shall reflect mutual respect between staff members and students and shall support the dignity of the entire profession and educational process. Staff members shall establish and maintain appropriate personal boundaries with students and their families and not engage in any behavior that is prohibited by law, regulation, policy, or that creates the appearance of prohibited behavior.

Violations of this policy shall be considered serious and may result in severe disciplinary action in accord with policies on discipline of professional and support staff. Retaliatory or intimidating acts against any person who has made a complaint under this policy and its corresponding regulations, or against a person who has testified, assisted, or participated in any manner in an investigation relating to a complaint or grievance, are specifically prohibited and constitute grounds for discipline. Knowingly submitting a false report or making false accusations under this policy shall subject that individual to disciplinary action.

Adopted: July 22, 2020

K-2200 KHA PUBLIC SOLICITATIONS IN SCHOOLS

A school employee's position in the District shall not be used to influence parents or students to purchase books or other merchandise, except for materials approved by the Superintendent for use in the classroom.

Solicitation of employees and/or students by any profit, nonprofit, or charitable groups, institutions, or organizations must have the approval of the Superintendent in advance.

The District shall strive to safeguard the students and their parents from money-raising plans of outside organizations, commercial enterprises, and individuals. This policy shall apply particularly to ticket sales and sales of articles or services except those directly sponsored by school authorities or school organizations.

D-2900 DJGA SALES CALLS AND DEMONSTRATIONS

Sales representatives for school services, supplies, or other materials are not permitted to call on teachers or other school staff members except with prior authorization from the Superintendent.

A-0750 ADB/ADC ALCOHOL/DRUG/TOBACCO FREE SCHOOLS AND WORKPLACE

The District is committed to providing an alcohol, drug and tobacco free learning environment and workplace. Alcohol, drug and tobacco possession, use or distribution at school or at school sponsored

activities on or off District property threatens the health and safety of our students and school personnel and adversely affects the educational mission of the District.

The District will ensure that prompt action is taken to achieve the overall purpose of a safe school and work environment that is free of alcohol, drugs and tobacco.

Adopted: February 21, 2018

G-1100 GBED

ALCOHOL / DRUG / TOBACCO FREE SCHOOLS AND WORKPLACE SCHOOL PERSONNEL

The use, possession and distribution of tobacco products, e-cigarettes and nicotine liquid containers, alcoholic beverages, mood-altering substances, illicit drugs and drug paraphernalia is prohibited on District property and at any District-sponsored activity on or off District property. Being under the influence of alcohol, narcotics, mood-altering substances, hallucinogens, inhalants, or illicit drugs is prohibited on District property or at any District-sponsored activity on or off District property.

This prohibition includes school buildings, grounds, parking lots, playing fields, school-owned vehicles, contractor-owned buses and vehicles that transport students, in private vehicles located on school parking lots or District property, and all property owned by, rented by and/or under the control of the District. This ban is in effect during all times and hours including vacations, holidays, summer, etc. and, therefore, is not limited to the school year or school day.

The meaning of the terms included herein shall be as provided in New Mexico Administrative Code 6.12.4.7.

Employees, whether on or off duty, shall not influence students to use alcohol or illegal drugs or to abuse legal drugs. Employees on duty will not use or take prescription drugs above the level recommended by the prescribing physician, and will not use prescribed drugs for purposes other than what the prescribed drugs were intended.

Notice of this policy shall be made by conspicuously posting a listing of prohibited items that will be included in an alcohol, drug and tobacco free school notice posted at the entrance to school buildings, on school premises and at all school-sponsored events and extracurricular activities away from school grounds. Additionally, there shall be no advertisements in any school buses or vehicles that transport students that involve tobacco, alcohol, or the promotion of drug use.

School personnel who observe a violation on District property or at school-sponsored activities should report it to the principal or site/activity administrator. No school employee who in good faith reports any known or suspected use, possession or distribution of alcoholic beverages, mood-altering substances or illicit drugs shall be held liable for any civil damages as a result of such report or efforts to enforce this policy.

Tobacco Product Exceptions

The prohibitions do not apply to school personnel when possession or use of the tobacco products are for demonstration purposes as a necessary instructional component of a tobacco prevention or cessation program that is approved by the school and established in accord with New Mexico law. The prohibitions do not include the lawful possession or use by school personnel of a tobacco-cessation product approved by the United States Food and Drug Administration.

Reporting of Convictions of Drug Criminal Statutes

In accordance with the requirements of the Drug-Free Workplace Act of 1988, as a condition of employment, any employee or school personnel who is engaged in the performance of work under a

federal grant or contract must notify the Director of Human Resources if he or she is convicted of violating any criminal drug statute for activities done in the workplace not later than five (5) days after conviction.

"Workplace" is defined to mean the site for the performance of work done, which includes work done in connection with a federal grant. "Workplace" includes any school buildings or any school premises; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; off school property during any school-sponsored or school-approved activity, function, such as a field trip or athletic event, where students are under the jurisdiction of the school district which could also include work on a federal grant.

Employees or school personnel who violate this policy in any manner are subject to discipline, which may include, but is not limited to, discharge or termination, pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and District policies.

Any employee who has a substance abuse or alcohol abuse problem is encouraged to obtain assistance for his or her problem by admission to a drug or alcohol abuse treatment program. Employees are strongly urged to seek such assistance before their problem becomes a matter of public knowledge or has affected his or her ability to effectively perform his or her job responsibilities. The District will not excuse a violation of this policy on the pretext that the employee intended to seek the assistance of a treatment program.

Adopted: August 24, 2016

G-1111 GBED-R

ALCOHOL / DRUG / TOBACCO FREE SCHOOLS AND WORKPLACE SCHOOL PERSONNEL

The adoption and enforcement of an Alcohol/Drug/Tobacco-Free Schools and Workplace Policy is intended to create a healthy school campus environment for all students, staff, and visitors. School personnel compliance with Policy GBED and this Regulation GBED-R is mandatory. The Policy applies to all employees while in the workplace or at any time during which the employee is acting in the course and scope of employment with the District, or at any other time that the employee's violation of this policy has a direct and adverse impact upon the performance of his/her job. Any employee who violates the District's alcohol/drug/tobacco free workplace policy may have his/her contract of employment non-renewed or may be discharged or terminated from his/her employment with the District in accordance with applicable statutory authority, regulations, collective bargaining agreements and District policies.

Employees whose off-duty use of alcohol, illegal drugs or illicit drugs, or controlled substances or related illegal activities may be considered to be in violation of the Policy and, in such case, the employee will be subject to discipline up to and including discharge or termination. Nothing in this policy shall preclude the District from seeking criminal prosecution for violation of this policy where the District deems appropriate.

Legally Prescribed Drugs and Non-Prescription Drugs

For purposes of this Regulation, "a legally prescribed drug" means that the individual has a prescription or other written approval from a physician for the use of a drug in the course of medical treatment. It shall include the patient's name, the name of the substance, quantity/amount to be taken, and the period of authorization.

Employees on duty or on District property shall not be impaired by the excessive use of prescription or nonprescription drugs. Employees on duty or on District property shall not use or take prescription drugs above the level recommended by the prescribing physician, shall not use prescribed drugs for purposes other than the condition for which the drug is prescribed, and/or shall not distribute or dispense to others a drug prescribed to that employee. Employees must not operate equipment while taking prescription drugs that impair/limit their ability to do so. The employee is responsible for being aware of and following all cautions associated with the use of prescription or non-prescription drugs.

The District prohibits the use of cannabis by its employees, even if prescribed by a physician. Employees who are under the influence of cannabis in the workplace may be subject to discipline up to and including discharge or termination, even if use of cannabis is prescribed by a physician or authorized by New Mexico law.

Any illegal activity relating to or involving alcohol or other drugs by any Alamogordo Public Schools' personnel, regardless of location, constitutes grounds for disciplinary action, up to and including immediate dismissal. A conviction includes any finding of guilt, including a no contest plea, or imposition of a sentence. Criminal conviction is not necessary for disciplinary action.

Searches

Non-investigatory searches in the workplace, including accessing the desk, files, cabinets, and classroom or work area of school personnel to obtain information needed for usual business purposes may occur when an employee is unavailable. Therefore, school personnel are hereby notified that they have no legitimate expectation of privacy in those places. In addition, the District reserves the right to conduct searches when there is reasonable suspicion that the search will uncover evidence of work-related misconduct. Such an investigatory search may include the requirement that the employee submit to drug and alcohol testing if the suspected misconduct relates to drug or alcohol use. The District may search the employee, the employee's personal items, work areas, lockers, and private vehicles parked on District premises or worksites or used in District business.

District administrators may make searches of employees' personal property and vehicles on District premises and District owned/provided property under the conditions outlined below.

