

# ESTANCIA MUNICIPAL SCHOOLS

## Policy Manual Index

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**101 School District Legal Status**

- 101.1** The school district office is officially organized as the Estancia Municipal School District #7 and is governed by state laws relating to municipal school districts.
- 101.2** The Board of Education is the governing body of the Estancia Municipal Schools. This board shall be responsible for the government of the schools, and shall be responsible directly to the people of the district for management of the schools in an efficient, dignified, and non-partisan manner.

**102 School District Vision, Mission, Goals and Objectives**

**102.1**        **Vision** - The Estancia Municipal School District believes in educating ALL students to become productive and successful citizens. Instructional programs must challenge all students to reach their potential. All other programs offered are in support of this.

**102.2**        **Mission** - The Estancia Municipal School District will provide all students a quality education.

The center of the school curriculum is the child and the instructional program is tailored to fit a child development pattern of education. The district, therefore, is responsible for students mastering learning skills and knowledge, and for developing desirable personal qualities and values. The district recognizes its shared responsibility with the community for the effective and efficient use of public and private resources and for continuing involvement of all people of the Estancia School District in the education of its children.

**102.3**        **Goals –**

1. Preparation of students to be responsible citizens
2. Preparation of students for post-secondary education
3. Preparation of students for gainful employment

**102.4**        **Objectives - Educational Plan for Student Success:**

1. Students will demonstrate continued academic growth and improvement.
2. Students will demonstrate the use of technological skills appropriate to their grade level and career plans.
3. Students will enhance school climate through active participation in school activities and programs and with the demonstration of appropriate age level social and behavioral skills.
4. Staff professional development will focus on the expansion and quality of the curriculum and the improvement of instructional delivery to students.

## 103 Nondiscrimination

103

### **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 Coordinator.

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.

Reviewed: July 14, 2020

Adopted: \_\_\_\_\_

LEGAL REF.: 22-31-1 et seq. NMSA, School Athletic Equity Act

28-1-2 NMSA et seq. 20 U.S.C. 1400 et seq.,

Individuals with Disabilities Education Act

20 U.S.C. 1681, Education Amendments of 1972, Title IX

20 U.S.C. 1092(f)(6)(A)(v), Sexual Assault

20 U.S.C. 1703, Equal Employment Opportunity Act of 1972

29 U.S.C. 794, Rehabilitation Act of 1973, (Section 504)

34 U.S.C. 12291(a)(8), (10), (30) Domestic Violence, Dating Violence, Stalking

42 U.S.C. 2000, Civil Rights Act of 1964, Titles VI and VII

42 U.S.C. 12101 et seq., Americans with Disabilities Act

34 CFR Part 106, Nondiscrimination on the basis of Sex in Education

**ESTANCIA MUNICIPAL SCHOOL DISTRICT**

**NONDISCRIMINATION / EQUAL OPPORTUNITY COMPLAINT FORM**

(To be completed with the compliance officer as provided in AC-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 Person Reporting or Complainant

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

**ESTANCIA MUNICIPAL SCHOOL DISTRICT  
TITLE IX COMPLIANCE OFFICERS**

**Title IX Coordinator:**  Athletic Director

**Title IX Deputies:**  Elementary and Secondary Social Workers

**Investigator:**  Secondary Operations Principal

**Decision Maker:**  For Decisions at the Secondary Level ~ Elementary Principal

For Decisions at the Elementary Level ~ Secondary Instructional Principal

**Appeals:**  Superintendent of Schools

**Board Adopted: August 18, 2020**

**103.1 Title IX Federal Regulations** - The district will comply with this amendment and the rules and regulations associated therewith will prohibit discrimination on the basis of gender in school activities, programs, policies and employment practices.

## 104 Organization of Board

**104.1 Board Members and Terms** - The Board of Education of the Estancia Municipal Schools shall consist of five members serving terms of four years.

**104.2 Election of Board Members** - The will of the people of the school district is expressed at a regular election held on the first Tuesday of February of each odd-numbered year to elect members to the Board of Education.

**104.3 Filling of Board Vacancies** - Vacancies occurring in an un-expired term on the Board shall be filled in accordance with State laws.

**104.4 Election of Officers** - The officers of the Board of Education shall consist of a president, vice president, and secretary, all of whom shall hold office for one (1) year or until their successors are elected and have been qualified. For the purpose of organization of the board, the board shall at its first regular meeting in January administer the oath of office to newly elected members. The Board shall elect from its membership a president, vice-president, and secretary each January after all members have been sworn in.

The meeting shall be called to order by the president of the board for the preceding year. If that person is not a member of the board, a temporary president shall be elected and the meeting shall be called to order by the temporary president. The person calling the meeting to order shall preside until a successor is chosen.

The board shall use the following procedure to elect various officers:

The floor shall be opened to nominations for the office to be voted upon. At this time, the names of possible appointees shall be put forward by the members and debated. When the debate ends, the president shall call the roll of the members, and each member shall cast his vote. The votes shall not be tallied until all members have voted.

The nominee who receives the highest number of votes shall be appointed to the office of nomination.

The new president of the board shall take office upon election. Election for the vice-president shall then take place and following that the election of a secretary. Each officer shall take office upon election to that position.

Whenever there is a vacancy in a board office, the board shall elect a new officer to fill the vacancy for the unexpired officer term.

The board reserves the right to reorganize at any time the board votes in a majority to do so.

**Technical Revision Adopted: July 11, 2017**

**Revised and Adopted: March 10, 2020**

**104.5 Expenses for Board Members** As outlined in Senate Bill 345 (2021), each Board member who attends a board or committee meeting for less than four (4) hours or a virtual meeting of any duration during a single calendar day, shall receive a per diem of forty-five dollars (\$45). If the member physically attends a board or committee meeting for four (4) hours or more during a single calendar day, they shall receive a per diem of ninety-five dollars (\$95).

Board members shall be entitled to reimbursement for expenses incurred in fulfilling the duties of their office. Reimbursement amounts shall not exceed the maximum amounts established pursuant to 6.20.2.19 NMAC. A Board of Education member in accordance

with the Per Diem and Mileage act, shall be reimbursed at a rate of 80% of the internal revenue service standard mileage rate set January 1 of the previous year and actual expenses incurred for meals and lodging directly associated with their elected duties. This Policy does not prohibit a Board member from doing business with the school under the provisions of the law.

This policy will be reviewed annually by the Board, and a vote will be taken to determine individual Board member's intent to retain, or donate their per diem to a high school senior scholarship.

**Technical Revision Adopted: November 14, 2017**

**Technical Revision Adopted: August 9, 2021**

**Technical Revision Adopted: August 2, 2022**



## 105 Authority / Responsibilities

### 105.1

The Board of Education shall act as the general agent of the State in carrying out the will of the people of the district in the matter of public education. It shall be responsible for carrying out mandatory laws and shall consider and accept or reject the provisions of permissive laws.

In all cases where the State laws do not provide or prohibit specifically, the Board of Education shall consider itself the agent responsible for establishing and appraising all educational activities.

In order to best represent the will of the people of the district in the matter of public education and to meet the Board Member's Code of Ethics, School Board Members must "attend all scheduled board meetings insofar as possible." The Estancia Municipal School District Board of Education has established the expectation for Board Members to maintain at least an \*83% attendance rate (attendance at 10 out of 12 regularly scheduled Board Meetings). As stated in section 10-3-2, NMSA 1978, the Board may declare a position vacant by majority vote of the remaining Members any position of a Board Member who misses four consecutive regular Board meetings; further, if the Board Member misses six consecutive regular meetings, his/her position is automatically vacated.

Additionally, all School Board Members must receive a total of five (5) hours of annual training. (a) For newly elected or appointed local School Board Members who are in office for less than a year, they shall receive three of the five hours from attending a training course developed by the public education department (PED) and sponsored by the New Mexico School Boards Association (NMSBA). This course shall be offered no later than three months after a local School Board Election. The PED policies and procedures, statutory powers and duties of local boards, legal concepts pertaining to public schools, finance and budget. For the additional two hours of annual training these Board Members shall attend sessions sponsored by the NMSBA, approved by the PED. (b) For all existing local School Board Members, they shall attend five (5) hours of training sponsored by the NMSBA approved by the PED. (c) In order to be credited with attendance at these courses, each attendee must comply with written attendance procedures established by the PED. Estancia Municipal School District Board of Education policy hereby establishes the expectation for Board Members to attend meetings in person (as opposed to completing online courses) whenever possible to enhance Board collaboration and cohesion.