“District owned/provided property” includes, but is not limited to, real estate, buildings, parking lots, offices, desks, instruments, storage containers, storage areas, lockers, computer systems and equipment, voicemail, electronic devices and vehicles. This property is intended for use for educational purposes and District business only. Employees shall have no expectation of privacy with respect to any item or document stored in or on District-owned or District-provided property in any format (physical or electronic), which includes, but is not limited to, desks, filing cabinets, mailboxes, lockers, tables, shelves, computer, software, and other storage spaces in or out of the classroom. Accordingly, the District may conduct a search of such property, regardless of whether the searched areas or items are locked or unlocked. Searches of employees' personal items shall not be conducted without reasonable suspicion and shall be conducted in accordance with applicable state and federal law.

“Reasonable suspicion” means a determination based on objective facts and inferences drawn from those facts as well as personal observations that suggest there has been a violation of District policy or state or federal law related to public schools (e.g. prohibition against bringing alcohol, drugs or tobacco on public school property).

Common signs which indicate a drug or alcohol abuse problem or circumstances which together may constitute a reasonable suspicion of a violation of the Policy include, but are not limited to the following:

- Observed alcohol or drug use
- Unexplained work-related accidents or injury
- Presence of physical symptoms commonly associated with substance abuse, including but not limited to, impairment of motor functions, slurred speech, incoherent or irrational mental state, drowsiness, smell of alcohol or marijuana, red eyes, running nose or sniffing, frequent or extreme mood changes, lack of physical coordination, deteriorating work performance, attendance problems, frequent absences or tardiness, unexplained absence from assigned work, frequent or extended visits to the restroom, or other marked, unexplained changes in personal behavior.

When a District administrator has reasonable suspicion to believe that an employee is in possession of items that are, or may contain items that are, unauthorized according to District policy or state or federal

law related to public schools, the administrator may take possession of and hold an employee's personal property (e.g. purse, wallet, book bag, cell phone, electronic devices) brought onto District premises, for processing by the appropriate entity. In emergency situations an administrator may take possession of and hold an employee's personal property without the employee's knowledge.

Any search, and the extent of any search, of the employee's personal property shall be determined and conducted by law enforcement unless written authorization, witnessed by another adult, for the District to perform a search is provided by the employee prior to the search. Any authorized search by the District will be conducted in the presence of another adult witness. For any District search of personal property belonging to an employee covered by an effective collective bargaining unit, the employee has the right to union representation. However, emergency situations may necessitate a search with or without the employee's knowledge or union representation.

District Owned/Provided Property Inspections and Searches - District owned/provided property is temporarily assigned to employees and remains the property of the District at all times. Employees are expected to assume full responsibility for the security of District owned/provided property. Employees have no expectation of privacy or confidentiality when using District owned/provided property.

Maintenance Inspections – The District has a reasonable and valid interest in ensuring District owned/property provided to employees is properly maintained. For this reason, periodic inspection of District owned/provided property is permissible. The District may conduct a maintenance inspection at any time without notice and without the employee's consent.

Any items discovered during such inspections that are or may contain items in violation of District policy or state or federal law related to public schools will be confiscated by administration.

Vehicle Searches - Employees are permitted to park on District premises as a matter of privilege, not a right. The District retains authority to conduct routine patrols of parking lots and inspections of the exterior of vehicles parked on those lots.

Criminal Controlled-Drug Statute Violations

Employees are required to notify their supervisor within five (5) days if they are convicted of a criminal controlled-drug statute violation occurring in the workplace. Failure by an employee to report such a conviction may be grounds for disciplinary action. Supervisors who become aware of a conviction of an employee for a criminal controlled-drug statute violation occurring in the workplace should immediately notify the Human Resources Department. Violation of this policy will result in disciplinary action, up to and including discharge or termination, and referral to law enforcement.

Informing Employees

This policy will be reviewed with every new employee. Annually, all employees will receive an overview, along with instructions to access the full policy on the District website, and will sign an acknowledgement form indicating they have received the information. Directors and Building Administrators shall submit the signed forms to the Human Resources Department. Administrators shall receive annual training relating to searches resulting from reasonable suspicion.

Responsibilities

Administrative personnel (directors, principals, assistant principals, administrators, and supervisors) shall be responsible for the implementation and consistent enforcement of the Policy.

Any employee who has a reasonable suspicion that another employee or other school personnel has violated any of the prohibitions stated in the Policy shall immediately contact the Director of Human Resources or the Chief of Staff. The Director of Human Resources and the Chief of Staff shall collaboratively review the information reported and collected to determine whether reasonable suspicion exists.

Administrative personnel must document, in writing, the facts constituting reasonable suspicion or violation of the Policy.

The Public

Any visitor who violates the District's policy on alcohol/drug/tobacco free schools shall be informed of the District's policy and asked to refrain from such violation. If the person fails to comply with this request, the Superintendent or designee may:

- Direct the person to leave school property
- Request local law enforcement assistance in removing the person from school premises
- If the person repeatedly violates the Policy, prohibit him/her from entering District property for a specified period of time.

J-3000 JICG

ALCOHOL/DRUG/TOBACCO FREE SCHOOLS STUDENTS

The use, possession and distribution of tobacco products, e-cigarettes and nicotine liquid containers, alcoholic beverages, mood-altering substances, illicit drugs and drug paraphernalia is prohibited on District property and at any District-sponsored activity on or off District property. Being under the influence of alcohol, narcotics, mood-altering substances, hallucinogens, inhalants, or illicit drugs is prohibited on District property or at any District-sponsored activity on or off District property.

This prohibition includes school buildings, grounds, parking lots, playing fields, school-owned vehicles, contractor-owned buses and vehicles that transport students, and all property owned by, rented by and/or under the control of the District. There shall be no advertisements in any school buses or vehicles that transport students that involve tobacco, alcohol, or the promotion of drug use. This ban is in effect during all times and hours including vacations, holidays, summer, etc. and, therefore, is not limited to the school year or school day.

No student will aid, abet, assist or conceal the use, possession, consumption, purchase, transfer or distribution of any alcohol, drug or tobacco product by any other student or students in any of the circumstances listed above.

This prohibition applies to all students, regardless of age.

The meaning of the terms included herein shall be as provided in New Mexico Administrative Code 6.12.4.7. Notice of this policy shall be made a part of the student handbook and a listing of prohibited items will be included in a Tobacco, Drug and Alcohol Free School notice posted at the entrance to school buildings, on school premises and at athletic events and extracurricular activities.

The Superintendent shall develop regulations and procedures necessary to implement this policy. Any student who violates this policy shall be subject to disciplinary action in accordance with District policies, procedures and rules. Disciplinary penalties may include, but are not limited to, suspension of the student from school or a recommendation for expulsion when there is evidence of repeated and continuous violation of this policy.

All District employees are expected to cooperate in the enforcement of this policy. Student violations shall be reported by school personnel to the principal or the site/activity administrator. No school employee who in good faith reports any known or suspected use, possession or distribution of alcoholic beverages, mood-altering substances or illicit drugs shall be held liable for any civil damages as a result of such report or efforts to enforce this policy.

Tobacco Product Exception

Lawful possession or use by a minor of a tobacco-cessation product approved by the United States food and drug administration shall be permitted by students following district policies for student self-administration of medications.

Adopted: August 24, 2016

J-3011 JICG-R

TOBACCO USE BY STUDENTS/SMOKING

(Alcohol/Drug/Tobacco Free Schools Students)

The adoption and enforcement of an Alcohol/Drug/Tobacco Free School Policy is intended to create a healthy school campus environment for all students, staff, and visitors. Student compliance with Policy JICG and this Regulation JICG-R is mandatory.

Policy JICG and Regulation JICG-R shall be made part of the student handbooks and shall be reviewed at least annually with students in assemblies and/or through other appropriate methods of communication.

The meaning of the terms included herein shall be as provided in New Mexico Administrative Code 6.12.4.7.

The use, possession and distribution of tobacco products, e-cigarettes and nicotine liquid containers, alcoholic beverages, mood-altering substances, illicit drugs and drug paraphernalia is prohibited on District property and at any District-sponsored activity on or off District property. Being under the influence of alcohol, narcotics, mood-altering substances, hallucinogens, inhalants, or illicit drugs is prohibited on District property or at any District-sponsored activity on or off District property.

This prohibition includes school buildings, grounds, parking lots, playing fields, school-owned vehicles, contractor-owned buses and vehicles that transport students, private vehicles located on school parking lots or District property, and all property owned by, rented by and/or under the control of the District. There shall be no advertisements promoting tobacco, alcohol or drug use in any school buses or District-owned/District-provided vehicles that transport students.

This ban is in effect during all times and hours including vacations, holidays, summer, etc. and, therefore, is not limited to the school year or school day.

No student shall aid, abet, assist or conceal the use, possession, consumption, purchase, transfer or distribution of any alcohol, drug or tobacco product by any other student or students in any of the circumstances listed above.

The Policy and Regulation apply to all students, regardless of age. Students will be subject to immediate suspension or possible expulsion for violation of the Policy. Any disciplinary action will follow the District's due process procedures for students.

Student desks, school lockers, storage spaces and school computers are not the private property of a student but are the property of the school district and may be opened and subject to inspection without student consent.

School staff members shall report without fear of retaliation, any known or suspected instances of alcohol, illicit drug or tobacco possession or use by a student to the appropriate administrator as soon as possible.