In all cases where the State laws do not provide or prohibit specifically, the Board of Education shall consider itself the agent responsible for establishing and appraising all educational activities.

\*Note: a 75% attendance rate = 9 out of 12 Meetings.

**Board Revision Adopted: September 17, 2019**

### 105.2

**Authority** - While the Board of Education is charged by law with the responsibility of providing educational opportunities for the children of its district and of directing those public-school activities, which the State entrusts to its care and supervision, a carefully planned pattern of authority is observed. In fulfilling its obligations, the Board has the power of legislation and determines policies based on that legislation and evaluates their results. The direct administration of the school system is delegated to the Superintendent of Schools. The Superintendent is held individually and directly responsible to the Board for the execution of all of its policies and for such other duties as may be assigned to him / her by the Board.

- 105.3**            **Retention and Delegation of Authority** - The Board of Education retains full legislative and judicial authority over the schools in accordance with school laws and the expressed will of the electorate, but it delegates all supervisory, disciplinary, and instructional authority to its employees. Legislative and judicial authority over school implies the power and the obligation to contract for services and materials, the power to employ a Superintendent and set the salary and examine and pass judgment on programs when such actions are deemed by the Board to be necessary.
- 105.5**            **Transaction of Business** - The Board of Education can transact business, which is legally binding on the District only when it is in regular or called meetings with a quorum present and its proceedings recorded in the minutes of the meeting.
- 105.6**            **Members and Terms**
- 105.6.1**        **Duties of the President** - It shall be the duty of the President to preside at all the meetings of the Board of Education, to appoint all committees whose appointments are not otherwise provided.
- 105.6.1**        **Duties of the Vice President** - The Vice President shall assume the duties of the presiding officer in the absence of the President.
- 105.6.2**        **Duties of the Secretary** - The Secretary of the Board shall attend all meetings of the Board and shall cause to be kept an accurate journal of its proceedings and shall see to the custody of the records, books and documents of the Board. In the event of the inability of the Secretary to attend, the President shall appoint one of the members present to assume secretarial duties for said meeting.

### **106 Powers and Duties of the Board**

- 106.1**        **Selection of a Superintendent** – (and support of him / her in the discharge of his / her duties) The Board of Education, at such times as it deems expedient, shall hire a Superintendent of Schools who will not serve as a member of said Board. The contract term will be from one to three years as the Board may choose. The Superintendent shall have administrative control of the public schools of the district and shall receive for his / her services such compensation as the Board may direct.
- 106.3**        Review and approve the annual budget as developed with the Superintendent. Determination, with the Superintendent, of the nature of the school calendar (including holidays, commencement dates, and preschool duties of personnel, and exceptions to the normal calendar.)
- 106.4**        Action, upon recommendations of the Superintendent, for additional sites, improvements, buildings, and determination of the means of financing such projects.
- 106.5**        Consideration periodically of reports of business transactions, and the financial status of the school system and its activities.
- 106.6**        Periodic review of reports concerning the instructional program in the schools and assist in shaping the philosophies, which govern it.
- 106.7**        Approval of bills for expenditures previously authorized and approved by the Superintendent.
- 106.8**        **Handling of Complaints by Board Members - Individuals** or groups often confront a single Board member with issues, which should be referred to the proper administrative authority for a satisfactory solution. Only in those cases where satisfactory adjustment cannot be made by the Superintendent shall communications and complaints be referred to the Board.
- 106.9**        **Self-Evaluation of School Board** - The Board shall meet as necessary, but at a minimum annually, for the purpose of evaluating its performance. The appraisal plan approved by the Board will be facilitated by the Board President working with the Superintendent. Evaluation instruments for Board operation may be used in the process. The Superintendent and others knowledgeable with the work of the Board may be asked to participate in all or part of the evaluation process. Areas of Board operations and relationships that may be appropriate to consider during the evaluation process may include, but are not limited to:
1. Board meetings/decision making process
  2. Policy development and implementation
  3. Board goal setting
  4. Curriculum and instruction
  5. Fiscal management
  6. School Plant planning
  7. Board member development and training
  8. Board officer performance
  9. Board member relationships
  10. Board-Superintendent relationships
  11. Board-community relations
  12. Legislative and governmental relations