Student possession and use of medication and prescription or non-prescription drugs must be in compliance with Policy J-5350 JLCD Administering Medications to Students.

Violations of Policy JICG are cumulative grades K-12. The records of clearly substantiated violations of Policy JICG, noting the date, type of violation and disciplinary action taken, will be kept by the school in the student's record.

Any visitor who violates the District's policy on alcohol/drug/tobacco free schools shall be informed of the District's policy and asked to refrain from such violation. If the person fails to comply with this request, the Superintendent or designee may:

- Direct the person to leave school property
- Request local law enforcement assistance in removing the person from school premises
- If the person repeatedly violates the Policy, prohibit him/her from entering District property for a specified period of time.

Responsibilities and Delegations

Principals

Principals are responsible for implementing policy and procedures for managing alcohol, drug and tobacco related incidents in schools.

Principals are responsible for ensuring the school rules and consequences about possession and use of alcohol, illegal drugs and tobacco at school by students are made known to students, staff and parents. Principals are responsible for ensuring that District policy about alcohol, drug and tobacco use on school premises by visitors and community groups is made known to the school community.

Principals must monitor and review the implementation and effectiveness of responses to alcohol, drug and tobacco related incidents.

Principals must manage incidents involving alcohol, drugs and tobacco consistent with state law and with the District's student conduct, discipline and wellness policies.

Teachers

Teachers are expected to support the implementation of the Alcohol/Drugs/Tobacco Free Schools Policy. Teachers are expected to inform the principal when they have reasonable grounds to suspect that a student is involved in violation of the Alcohol/Drugs/Tobacco Free Schools Policy.

J-5490 JLCDA

MEDICAL CANNABIS IN SCHOOLS

(Administration of Medical Cannabis)

Prescription Medical Cannabis

For occasions when it is necessary for a student to receive prescribed medical cannabis during the school day, the following procedures have been established to ensure the protection of Alamogordo Public Schools ("APS") and the student and to assure compliance with existing rules and regulations:

This policy does not apply to hemp, which is not subject to the same civil or criminal laws as cannabis or medical cannabis.

Definitions

For the purposes of the policies of APS, the following definitions shall apply:

- A. **"Cannabis"** means all parts of the plant cannabis, including any and all varieties, species and subspecies of the genus cannabis, and excludes the plant cannabis sativa L. and any party of the plant, whether growing or not, containing a delta-9-tetrahydrocannabinol concentration of no more than three-tenths percent (3/10%) on a dry weight basis.
- B. **"Cannabis producer"** means a person or entity licensed by the Department of health to possess, produce, dispense, distribute, and manufacture cannabis and cannabis products and sell wholesale or by direct sale to qualified patients and primary caregivers.
- C. **"Certifying practitioner"** means a health care practitioner who is licensed in New Mexico to diagnose a qualified patient and recommend medical cannabis as a course of treatment.
- D. **"Designated school personnel"** means a school employee whom APS authorizes to possess, store and administer medical cannabis to a qualified student in accordance with the provisions of Chapter 261, Laws of 2019, this policy, the Lynn and Erin Compassionate Use Act, and New Mexico Department of Health rules regarding the Lynn and Erin Compassionate Use Act.
- E. **"Hemp"** means the plant cannabis sativa L. and any part of the plant, whether growing, or not, containing a delta-9-tetrahydrocannabinol concentration of no more than three-tenths percent (3/10%) on a dry weight basis, and is exempt from the New Mexico Controlled Substances Act.
- F. **"License"** means written authorization to licensees issued by the New Mexico Department of Health to implement the provisions of Chapter 261, Laws of 2019, this policy, the Lynn and Erin Compassionate

Use Act, and New Mexico Department of Health rules regarding the Lynn and Erin Compassionate Use Act.

G. **"Licensee"** means a person or entity issued a license by the New Mexico Department of Health pursuant to the Lynn and Erin Compassionate Use Act and includes school districts, local school boards, locally-chartered charter schools, state-chartered charter schools and governing bodies of state-chartered charter schools.

H. **"Licensee representative"** means designated school personnel who work for a licensee and possess, store, or administer medical cannabis to a qualified student in a school setting.

I. **"Medical Cannabis"** means cannabis:

- (1) recommended for treatment of a debilitating medical condition as defined in the Lynn and Erin Compassionate Use Act, in a written certification by a certified practitioner;
- (2) dispensed by a cannabis producer that has received approval from the New Mexico department of health to conduct sales of medical cannabis;
- (3) is in the form of a capsule, extract, or concentrate to be ingested through the mouth that:
 - (a) may be safely divided into measurable doses;
 - (b) is *not an aerosol product consumable through smoking* or in particulate form as a vapor or by burning;
 - (c) is not a food or beverage product;
 - (d) is not a salve, balm or other topical product;
 - (e) does not require refrigerated storage; and
- (4) is provided to a school in package or container clearly labeled with:
 - (a) the student's name and date of birth; and
 - (b) the dosage allotment.

J. **"Primary caregiver"** means a parent, guardian or other person designated by a certifying practitioner as taking responsibility for managing the well-being of a qualified student authorized as a qualified patient with respect to the medical use of cannabis pursuant to the provisions of the Lynn and Erin Compassionate Use Act.

K. **"Qualified patient"** means a person who has:

- (1) been diagnosed by a certifying practitioner;
- (2) received written certification from a certifying practitioner; and
- (3) is currently enrolled in the New Mexico Department of Health's medical cannabis program and has received a current and valid registry identification card pursuant to the Lynn and Erin Compassionate Use Act.

L. **"Qualified student"** means a student who demonstrates evidence to APS that the student is authorized as a qualified patient pursuant to the Lynn and Erin Compassionate Use Act to carry and use medical cannabis.

M. **"Self-administering"** means the ingestion of medical cannabis by a qualified student without the presence of a primary caregiver or designated school personnel in a school setting.

N. **"School"** means APS.

O. **"School setting"** means any of the following locations during a school day:

- (1) a school building;
- (2) a school bus used within the state during, in transit to, or in transit from a school-sponsored activity;
- (3) a public vehicle used within the state during, in transit to, or in transit from a school-sponsored activity in the state; or
- (4) a public site in the state where a school-sponsored activity takes place.

P. **"Written certification"** means a statement written by a qualified student's certifying practitioner:

- (1) in a qualified student's medical records or in the written treatment plan statement;
- (2) certifying that the qualified student has a debilitating medical condition pursuant to the Lynn and Erin Compassionate Use Act;
- (3) certifying that the certifying practitioner believes that the potential health benefits of the medical use of cannabis would likely outweigh the health risks for the qualified student; and
- (4) signed by the certifying practitioner.

Q. **"Written treatment plan"** means a document developed by the primary caregiver in collaboration with the certifying practitioner that:

- (1) describes the qualified student's, and the certifying practitioner's diagnosis of a debilitating medical condition per the Lynn and Erin Compassionate Use Act;
 - (2) describes the plan for recommended treatment with medical cannabis, including:
 - (a) the recommended dosage allotment;
 - (b) the recommended frequency of administration of medical cannabis in a school setting; and
 - (c) is signed by the primary caregiver and the certifying practitioner.
- [6.12.10.7 NMAC - N, 8/27/2019]

Possession, Storage and Administration:

- A. Students are prohibited from possessing, storing, or self-administering medical cannabis in a school setting. All medical cannabis shall be administered to qualified students by a Primary Caregiver according to the specifications of APS procedures.
- B. School personnel are prohibited from possessing, storing or administering medical cannabis in any form in the school setting.
- C. APS shall not provide storage of any kind for medical cannabis in the school setting.
- D. Only Primary Caregivers shall be allowed to administer medical cannabis to qualified students in accordance with APS procedures and are solely responsible for the storage of medical cannabis away from the school setting.
- E. Primary Caregivers shall possess medical cannabis in a sealed container clearly labeled with the qualified students 1) name, 2) date of birth, and 3) the dosage allotment for qualified student.
- F. Upon request, APS may provide a private room at the school at a reasonable time(s) for the administration of medical cannabis by a primary caregiver.
- G. In an effort to maintain a peaceful education environment, a Primary Caregiver is prohibited from administering medical cannabis in a manner that creates a disruption of the education environment or causes other students to be exposed to medical cannabis.
- H. School employees who refuse to administer medical cannabis shall *NOT* be disciplined for such refusal.
- I. In the event of spillage and waste of medical cannabis, both the clean-up and destruction of medical cannabis must be witnessed, and the Primary Caregiver shall be responsible for both the clean-up and destruction of medical cannabis.