**Board Adoption: October 10, 2017**

## 108 Board Meetings

- 108.1 Rules of Procedures** - In matters of procedure not covered by these policies, a modified version of Roberts Rules of Order Revised shall govern.
- 108.2 Open Meetings** -All meetings of a quorum of members of the Board held for the purpose of formulating school policy, discussing school business or for the purpose of taking any action within the authority of or the delegated authority of the School Board, are declared to be public meetings open to the public at all times, except as otherwise provided in the Statutes, or the provisions of the Open Meeting Act. An Open Meeting Resolution will be adopted annually.
- 108.3 Place of Meeting** - Unless otherwise specified, all Board meetings will be held in the Conference Room of the Administration Building.
- 108.4 Quorum for Transaction of Business** - Three members of the Board shall constitute a quorum for the transaction of business.
- 108.4.1 Telephone Conferences** - If otherwise allowed by law or rule of the public body, a member of a public body may participate in a meeting of the public body by means of a conference telephone or other similar communications equipment when it is otherwise difficult or impossible for the member to attend the meeting in person, provided that each member participating by conference telephone can be identified when speaking, all participants are able to hear each other at the same time and members of the public attending the meeting are able to hear any member of the public body who speaks during the meeting.
- 108.5 Presiding Officer** - The President of the Board shall preside at all meetings of the Board. In the event of the inability of the President to preside, the Vice President shall perform the duties of the President. In the absence of inability of both the President and Vice President to act, the remaining members shall select a member to act in that capacity.
- 108.6 Voting** - Each member's vote or failure to vote shall be recorded if voting is not unanimous or if the subject of the vote requires it. The President shall have a vote but need not exercise it. Should a vote on any motion end in a tie, the motion shall be defeated.
- 108.7 Order of Business** - A predetermined and outlined order of business shall be followed. Requests for topics to be placed on the printed agenda shall be in writing and submitted to the Superintendent. The deadline for such requests to be included on the printed agenda is two and one-half (2 1/2) Central Office working days prior to the Board Meeting. Visitors to Board Meetings may participate in that order of business upon invitation of the Board.
- 108.7.1 Public Participation at Board Meetings** - All regular and special meetings of the Board shall be open to the public. The Board invites the viewpoints of citizens throughout the District, and considers the responsible presentation of these viewpoints vital to the efficient operation of the District. Therefore, the Board will permit individuals to address the Board. The Board also recognizes its responsibility for the proper governance of the schools and therefore the need to conduct its business in an orderly and efficient manner. The Board therefore establishes the following procedures to receive input from citizens of the District:
- Any individual desiring to address the Board shall complete a form (Request to Address Board) and give this form to the President of the Board prior to the meeting begins before the Board Meeting is scheduled.

- The Board President shall be responsible for recognizing speakers, maintaining proper order, and adhering to any time limit set.
- The President shall set a time limit on the length of the comment period, not to exceed thirty (30) minutes. In order to ensure that each individual has an opportunity to address the Board, the President may also set a time limit for individual speakers based upon the length of the comment period or the number of requests received (example: five (5) minutes per speaker and no more than six (6) speakers).
- Questions of fact asked by the public shall, when appropriate, be answered by the President or referred to the Superintendent for reply. No action or discussion shall transpire among Board members regarding such questions or comments. Questions requiring investigation shall be referred to the Superintendent for later report to the Board. Questions or comments on matters that are currently under legal review will not receive a response.
- Public Comment will occur after the Administration Reports before Board Member Discussion.
- Public Comment will also be allowed in writing, with an option for a response.
- Estancia Municipal School District is characterized by a culture of mutual respect. As such, all business conducted at Board Meetings, including public comment, will be evidence of respectful interactions, even when disagreement may occur.
- Personal attacks upon Board members, staff personnel, or other persons in attendance or absent by individuals who address the Board are prohibited.
- Participants at Board Meetings who fail to follow the expectations as established will be asked to leave.