Primary Caregiver Responsibilities:

- A. Prior to a Primary Caregiver's possession, storage, and administration of medical cannabis on behalf of a qualified student, the Primary Caregiver is required to:
 - (1) Demonstrate evidence to the school that the student is authorized as a qualified patient pursuant to the Lynn and Erin Compassionate Use Act. (See definition of "Qualified Student.")
 - (2) Provide the school with a written certification;
 - (3) Provide the school with a written treatment plan (See definition of "Treatment Plan");
 - (4) Submit a written release of liability provided by the school [JLCDA-E];
 - (5) Submit a written treatment plan, using the treatment plan form posted on the department's website;
 - (6) Submit a signed Health Insurance Portability and Accountability Act (HIPAA) authorization. The HIPAA authorization form can be found on the New Mexico department of health's website

(<http://nmhealth.org/publication/view/form/137>). The HIPAA authorization form shall be retained by the school as a medical record;

B. Upon enrollment at APS following disenrollment, withdrawal, transfer or graduation from another school, the Primary Caregiver is required to provide the school with the written certification and a written treatment plan along with a new release from liability [JLCDA-E];

C. Primary Caregivers should note that a written certification and a written treatment plan shall be valid for no more than one year from the date it is issued. Primary Caregivers must submit a written certification and a written treatment plan at, or prior to, the beginning of the school year for which the written certification and written treatment plan shall apply.

Medical Cannabis Restrictions:

A. Each school within the APS system shall ban a student's possession, use, distribution, sale, or being under the influence of a cannabis product in a manner inconsistent with provisions of the Lynn and Erin Compassionate Use Act.

B. APS shall not discipline any student who is a designated student on the basis that the qualified student requires medical cannabis as necessary for the student to attend school.

C. APS shall not deny eligibility to attend school to a qualified student on the basis that the qualified student requires medical cannabis as a reasonable accommodation that is necessary for the qualified student to attend school or an in-state school-sponsored activity.

Adopted: September 18, 2019

K-1750 KFAA

ALCOHOL / DRUG / TOBACCO FREE SCHOOLS

The use, possession and distribution of tobacco products, e-cigarettes and nicotine liquid containers, alcoholic beverages, mood-altering substances and illicit drugs is prohibited in or on school district property. This prohibition includes school buildings, grounds, parking lots, playing fields, school-owned vehicles, contractor-owned vehicles that transport students, in private vehicles located on school parking lots or District property, and all property owned by, rented by and/or under the control of the District. This ban is in effect during all times and hours including vacations, holidays, summer, etc. and, therefore, is not limited to the school year or school day.

The meaning of the terms included herein shall be as provided in New Mexico Administrative Code 6.12.4.1 through 6.12.4.9. Notice and a listing of prohibited items will be included in a Tobacco, Drug and Alcohol Free School notice posted at the entrance to school buildings, school premises, athletic events, and activities.

Use, possession or distribution of alcoholic beverages, mood-altering substances and illicit drugs on district premises and at school-sponsored events/activities is strictly prohibited and law enforcement will be notified to assist in such situations. Members of the general public who use, possess or distribute tobacco products, e-cigarettes, and/or nicotine liquid containers on school district property or at school-sponsored events and activities shall be reminded by the principal or site/activity administrator of the district's tobacco free policy. If someone refuses to stop using or distributing these products, he/she will be asked by the principal or site/activity administrator to leave the school property. Law enforcement may be notified to assist with enforcement.

All District employees are expected to cooperate in the enforcement of this policy. No school employee who in good faith reports any known or suspected use, possession or distribution of alcoholic beverages, mood-altering substances or illicit drugs shall be held liable for any civil damages as a result of such report or efforts to enforce this policy.

Zero Tolerance

The District has zero-tolerance for alcohol, drugs, and tobacco products on all District property. A member of the public who violates this policy shall be informed of the policy and asked to leave. If

necessary, law enforcement officials will be notified and asked to provide an escort or otherwise provide assistance.

Tobacco Product Exceptions

The prohibitions do not apply to an adult when possession or use of the prohibited products are for demonstration purposes as a necessary instructional component of a tobacco prevention or cessation program that is approved by the school. The prohibitions do not include the lawful possession or use of a tobacco-cessation product approved by the United States Food and Drug Administration.

Adopted: August 24, 2016

K-1761 KFAA-R

TOBACCO USE ON SCHOOL PREMISES AT PUBLIC FUNCTIONS

All entrances to school buildings and District facilities will be posted with a notice that these facilities are alcohol, drug and tobacco free and that use, possession and distribution of tobacco products, e-cigarettes and nicotine liquid containers, alcoholic beverages, mood-altering substances and illicit drugs, in school buildings, and on school premises is prohibited. Notices shall be posted to inform the general public of the District's alcohol, drug and tobacco free policy. The school principal or site/activity administrator shall remind the general public who are attending events on District premises of Policy KFAA and this regulation.

Use, possession or distribution of alcoholic beverages, mood-altering substances and illicit drugs on District premises and at school-sponsored events/activities is strictly prohibited and law enforcement will be notified to assist in such situations. Members of the general public who use, possess or distribute tobacco products, e-cigarettes, and/or nicotine liquid containers on school District property or at school-sponsored events and activities shall be reminded by the principal or site/activity administrator of the District's tobacco free policy. If someone refuses to stop using or distributing these products, he/she will be asked by the principal or site/activity administrator to leave the school property. Law enforcement may be notified to assist with enforcement.

All school personnel are expected to cooperate in the enforcement of Policy KFAA and this regulation. School personnel who observe a violation on District property or at school-sponsored activities should report it to the principal or site/activity administrator. No school employee who in good faith reports any known or suspected use, possession or distribution of alcoholic beverages, mood-altering substances or illicit drugs shall be held liable for any civil damages as a result of such report or efforts to enforce Policy KFAA and this regulation.

A-0300 © ACA

NONDISCRIMINATION ON THE BASIS OF SEX

The following is to comply with Title IX regulations found in 34 CFR Part 106 as revised in April of 2020 which is said to be designed to eliminate (with certain exceptions) discrimination on the basis of sex in any education program or activity receiving federal financial assistance. An "education program or activity" includes locations, events, or circumstances over which the District exercised substantial control over both the respondent and the context in which the sexual harassment occurs.

The District shall notify applicants for employment, students, parents or legal guardians of elementary and secondary school students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the District (persons entitled to notification), of the name or title, office address, electronic mail address, and telephone number of the employee or employees designated as the Title IX Coordinator.

Name: Colleen Tagle

Title: Title IX Coordinator

Address: 1211 Hawaii Ave./PO Box 650
Alamogordo, NM 88311
Phone: (575) 812-6000
E-mail: colleen.tagle@alamogordoschools.org

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report (such as reporting to any District employee). Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator.

Any employee of the District is required to inform the Title IX Coordinator, Superintendent or the Supervising Administrator of their work site of any report made to them or any instance they observed regarding sexual discrimination or sexual harassment as soon as possible. Failure to do so may result in their being subject to disciplinary action.

Policy on Nondiscrimination on the Basis of Sex. This School District does not discriminate on the basis of sex in the education programs or activities that it operates, and per Title IX and 34 CFR Part 106 will not discriminate in such a manner. The requirement not to discriminate in the education programs or activities extends to employment. Inquiries about the application of Title IX and 34 CFR Part 106 may be referred to the District's Title IX Coordinator, to the Assistant Secretary of the Office for Civil Rights, Department of Education, or both.

Publications. The District will prominently display the contact information required for the Title IX Coordinator and the policy found herein on its website and in each handbook or catalog that it makes available to persons entitled to notification. The District will not use or distribute a publication stating that the recipient treats applicants, students, or employees differently on the basis of sex except as such treatment is permitted by Title IX or 34 CFR Part 106.

Grievance procedure and process adoption. The District shall adopt, publish and provide notice of grievance procedures that provide for the prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited by 34 CFR Part 106 and a grievance process that complies with § 106.45 for a report of sex discrimination or a formal complaint. As defined in §106.30(a), a "Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the recipient investigate the allegation of sexual harassment." At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the District in which a formal complaint is filed.

The District must provide to persons entitled to a notification, notice of the grievance procedures and grievance process, including:

- how to report or file a grievance of sex discrimination,
- how to report or file a formal complaint of sexual harassment, and
- how recipient will respond.

For purposes of this policy and by citation, the definitions in 34 CFR 106.30(a), are adopted (see citations below under LEGAL REF.) For purposes of this policy and in accord with the definitions in 106.30(a), "sexual harassment" means conduct on the basis of sex that satisfies one (1) or more of the following:

- (1) An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;
- (2) Unwelcome conduct on the basis of sex determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or
- (3) "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30)."

Upon receiving a report regarding sex discrimination or sexual harassment with or without a formal complaint, the Title IX Coordinator shall provide a response to complainant and respondent of non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge which provide supportive measures and which shall include, discussion of supportive measures and informing them of what is available without a formal complaint. The Title IX Coordinator is responsible for the implementation of supportive measures.

Upon the making of a report regarding sex discrimination or sexual harassment the Title IX Coordinator shall promptly contact the complainant to:

- discuss the availability of supportive measures as defined in § 106.30,
- consider the complainant's wishes with respect to supportive measures
- inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and
- explain to the complainant the process for filing a formal complaint.

Supportive measures as indicated above may include:

- counseling,
- extensions of deadlines or other course-related adjustments,
- modifications of work or class schedules,
- campus escort services,
- mutual restrictions on contact between the parties,
- changes in work or housing locations,
- leaves of absence,
- increased security and monitoring of certain areas of the campus, and
- administrative leave while a grievance is pending,
- emergency removal (following an individualized safety and risk analysis), and
- other similar measures.

In responding to a report or formal complaint the District must treat complainant and respondent equitably by offering both supportive measures.

The District must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability to provide the

supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

Retaliation prohibition. No recipient or other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or § 106, or because the individual has made a report or grievance, testified, assisted, or participated in or refused to participate in any manner in an investigation, proceeding, or hearing under this part. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or grievance of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this part, constitutes retaliation.

Corrective measures. A finding of responsibility will be a determination that the District or a person in the District has violated policy and actions to correct the discriminatory practice or change the behavior of those involved will be instituted. Remedies designed to restore or preserve equal access to the District's education program or activity will be provided by the District, if appropriate.

A substantiated report of sex discrimination or formal complaint finding responsibility against a staff member in the District shall subject such staff member to disciplinary action in accord with GCQF - Discipline, Suspension, and Dismissal of Professional Staff Members or GDQD - Discipline, Suspension, and Dismissal of Support Staff Members.

A substantiated report of sex discrimination or formal complaint finding responsibility against a student in the District shall subject that student to disciplinary action, which may include the permissible penalties of JK - Student Discipline and/or JKD - Student Suspension/Expulsion.

Adopted: March 16, 2022

**A-0311 © ACA-RA Regulation
NONDISCRIMINATION ON THE
BASIS OF SEX**

The procedures that follow are specified in 34 C.F.R. Part 106 at 106.45 as required by 106.44a and though listed as a regulation are federal regulations implementing Title IX of the Education Amendments of 1972 as amended. Therefore, this regulation is considered the same as policy.

The following procedures apply to all reports and formal complaints of sexual harassment that may be received with the following exceptions for reports of sex discrimination that are not formal complaints:

- notice of the allegations,
- consolidation of formal complaints,
- dismissal of formal complaints,
- investigation of formal complaints, and
- any part of a noted procedure that is specified for a formal complaint.

**Discrimination on the
Basis of Sex**

A District's treatment of a complainant or a respondent in response to a report or formal complaint of sexual harassment may constitute discrimination on the basis of sex under Title IX. For the purpose of addressing formal complaints of sexual harassment, the grievance process must comply with the following requirements. Any provisions, rules, or practices other than those required by § 106.45 as part of this

grievance process for handling formal complaints of sexual harassment as defined in § 106.30, must apply equally to both parties.

Basic Requirements

A district's grievance process will:

- Treat complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following this grievance process before the imposition of any disciplinary sanctions or other actions that are not supportive measures as defined in § 106.30, against a respondent. Remedies will be designed to restore or preserve equal access to the District's education program or activity. Such remedies will include the same individualized services described in § 106.30 as "supportive measures;" however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent;
- Require an objective evaluation of all relevant evidence - including both inculpatory and exculpatory evidence - and provide that credibility determinations may not be based on a person's status as a complainant, respondent, or witness;
- Any individual designated by a District as a Title IX Coordinator, investigator, decision-maker, or any person designated by a District to facilitate an informal resolution process, shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. The District will ensure that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receive training on how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. The District will ensure that decision-makers receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, as set forth in paragraph (b)(6) of § 106.45. The District also will ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence, as set forth in paragraph (b)(5)(vii) of § 106.45. Any materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, will not rely on sex stereotypes and shall promote impartial investigations and adjudications of formal complaints of sexual harassment;
- It is to be presumed that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process;
- Include reasonably prompt time frames for conclusion of the grievance process, including reasonably prompt time frames for filing and resolving appeals and informal resolution processes if the District offers informal resolution processes, and a process that allows for the temporary delay of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities;
- Describe the range of possible disciplinary sanctions and remedies or list the possible disciplinary sanctions and remedies that the District may implement following any determination of responsibility;

- Use the preponderance of the evidence standard, apply the same standard of evidence for formal complaints against students as for formal complaints against employees, including faculty, and apply the same standard of evidence to all formal complaints of sexual harassment;
- Include the procedures and permissible bases for the complainant and respondent to appeal;
- Describe the range of supportive measures available to complainants and respondents; and
- Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

Notice of Allegations

The following is required upon receipt of a formal complaint

- The District must provide the following written notice to the parties who are known:
 - Notice of the District's grievance process that complies with § 106.45, including any informal resolution process.
 - Notice of the allegations of sexual harassment potentially constituting sexual harassment as defined in § 106.30, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include if known:
 - the identities of parties involved in the incident,
 - the conduct allegedly constituting sexual harassment under § 106.30, and
 - the date and location of the alleged incident.
 - The written notice must include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
 - The written notice must inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, under paragraph (b)(5)(iv) of § 106.45, and may request to inspect and review evidence under paragraph (b)(5)(vi) of § 106.45.
 - The written notice must inform the parties of any provision in the District's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process. That information may be found at;
 - GBEB Standard II, GBEBB last sentence and GCQF Misconduct for Professional staff,
 - GDQD Categories of Misconduct for Support Staff,
 - JK for students.

If, in the course of an investigation, the District decides to investigate allegations about the complainant or respondent that are not included in the notice provided pursuant to paragraph (b)(2)(i)(B) of § 106.45, the District must provide notice of the additional allegations to the parties whose identities are known.

Dismissal of a formal complaint:

- The District must investigate the allegations in a formal complaint. If the conduct alleged in the formal complaint would not constitute sexual harassment as defined in § 106.30 even if proved, did

not occur in the District's education program or activity, or did not occur against a person in the United States, then the District must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under Title IX or § 106. Such a dismissal does not preclude action under another provision of the District's code of conduct.

- The District may dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing: a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; or the respondent is no longer enrolled or employed by the District; or specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.
- Upon a dismissal required or permitted pursuant to paragraph (b)(3)(i) or (b)(3)(ii) of § 106.45, the District must promptly send written notice of the dismissal and reasons therefor simultaneously to the parties.

Consolidation of Formal Complaints

The District may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one (1) complainant against one (1) or more respondents, or by one (1) party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a grievance process involves more than one (1) complainant or more than one (1) respondent, references in § 106.45 to the singular "party," "complainant," or "respondent" include the plural, as applicable.

Investigation of Formal Complaints

When investigating a formal complaint and throughout the grievance process, the District must:

- Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the District and not on the parties provided that the District cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the District obtains that party's voluntary, written consent to do so for a grievance process under § 106.45 (if a party is not an "eligible student," as defined in 34 CFR 99.3, then the District must obtain the voluntary, written consent of a "parent," as defined in 34 CFR 99.3);
- Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
- Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
- Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding; however, the District may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;

- Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings with a party, with sufficient time for the party to prepare to participate;
- Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the District does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.
 - Prior to completion of the investigative report, the District must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least ten (10) days to submit a written response, which the investigator will consider prior to completion of the investigative report.
 - The District must make all such evidence available for the parties' inspection and review and at any hearing, give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination; and
- Create an investigative report that fairly summarizes relevant evidence and, at least ten (10) days prior to a hearing (if a hearing is required under § 106.45 or otherwise provided) or other time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

Alternative to Hearings

The District's grievance process will not provide for a hearing.

- After the District has sent the investigative report to the parties pursuant to paragraph (b)(5)(vii) of § 106.45 and before reaching a determination regarding responsibility, the decision-maker(s) must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.
- Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

Determination Regarding Responsibility

The decision-maker(s), who cannot be the same persons as the Title IX Coordinator or the investigators, must issue a written determination regarding responsibility. To reach this determination, the decision-maker(s) must apply the standard of evidence described herein.

The written determination must include:

- Identification of the allegations potentially constituting sexual harassment as defined in § 106.30;

- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- Findings of fact supporting the determination;
- Conclusions regarding the application of the District's code of conduct to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the District imposes on the respondent, and whether remedies designed to restore or preserve equal access to the District's education program or activity will be provided by the District to the complainant; and
- The District's procedures and permissible bases for the complainant and respondent to appeal if the District offers an appeal.

The District must provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the District provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

The Title IX Coordinator is responsible for ensuring the implementation of any remedies.

Appeal

The District must offer both parties an appeal from a determination regarding responsibility, and from the District's dismissal of a formal complaint or any allegations therein, on the following bases:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- The Title IX Coordinator, investigators, or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

The District may offer an appeal equally to both parties on additional bases.

As to all appeals, the District must:

- Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;
- Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
- Ensure that the decision-maker(s) for the appeal complies with the standards set forth in paragraph (b)(1)(iii) of § 106.45;
- Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
- Issue a written decision describing the result of the appeal and the rationale for the result; and
- Provide the written decision simultaneously to both parties.

Informal Resolution

The District may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent with § 106.45. Similarly, the District may not require the parties to participate in an informal resolution process under § 106.45 and may not offer an informal resolution process unless a formal complaint is filed.