**Technical Revision and Adoption: August 2, 2022**

**108.8**            **Approved Minutes** - The approved minutes of the Board shall be the official record of the actions of the group.

**108.9**            **Meeting Minutes** - Minutes of the Board meetings will include the substance of the proposals considered and a record of any decisions and votes taken which show how each member voted. Draft minutes shall be prepared within ten (10) working days after the meeting. Minutes shall not become official until approved by the Board.

**108.10**          **Appointment and Election of Superintendent** - Consideration of the Superintendent for hire or rehire shall be made in January of the year in which his / her contract expires.

**108.10.1**        **Board of Education Evaluation of the Superintendent of Schools**

**I. Purpose Of The Evaluation**

The Superintendent and the Board of Education recognize the need to review the Superintendent's performance annually. This review will consist of quarterly formative discussions and review of progress towards established goals, and the completion of a summative written appraisal all of which will be review with the Superintendent in executive session.

The intent of the evaluation is to:

- A. Arrive at certain conclusions as to the “effectiveness” of the Superintendent in achieving the objectives of the district and his/her job description.
- B. Communicate those conclusions to the Superintendent providing counsel and direction to him/her.
- C. Enhance the working relationship between the Board of Education and the Superintendent.
- D. Promote the professional development and growth of the Superintendent.
- E. Guide decisions relative to continued employment and compensation.

## **II. Procedures**

### **A. Time:**

The quarterly formative discussions shall occur in March, June, and October annually. The annual summative evaluation shall be conducted in the month of January.

### **B. Methodology:**

- 1. The quarterly formative evaluation sessions shall occur in executive session.
- 2. Evaluation forms: the summative instrument, shall be given to Board members in December for consideration and review.
- 3. Board members will complete the instrument as individuals.
- 4. The Board of Education shall meet as a whole to review and discuss individual inputs. The board shall reach a consensus, and the Board president or designee will complete a summary document.
- 5. The Board of Education shall meet with the Superintendent in executive session to discuss the summary document and modify as appropriate.
- 6. The Superintendent and the Board president will sign the modified document as an indication that the document has been reviewed. A copy will be provided to the Superintendent.

**Board Adoption: September 12, 2017**

**Board Technical Revision Adopted: July 2, 2019**

**108.10.4** In addition, nothing in this section shall prohibit the Board from hiring a Superintendent at any time a vacancy occurs.

## **108.11 Regular Meetings**

**108.11.1** Regular meetings of the Board shall be on the second Tuesday of each month.

**108.11.2** **Notice for Regular Meetings** - The Board shall provide annual notice of meetings by:

- 1. A written notice posted on the official bulletin board located in the Superintendent’s Office
- 2. By written notice published on a school calendar distributed to the public; and
- 3. A legal advertisement in a newspaper of general circulation within the school district listing all Board Meeting Dates for the School Year.

**108.11.3** **Adjournment of Regular Meeting** - The Board may adjourn a regular meeting to a fixed time or to a fixed place for the completion of unfinished business, and upon reconvening, shall have the powers, which it had in regular session adjourned. The minutes shall make

a note of the adjournment and the reconvened session shall be considered an addition to the minutes of the meeting adjourned.

**108.12 Special Meetings**

**108.12.1** A special meeting may be called by giving notice to each member of the Board by personal contact, by telephone or by written delivery to the member at least 3 days in advance of the proposed meeting.

**108.12.2** **Notice for Special Meetings** - The Board shall provide notice of Special meetings by:

1. Posting a written notice of the meeting posted on the official bulletin board in the Superintendent's Office and the Post Office at least 3 days prior to such meeting; and/or
2. Verbal notice to a representative of a newspaper of general circulation in the District at least 3 days prior to such meeting if there has been a written request for such notice; or
3. Verbal announcement to be made at a prior regular meeting which must have been adjourned at least 24 hours prior to such meeting

**108.12.3** **Authority to Issue Call - Special** meetings of the Board are called by the President or by two or more members of the Board, or by the Superintendent in the absence or inability of the President.