At any time prior to reaching a determination regarding responsibility the District may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the District:

- Provides to the parties a written notice disclosing, the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations;
- Obtains the parties' voluntary, written consent to the informal resolution process; and
- Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

At any time prior to agreeing to a resolution:

- Any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and
- Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

Recordkeeping

The District must maintain for a period of seven (7) years records of:

- Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under paragraph (b)(6)(i) of § 106.45, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the District's education program or activity;
- Any informal resolution and the result therefrom;
- All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The District must make these training materials publicly available on its website, or if the District does not maintain a website the District must make these materials available upon request for inspection by members of the public; and
- For each response required under § 106.44, the District must create, and maintain for a period of seven (7) years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the District must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the District's education program or activity.

If the District does not provide a Complainant Supportive Measures

If the District does not provide a complainant with supportive measures, then the District must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The

documentation of certain bases or measures does not limit the District in the future from providing additional explanations or detailing additional measures taken.

J-6250 JLF REPORTING CHILD ABUSE / CHILD PROTECTION

All School District personnel, school employees, school volunteers, contractors and contractors' employees shall be required to complete training in the detection and reporting of child abuse and neglect, ethical misconduct, professional responsibilities, sexual abuse and assault, and substance abuse. This requirement shall be completed within the School District employee's, school employee's, school volunteer's, contractors and contractors' employees first year of employment. The training information shall be available through the department of education.

Every person, including any school employee licensed or unlicensed, who has information that is not privileged as a matter of law, who knows or has a reasonable suspicion that a child is an abused or a neglected child shall report the matter immediately to:

- New Mexico Child Abuse Hotline (1-855-333-SAFE or #SAFE from a cell phone [#SAFE = #7233]);
- a local law enforcement agency;
- the department office in the county where the child resides; or
- a tribal law enforcement or social services agency for any Indian child residing in Indian country.

The report shall contain the following information:

- The names and addresses of the minor, the parents, or the person or persons having custody of such minor, if known.
- The minor's age and the nature and extent of any injuries or physical neglect, including any evidence of previous injuries or physical neglect.
- Any other information that such person believes might be helpful in establishing the cause of the injury or physical neglect.

The school administrator should be informed following the immediate report abuse, and the "Agency Referral Form and Procedure" should be used in order to have documentation and follow up (see the following exhibit).

A school administrator and/or their designee may permit a member of a law enforcement agency or an employee of the Human Services Department to interview the child with respect to a report without the permission of the child's parent, guardian or custodian.

A person who fails to report abuse as provided in 30-6-4 NMSA 1978 is guilty of a misdemeanor.

Adopted: September 15, 2021

J-6281 JLF-E EXHIBIT REPORTING CHILD ABUSE/CHILD PROTECTION

SUSPECTED ABUSE/NEGLECT

To: **Law enforcement agency** - New Mexico Child Abuse Hotline (1-855-333-SAFE or #SAFE from a cell phone [#SAFE = #7233])

Student's Birth

name _____ date _____ Sex _____

Address _____

Names of parents/guardians _____

School _____ Grade _____ Teacher _____

Description of injury (use reverse side of form if necessary) _____

Referral source: Name _____

Address _____ Position _____

Symbols: Severity:

- A = Abrasion (1) = Mild
- Bl = Blister (2) = Moderate
- Bu = Burn (3) = Severe
- Br = Bruise
- La = Laceration
- Le = Lesions
- S = Scar
- R = Rash
- V = Vermin
- O = Other (describe)

Signature and Title of Person Making the Report Date

To whom reported _____ Date of oral report _____

Copy filed in school Superintendent and nurse's office

G-1500 GBGD WORKERS' COMPENSATION

All employees are covered under the provisions of Workers' Compensation for occupational injuries and illnesses in accordance with the provisions of New Mexico Law (Workers' Compensation Act, Chapter 52, NMSA 1978). The School District utilizes a self-directed care approach to Workers' Compensation. Procedures to report an on-the-job injury for Workers' Compensation Benefits are available from the office secretary, principal or the Human Resources Department.

G-1511 GBGD-R WORKERS' COMPENSATION

Any employee who has an accident while on duty shall notify the supervisor immediately and the appropriate reporting is to be completed within seventy-two (72) hours. Failure to follow this procedure could result in the loss of workers' compensation benefits.

When a job-related injury/accident requires medical attention and absence from the workplace, the following conditions shall apply:

- The day of injury is considered as a full day worked; no sick leave will be charged regardless of time of injury if employee seeks medical treatment.
- An employee is to utilize accumulated sick leave for the initial seven-day period (normally five working days).
- After the initial seven (7) days, employees retain the compensation received from Workers' Compensation and do not use any of their accumulated sick leave for the time they are absent from work and for which they have received compensation.
- At this time the employee will be placed on leave without pay.
- If you miss more than twenty-eight (28) days, Workers' Compensation will reimburse the first seven (7) days at your workers' compensation benefit rate.

The weekly compensation rate to the employee by Workers' Compensation for total disability is 66 2/3% of the employee's average weekly gross earnings subject to the maximum specified by law.

In order to continue current personal insurance benefits (health, dental, etc.), it will be necessary for the employee to pay directly to Alamogordo Public Schools the amount of his/her payroll deduction for insurance premiums once he/she has been removed from the payroll to be placed on Workers' Compensation leave of absence. The premium payment will be due in the School District offices on or

before the first working day of each month. The School District will continue payment of the Board's portion of this insurance premium while the employee is under contract.

The Alamogordo Public Schools will require an "Employee's Statement of Health" for all new employees.

E-0500 EBBB

ACCIDENT REPORTS

Adequate and prompt accident reporting is essential if similar accidents are to be prevented. If there are injuries or property damage, prompt reports are also vital in assuring the District of insurance coverage.

Reports will be filed on accidents that take place on school property or that involve school vehicles, students, or staff members on school-sponsored trips, including staff members on authorized school business trips. Such reports are required whether or not there are any immediately evident injuries or damage to property.

Injury accidents should be promptly reported to the District's liability carrier. The meaning of promptly is defined in the District's insurance policy with the carrier.

The administration shall establish procedures for filing accident reports, and shall make sure reports include details that (1) might be helpful in preventing similar accidents in the future, (2) are needed for filing insurance claims, and (3) might be important in case of litigation.

E-0511 EBBB-R

ACCIDENT REPORTS

(Student Accidents)

Employees are to report to the nurse or office any accident involving a student who is at school.

A student who is ill should be sent to the office, with an appropriate pass. If a student is sent home (only with parent knowledge), the teacher will be notified. Students are discharged to go home only from the office.

Any special health concern should be reported to the nurse.

A written accident report is completed by the school employee who observed the accident. When injury may result in a further medical case, or possible litigation, the school health services personnel may include treatment documentation and give it to the principal as soon as possible.

E-0400 EBB

ACCIDENT PREVENTION AND SAFETY PROCEDURES

Accidents are undesirable, unplanned occurrences which may result in tragic consequences; bodily harm; loss of school time; property damage; legal action and even fatality. To guard against such occurrences, the Board intends for the District to take every precaution to protect the safety of all students, employees, visitors and others while on District property or at school-sponsored events.

The Superintendent shall develop administrative procedures to meet the intent of this policy in areas that include, but are not limited to:

- Plant inspection.
- Fire prevention.
- Traffic and parking safety.
- Accident record keeping.
- Inclement weather conditions.
- First aid and emergency care.
- Bicycle and scooter use.
- Safety patrol program.
- Student supervision.

SAFETY PROCEDURES

It is the responsibility of every employee to read and follow safety instructions given. Safety is to be given primary importance in every aspect of planning and performing in the School District. Principals and/or Supervisors will post safety procedures at their site. Below are some examples:

1. Use and store flammable items in approved cabinets with caution and according to label instructions.
2. It is the employee's responsibility to know where the Materials Safety Data Sheets (MSDS) are kept at their site.
3. Report to a supervisor and/or principal if a co-worker becomes ill or is injured.
4. Ask for assistance when lifting heavy objects or moving heavy furniture.
5. Sit firmly and squarely in chairs that roll or tilt.
6. Use a site-designated stepladder for all jobs performed above your arm's reach.
7. Do not stand on tables and/or chairs.
8. Employees with a physical limitation are responsible for limiting activities that may cause further injury.
9. Wear/use appropriate personal protective equipment (PPE) for staff and students as required.
10. Maintain appropriate housekeeping to prevent hazardous conditions.

SAFETY/LOSS CONTROL

The School District Safety Specialist will have overall responsibility for the safety/loss control program of the School District.

All employees shall care for the safety of students under their control. Every reasonable precaution will be taken to protect the safety of all students, employees, and others present on School District property or at school-sponsored events. Each building site will be required to have available to every employee including substitutes and volunteers, a copy of the Safe School Plan. This plan will identify all procedures used by the building to keep students and staff safe during emergency situations. This safety plan will be an integral part of the instructional program. Each administrator/supervisor will be responsible for the supervision of a safety program for the department or school.

Employees will report all unsafe conditions to their immediate supervisor, comply with established safety requirements, and participate in safety training programs. Safety committees will be established that will include employee participation.

E-1700 EDB

MAINTENANCE AND CONTROL OF MATERIALS AND EQUIPMENT

Employees are responsible for the proper care of all District facilities, equipment, and property in their custody or control.