**108.12.4** **Special Meeting Details** - A special meeting of the Board is called for a specific purpose to be identified in the call. Except by a majority agreement of the Board membership, no business other than that stated in the call may be considered at the special meeting.

**108.12.5** **Special Meeting in Lieu of Regular Meeting** - A special meeting may be used in lieu of a postponed regular meeting provided that it is held within fifteen (15) days of the date of the regular meeting and provided further that ample notification is given to all Board members that such a meeting is being held in lieu of a regular meeting.

**108.13 Emergency Meetings**

**108.13.1** An emergency meeting may be called by giving notice to each member of the Board by personal contact, by telephone, or by delivery to the member of a written notice at least 24 hours in advance of the proposed meeting unless threat of personal injury or property damage require less notice. If no such contact can be made with a member of the Board, such notice of an emergency meeting shall be given by written notice addressed to such member and delivered to his residence or place of business at least 24 hours prior to the time fixed for the meeting unless threat of personal injury or property damage require less notice for our Open Meeting notice.

**108.13.2** **Notice for Emergency Meetings** - The Board shall provide public notice of Emergency meetings by:

1. Written notice of the meeting posted on the official bulletin board in the Superintendent's Office at least 24 hours prior to such meeting unless threat of personal injury or property damage require less notice.
2. Verbal notice to a representative of a newspaper of general circulation in the District at least 24 hours prior to such meeting if there has been a written request for such notice; or

3. Verbal announcement to be made at a prior regular meeting, which must have been adjourned at least 24 hours prior to such meeting.
4. Unless threat of personal injury or property damage require less notice.

**108.14 Closed Meetings**

**108.14.1** All meetings of the Board of Education are open to the public except at such times when the Board chooses to go into a closed session by:

1. The decision made in an open meeting upon approval by a majority vote of a quorum of the Board. The authority for such closure shall be stated in the motion calling for a vote on a closed meeting. The vote is to be taken in an open meeting and the vote of each individual member is to be recorded in the minutes.
2. The decision made by announcement in an open meeting to have a closed session at the next regularly scheduled Board meeting or by posting a written notice on the official bulletin board in the Superintendent's Office at least three (3) days prior to such meeting. The provision of the law authorizing the closed session must be stated in the announcement or notice.
3. The provision of items 1 and 2 do not apply to closed meetings pertaining to threat of litigation or pending litigation in which the Board is or may become a participant.
4. The circumstances under which the Board may go into a closed session are:
  - a. Meetings pertaining to issuance, suspension, renewal or revocation of a license, unless a public hearing is requested by the licensee.
  - b. Meetings pertaining to Personnel Matters regarding the discussion of hiring, promotion, demotion, dismissal, assignment or resignation of or the investigation or consideration of complaints or charges against any individual public employee. Final actions on personnel must be taken at an open public meeting. An aggrieved public employee may demand a public hearing.
  - c. Meetings for the discussion of bargaining strategy prior to collective bargaining negotiations between the public body and a bargaining unit.
  - d. Meetings, which involve a decision concerning purchases in an amount exceeding \$2,500 that can be made only from one source. The actual approval of purchase of the item shall be made in an open meeting.
  - e. Meetings pertaining to threat of litigation or pending litigation in which the Board is or may become a participant.
  - f. Meetings for the discussion of the purchase or acquisition of real property or water rights by the public body.
  - g. The discussion of personally identifiable information about any student, unless the student, his parents or guardian requests otherwise.



### **109 Board / Superintendent Relationships**

- 109.1**        **Chief Executive Officer of the School** - The Superintendent shall be the Chief Executive Officer of the school system, and shall exercise general supervision over the system and all of its employees. All employees shall be directly responsible to the Superintendent.
- 109.3**        **Channels of Communication** - The Superintendent shall transmit all communications from the Board of Education to school employees as necessary, and shall transmit all pertinent communications from them to the Board of Education.
- 109.6**        Communications to the Board of Education from school employees must first pass through the approved chain of command, and then the Superintendent, who will transmit to the Board of Education.

### **110 Board Policy**

- 110.1** The Board shall make its own rules and regulations subject to the provisions of State law, and shall organize and maintain a school system as prescribed by these policies as amended.
- 110.2** **Propose Policy Changes** - The Superintendent shall propose the need for new policies to the Board of Education.
- 110.3** The Board of Education recognizes that it has the legal and final responsibility for the adoption of all policies. The best interest of public education will be served by encouraging an orderly method for the school staff to participate in the review and recommendations of school policies that affect employees and the instructional program of Estancia Municipal Schools. All recommendations shall be made through the Superintendent of Schools to the Board of Education.
- 110.4** These policies may be revised or amended by a majority vote of the membership of the Board at a regular meeting or a special meeting called for that purpose.
- 110.5** **Annual Revision** - Revisions or amendments to policies must be considered at least once each year and updated accordingly.

### **113 School Councils**

Here shall be an Elementary and Secondary School Advisory Council composed of parents, teachers, and community members, chaired by the principal, to provide advice and counsel on instructional issues, curricula, budget, and develop creative ways to involve parents in the schools. Where appropriate, the Council may also coordinate with any existing work force development boards or vocational education advisory councils to connect students and school academic programs to business resources and opportunities. Members of the Council will serve as the champions for the students in building community support for schools and encouraging greater community participation in the public schools (NM Stat § 22-5-16 (2021)).

Membership composition of the Council will be a minimum of two parents and no more than seven parents, two teachers and no more than seven teachers, a minimum of one member of the business community (not to exceed the number of parents on the committee) and the principal of the school. There must be an equal number of parents and school staff on each committee. Employees of the district will always be considered as staff, and not parents, for the consideration of the Council. The only permanent member of the committee will be the principal; all other members will serve for a period of at least two school years.

Selection to the committee shall be determined by having individuals fill out an application, which shall include a brief paragraph declaring the applicant's interest in serving on the council. Principals will notify parents of the window to apply to become a member of the School Council at the beginning of April using school newsletters, robo-calls, email, and postings in the community. Applications must be submitted to the school principal by May 1st of each school year. Should the district receive more than seven potential parent candidates, an election will be held whereby parents may vote for candidates (either in person or virtually); the seven candidates receiving the most votes will be those selected for the School Council. The Principal shall select a community member for their School Council.

Each council will meet at least once each quarter during the year, and more often as needed. Any council member who is absent for two consecutive meetings will be removed and an alternate selected. A notice of meeting dates and times must be posted in the school, local Post Office, and at least one business place and advertised at least two days prior to the scheduled meeting. Information about meetings will be disseminated and published in school newsletters, in special announcements sent home to parents prior to each scheduled meeting, and on the school website. Principals will report to the Board at each regularly scheduled meeting, as an agenda item, on the activities of the Council.

**Board Technical Revision and Adoption: October 09, 2012**

**Board Technical Review and Adoption: May 17, 2022**

**Board Technical Review and Adoption: June 13, 2022**

## 114 Employee – Employer Relations

### **114.1 Safeguarding Employees:**

1. The district will provide employees with as safe a working environment as can be reasonably planned. When working within the scope of their duties, employees who are subjected to assault, battery, physical confrontation or resulting physical or mental injury or property damage will be afforded assistance.
2. The Board recognizes that it is impossible to guarantee the absolute safety of its employees from assaults, battery or physical or mental injury resulting from confrontations with parents, students, or other persons or loss or injury to property in connection with their work. The Board will make available to employees selected programs in support of employee wellbeing.

### **114.2 Programs For Protection Of Employees:** The Board provides or will make available to its employees the following programs:

1. Counseling services by a licensed counselor hired by the District.
2. Security services as provided by the District Security Office or local law enforcement agencies.
3. Referral assistance to outside agencies, organizations or individuals upon the written request of an employee to the Central Office.
4. Worker's Compensation Insurance coverage pursuant to New Mexico Statutes.