Control of District property shall be through, but not limited to, an accurate fixed inventory system of all District furniture and equipment.

The Superintendent may establish procedures for transferring surplus or other materials and equipment.

Preventive Maintenance

The Superintendent shall establish a preventive-maintenance program that will extend the useful life for District equipment.

The Superintendent is authorized to use the services of specialists for such maintenance, and provision(s) shall be made in the annual budget for such services.

G-1300 GBGB

STAFF PERSONAL SECURITY AND SAFETY

Violence

Any employee who observes or has direct knowledge of an act of violence upon an employee during the performance of the employee's duties or of an act of vandalism to school property shall file an incident report.

Threats

The Superintendent shall establish procedures that provide for the protection of any employee who is threatened with harm by an individual or a group while carrying out assigned duties.

G-1311 GBGB-R

STAFF PERSONAL SECURITY AND SAFETY

Threats

Any employee who is threatened with harm by an individual or a group while carrying out assigned duties shall immediately notify the school principal or supervisor. The principal or supervisor shall then immediately notify the Superintendent's office of the threat and together they shall take immediate steps in cooperation with the employee to provide every reasonable precaution for the employee's safety. Precautionary steps, including contacting law enforcement, seeking injunctive relief or any advisable legal action, shall be reported to the Superintendent's office at the earliest possible time.

I-8000 IMB

TEACHING ABOUT CONTROVERSIAL / SENSITIVE ISSUES

Democratic tradition often involves dealing with controversial issues. Knowledge and understanding of such issues are an indispensable part of education.

The teacher holds a position of authority and respect in the classroom and community, and by virtue of that position has great influence in the formation of the values of all students. It must be clear that personal views are not a part of the instructional program and must be tempered by the responsibility to maintain professionalism.

To ensure that controversial issues are dealt with fairly and objectively, and with instruction as their goal, such issues may be a part of the curriculum as long as the following policies are observed:

- Teachers should instruct students in the principles and techniques of the scientific method and provide opportunities for practice in applying established facts to specific problems.
- Teachers should seek to develop in students the ideals of truth and honesty.
- All personnel should seek to create an atmosphere in which difference of opinion can be voiced without fear and hostility and with mutual respect for all viewpoints.
- Constitutional guarantees of due process and freedom of speech will continue to be observed as to students and teachers alike when they are involved in a controversial issue.
- Teachers should encourage the suspension of judgment and conclusions until all relevant and significant facts have been assembled, critically examined, and checked for accuracy.
- Teachers should seek to develop in students a sense of responsibility for their beliefs, opinions, attitudes, and actions.
- Teachers should place major emphasis upon "why" and "how" to think rather than "what" to think.

I-8011 IMB-R

TEACHING ABOUT CONTROVERSIAL / SENSITIVE ISSUES

The District recognizes that it is sometimes necessary for pupils to study controversial issues and topics and that in order to deal effectively with them, teachers will sometimes use materials or methods that might lead to misunderstandings. In considering such matters, it shall be the purpose of our schools to recognize the pupil's right and/or obligation

- to study any controversial issue, which has political, economic, or social significance and concerning which, the student should begin to have an opinion;
- to have free access to all relevant age-appropriate information;
- to study under competent instruction in an atmosphere of freedom from bias and prejudice;
- to form and express independent opinions on controversial issues without jeopardizing relations with teachers, staff and administration;

- to recognize that a reasonable compromise is often an important facet in decision-making in our society; and
- to respect the opinions of others, including opinions of the minority.

The teacher is responsible for presenting a balanced view of controversial issues. No materials shall be introduced into the school curricula by an individual or organized group to promote a biased viewpoint on religious, racial, sexual, or political issues.

Complaints and Challenges to Teaching Methods and Materials

If a school or staff member is challenged on the use of methods or materials, the following procedures will apply:

- An attempt will be made to resolve the challenge or complaint informally. School personnel shall meet with the complainant to hear the specific concerns and recommendations and to explain how and why the challenged material or method was selected for use in the classroom or library.
- The complainant may still challenge the material or method by submitting a written statement to the Superintendent's Office, which identifies the complainant's specific concerns. No action to review challenged materials or methods will be taken until a written request for review is filed.
- The review shall be undertaken by the appropriate School District curriculum committees. The review process shall always include the opportunity for citizen comment. The Superintendent may but is not required to delay use of the challenged materials or methods by students until the entire review process is completed and has been reviewed by the Superintendent.
- The Superintendent shall accept or reject the review committee's recommendation and so inform the Board. The complainant may again challenge the Superintendent's recommendation to the Board of Education at this time.
- The decision of the Board of Education shall be final.

Sex Education

- All films, filmstrips, and other printed or published materials that present information on explicit areas of sex education will be screened by the Director of Health Services, representatives of the Superintendent's immediate staff, and other persons as the administration may select prior to purchase. If the film or material belongs to another agency or person outside of school, it must be screened by the same review process prior to showing to students.
- Outside agencies or persons used as resources for instruction must present for review an accurate content of what will be presented to the students. The teacher and the principal are responsible to see that this is done and must review and evaluate the content of what is to be presented and the manner of presentation.
- At the elementary level, explicit information on sex education will not be shown to mixed (male and female) groups of students.
- When any audio/visual material which contains explicit sex information is planned to be shown or when any outside agency or person plans to show or use explicit information concerning sex instruction, parents should be informed of the content to be covered and have the right to approve or deny their child's participation. Information to parents can be brief, but it should be accurate and adequate to enable them to form their opinion.
- If a student feels uncomfortable relative to the information to be presented, then that student should be excused.
- If parents wish to be present during presentation, they may be invited to exercise this option.

Sensitive Instructional Materials And Guest Speakers

Instructional materials dealing with personal or sensitive subjects must be previewed by the teacher before they are introduced into the classroom. If materials are sensitive but the instructor feels they are germane to the subject being taught, the principal, in consultation with the Superintendent of Schools,

shall adjudge their propriety and pertinence. The principal's deliberation should include among other things, consideration of the general standards of the clientele served by the School District. The instructor is also responsible for personal or sensitive subjects introduced or discussed by guest speakers in the classroom. Teachers shall provide their students advance notice of the possibility of the use of sensitive materials prior to their use so that students finding the materials offensive may be excused from that portion of the assignment or presentation and provided with an alternative assignment more in keeping with their beliefs. Parents/guardians may make such a request on behalf of their currently enrolled children.

Teachers should notify the building principal of any apparent problem, which arises from the use of sensitive materials or from remarks by a guest speaker.

At the appropriate grade levels, parents should be given advance notice of presentations on topics involving human sexuality.

Academic Freedom

The Board of Education desires that discussion and study of political and social issues be undertaken in a dispassionate atmosphere free from bias.

In this spirit, teachers shall serve as impartial moderators and shall not attempt directly or indirectly to limit or control the opinion of pupil on such issues. Teachers are encouraged to foster the study of issues rather than teach particular viewpoints with regard to them.

The Board of Education recognizes that teachers have the right and responsibility to exercise professional judgment, within the limits of the previous statements, when such issues are under study.

Teachers must inform the principal of guest speakers and the nature of the presentation prior to the speaker's appearance in their classrooms.

Religion

Under the Constitution of the United States, the schools of this District shall neither actively sponsor nor interfere with religions.

The District recognizes that religion has played an undeniable role in the formation of world civilizations, the foundation of our country and the lives of its citizens.

The place of religion in our society should be recognized as an important one. As allowed by the First Amendment and expressed by the U.S. Supreme Court, the proper role of religion in the public schools is in its educational value and not in religious observance or celebration. The schools can play a vital role in bringing about an understanding between peoples of different backgrounds. In that capacity and when appropriate within the curriculum, the schools have an appropriate role in teaching our children about various belief systems. Belief systems will be discussed in an atmosphere of tolerance and mutual respect. Intercultural programs or curriculum focusing on the role that religion has played in history, literature or in the development of society and the influence that religion has had on historical figures or movements are acceptable and desirable. It is anticipated that students will also develop tolerance and mutual respect as they become aware of diverse belief systems and their current and historical impact on human culture.

Religion in the Curriculum

- When information about religion is included in the curriculum as part of the study of art, literature, history, etc., it should be treated with the same objectivity and educational intent expected in other areas.
- Religious themes in the fine arts, literature and history should be recognized and discussed only as extensively as necessary for a balanced and comprehensive study of these areas. Such studies should not foster any particular religious tenet or demean any religious belief.
- Materials and activities should be sensitive to the diversity of belief systems.
- Instructional activities addressing religion should meet the current three-part test established by the U.S. Supreme Court for determining constitutionality:
 - The activity must have a secular purpose.
 - The activity's principal or primary effect must be one that either advances or inhibits religion.

- The activity must not foster an excessive governmental entanglement with religion.
- When the subject of religion occurs naturally in studying other topics such as history, literature, culture, etc., it should be treated as part of that study. For example, study of the American Indian, the Pilgrims, Greek mythology or the Crusades may be enhanced by the inclusion of the role of religion.
- Student-initiated responses to questions or assignments which reflect their beliefs or non-beliefs about a religious theme are to be accommodated when appropriate. For example, students are free to express religious beliefs or non-beliefs in compositions, art forms, music, speech and debate, but may not substitute theories supporting religious doctrine for scientific theories that are generally accepted in the field of study.
- Students should be taught to develop an appreciation of the value of religious liberty as guaranteed by the United States Constitution.
- The teaching of theories to promote a religious doctrine is not permitted. Religious theories or beliefs shall not direct curriculum content.
- Subject matter content may not be included or excluded from the curriculum primarily to conform to the religious views of a particular group.
- Students may be excused, without penalty, from instructional activities that are contrary to their religious beliefs unless their absence would defeat an overriding educational goal.
- Elective courses at the high school level may have as their focus the history, sociology and literature of religions.

School Calendar, Holidays, Schedules, Absences

- Studying the origin and significance of diverse holidays shall be conducted in an unbiased manner without religious indoctrination. Holiday activities should not be religious or devotional in nature. These activities may include the singing of some holiday songs with religious content, but must also include a balanced variety of music not solely of a religious nature. Such programs shall not include performances of religious dramas.
- Neither instructional materials nor assembly programs may be used to promote, encourage or denigrate specific religious groups or religious activities.
- Religious celebrations outside of school shall not be endorsed by the District or by school personnel in the school setting.
- The School District's calendar shall be prepared so as to minimize conflicts with religious holidays. Where conflicts are unavoidable, care should be taken to avoid tests, special projects, introduction of new concepts and other activities which would be difficult to make up. Absences by students for religious observances are to be handled based on existing attendance rules.

Religions Symbols

A religious symbol is any object which portrays or represents a religious belief. A religious symbol can also be an object which is so closely associated with religion(s) or with the celebration of a religious holiday that it is commonly perceived as being of a religious nature.

- Religious symbols may be displayed or used as a teaching resource provided no effort is made to impose any particular beliefs which may be associated with such symbols. They may be used as examples of a culture and/or a specific religious heritage.
- Whenever appropriate, teachers are encouraged in their presentations to expose students to symbols and traditions from a variety of cultures.
- Religious symbols may be displayed for show-and-tell or reports or class discussion as long as their appearance is volunteered by the students and as long as the symbols are removed from display upon completion of the report or discussion.
- Students should not be discouraged from appropriately expressing themselves through the use of religious symbols in completing assignments.

Religious Disclosure/Privacy

Neither staff nor students shall be required, requested, coerced or induced to disclose their personal religious preferences or beliefs or those of their family members. No one shall be compelled to profess a religious belief or disbelief.

I-8261 IMD-R SCHOOL CEREMONIES AND OBSERVANCES

School programs, assemblies, or gatherings sponsored by the school shall not have a religious orientation or include religious activities. However, seasonal programs presented by school student groups may include religious music. Such programs shall include a balanced variety of music not solely of a religious nature.

School musical groups may not participate, under the sponsorship of the school, in religious services.

The District shall not sponsor any religious invocations, benedictions or formal prayers at any school-sponsored event, which does not preclude student-initiated invocations and/or benedictions.

Student-initiated invocations and/or benedictions shall be allowed at high school graduation ceremonies under the following conditions:

- Inclusion of invocations and/or benedictions shall rest solely within the discretion of the graduating senior class.
- Invocations and/or benedictions shall be only after a majority of the graduating class vote in favor of such inclusion at a student-initiated election on the subject and only if the invocations and/or benedictions are given by student volunteer(s), without any involvement of the Board or school staff.
- Consistent with the principle of equal liberty of conscience, such student-initiated invocations and/or benedictions shall be non-sectarian and non-proselytizing in nature.

Coaches and other sponsors of extra-curricular activities shall not lead or solicit others to lead team or group prayers or other religious conduct, before, during or after such activities.

Worship/Prayer

No form of prayer, worship or expression of belief shall be prescribed or sanctioned in fact, or in appearance, by the schools.

Students may voluntarily pray and/or meditate during school and engage in discussions about religion provided this activity does not cause actual and substantial disruption of the educational process or infringe upon the privacy rights of others.

Proselytizing

In working with students, District staff shall not proselytize or inject personal religious beliefs into any school-related activities. The expression of views by staff, which disparages or degrades any religion or religious belief, is not permitted at any school-related activities.

Unwelcome attempts by individuals or groups of students to impose religious beliefs or convert others to religious beliefs or to non-belief are not permitted at school or at school-related activities.

The distribution of religious literature on school district property, unless directly related to instructional activities, shall be limited and governed by the District's policy governing distribution of written materials on school property.

Non-student members of religious groups are not allowed to proselytize on school property or recruit during the school day or during school activities.

Teaching materials shall not include the endorsement or disparagement of ideas or practices of any religious belief system.

The expression of views by staff or students that disparage or degrade any religion or religious belief is not permitted at school during school hours, or at any school sponsored activity.

Speakers invited from outside the school to participate in school sponsored activities shall be asked to refrain from leading prayers or engaging in other religious activities, or otherwise promoting religion on such occasions, and shall be advised that such religious activities are not made permissible by allowing students or others who do not wish to participate to leave.

G-5150 GCMF PROFESSIONAL STAFF DUTIES AND RESPONSIBILITIES

A teacher shall not use sectarian or denominational books or teach any sectarian doctrines or conduct religious exercises.

Any person violating this prohibition by teaching sectarian doctrine in a public school shall be immediately discharged from further employment with a school district.

LEGAL REF.: 22-10A-27 through 22-10A-31 NMSA (1978)

K-2300 KHC DISTRIBUTION / POSTING OF PROMOTIONAL MATERIALS

Non-school promotional literature is that material not under the control of the school which is on or in a variety of mediums. Without exhaustion this may include but is not limited to pictures, flyers, items with a visual or printed message, electronic representations, and other visual and auditory representations.

Non-school promotional literature soliciting for or promoting participation in commercial offerings, politics or religion will not be allowed on school property during school sessions. Excepted from the category of commercial offerings are approved equipment, naming conventions and legal advertisement that provide financial benefit to the educational program as determined by the Board.

Nonprofit organizations providing instruction and practice for school age students in the areas of instruction listed below shall be permitted limited display or posting of promotional literature for those activities at an individual school site within the guidelines indicated. Authorization shall be premised upon a written assurance and confirming literature received by the distributing/posting school at least two (2) weeks prior to the instruction/activity that the organization will:

- Agree that any charges for the instruction/activities will be based on and not exceed the cost of providing the instruction/activities;
- Not use fighting words, obscenities, defamatory speech or encourage disruption of the educational environment;
- Not provide representations or visuals that are inappropriate as described in The Children's Internet Protection Act;
- Label all material with the name of the organization;
- Display the name, address and telephone number of the local representative for the organization prominently on the promotional material; and
- Have an authorized representative of the organization sign the written assurances.

The promotional literature shall be provided to the school office at the same time as the assurance form to evidence compliance. School personnel shall not use the viewpoint expressed in the literature as justification for disallowing the authorization.

Areas of instruction and practice for which promotional literature is permitted to be displayed.

- Language arts
- Literature
- Mathematics
- Science
- Social Studies
- Music
- Visual Arts
- Health
- Physical Education
- Foreign or Native American Language (includes modern and classical)
- Career and Technical (vocational) Education

Manner of display/posting or stacking.

The manner of communication elected by each school shall be either:

- display of a representative item (posting on a bulletin board like structure); or
- stacking flyers or representative materials on a flat surface located in an area on the school campus generally accessible to students.

Display/posting or stacking will be on a space-available basis.

From a list of signed and dated assurance forms maintained in the school office, the school administrator shall determine the items to be granted permission for posting/displaying or stacking during a prescribed time period, limited to the available space designated for such purposes.

Materials permitted for display/posting or stacking must be delivered to the approving school office by a person properly authorized to represent the entity providing the materials. The material shall not be larger than a standard eight and one-half by eleven inch (8 1/2" x 11") sheet of paper. Where stacking of materials for pick up is permitted, the quantity of materials stacked at the designated location shall not exceed one hundred (100) copies at any given time.

Times and places for display/posting or stacking. Display/posting or stacking of non-school promotional materials is prohibited in any school location except the designated area or surface for such materials.

Materials shall be removed on a date certain not more than one (1) month after it has been posted/stacked or five (5) days after the activity begins, whichever is earlier.

LEGAL REF.: 20 U.S.C. 9134, The Children's Internet Protection Act

47 U.S.C. 254, Communications Act of 1934 (The Children's Internet Protection Act)

****All Alamogordo Public Schools Policies can be found at the following link:**

<http://www.google.com/url?q=http%3A%2F%2Fz2.ctspublish.com%2Fnmsba%2FZ2Browser2.html%3Fshowset%3DAlamogdo&sa=D&sntz=1&usg=AOvVaw1Jhc46Y5biHJ0ORZRAAtP7y>

COLLECTIVE BARGAINING AGREEMENT (CBA) – You may locate the Collective Bargaining Agreement at the following link:

https://www.alamogordoschools.org/core/fileparse.php/187/urlt/CBA_2019-20.pdf