## 115 Superintendent

### **115.3 Duties / Authority**

- 115.3.1 Attends the Board Meetings** - Except when his / her own salary or rehire is being considered, the Superintendent shall attend all meetings of the Board and keep the Board informed of conditions of the schools under his/her supervision.
- 115.3.3** The Superintendent will inform the Board of the assignment of all employees annually at the July meeting of the Board, and report any changes or reassignments at the next regularly scheduled board meeting.
- 115.3.4 May Require Reports** - The Superintendent shall have the authority to require reports from all employees as desired from time to time.
- 115.3.5 Professional Growth** - The Superintendent shall be charged with the responsibility for making available professional improvement opportunities for the staff. With the aid of principals and directors, the Superintendent shall cause to be provided appropriate educational courses, seminars, and other such materials and opportunities designed to improve the instructional program.
- 115.3.6 Recommends Salary Schedule** - The Superintendent shall recommend a schedule of salaries to the Board for consideration.
- 115.3.7 Leadership in Curriculum Improvement** - The Superintendent shall direct studies to determine the adequacy of the curriculum and inform the Board of such findings, recommending to them additions and deletions in the program, which are designed to strengthen it.
- 115.3.9 Business Agent for Board** - The Superintendent shall receive communications relative to school affairs and consult with individuals having business with the Board of Education. The Superintendent is the legal agent of the Board of Education and shall be the purchasing agent of the Board and shall have authority to purchase supplies and equipment under regulations of the Board, subject to final ratification by the Board.
- 115.3.10 Operation and Maintenance of Schools** - The Superintendent shall have charge of the operation and the maintenance of the buildings and equipment of the schools.
- 115.3.11 Preparation of Budget** - The Superintendent shall prepare the budget annually for the consideration of the Board. The Superintendent shall administer the budget as enacted by the Board, acting at all times in accordance with legal requirements and adopted policies and practices of the Board.
- 115.3.12 Propose Policy Changes** - The Superintendent shall propose the need for new policies to the Board of Education.
- 115.3.13 Rules and Regulations** - The Superintendent shall make rules and regulations in harmony with Board policy and also in regard to routine matters, which have not been specifically enumerated by the Board of Education.
- 115.3.14 School Building Consultant** - As new buildings are to be erected or old ones remodeled or discontinued in use, the Superintendent shall be responsible for carefully studying the needs of the schools and for recommending to the Board of Education plans adequate for meeting those needs. The Superintendent shall assist the architect employed by the Board of Education in drafting plans and specifications for construction work.

- 115.3.15 Master Plan Coordination** - In making plans for buildings, the Superintendent shall make the plans a part of the master capital development plan of the Board of Education, and shall include in this master capital development plan needs involving land options and acquisitions, new equipment and replacement of obsolete equipment, remodeling, landscaping, and other subjects peculiar to capital outlay of a school district.
- 115.3.16 Substitute Teachers** - The Superintendent shall employ and assign, or cause to be assigned, substitute teachers as the need arises.
- 115.3.17 Emergency Authority** - The Superintendent shall perform such duties as the Board of Education may require, but in the absence of specific rules or advice of the Board of Education, shall assume authority or perform any duty, which any particular unforeseen situation may demand, subject to later justification of such action to the Board of Education.
- 115.3.18 School-Community Relationships** - It shall be the responsibility of the Superintendent to interpret the philosophy and objectives of the educational program of the schools to the community. The Superintendent shall encourage cooperative endeavors between the school and the community it represents, and shall foster a spirit of involvement by school patrons in the activities of the schools.
- 115.3.19 Appraisal of Teaching** - It shall be the duty of the Superintendent and administrative staff to appraise or evaluate effectiveness of the instructional staff.
- 115.3.20 Custodian of Records** - The Superintendent shall serve as the Custodian of Records for the District. The Superintendent shall receive all Inspection of Public Records (IPRA) requests, shall delegate the collection of documents as necessary, and shall review all documents prior to a response.
- 115.3.21 Delegation of Authority** - When any work is required of the Superintendent, the work by any officer or employee to whom the responsibility has been delegated in the regular course of duty or by the direction of the Superintendent, shall be answerable for the results of the work except for such matters which by statute or by terms of the Board of Education policy or resolution or regulation of the Board of Education, cannot be delegated.

**Board Technical Review and Adoption: June 13, 2022**

## 116 Administrative Organization

### **116.2 Boundary Lines and School Organization**

**116.2.1** The Estancia Municipal Schools are maintained for all children of legal age who reside within the school district.

**116.2.2** The Board of Education shall determine the boundary lines for attendance districts and shall specify conditions under which attendance at specific schools may be allowed.

**116.2.3** The school system shall consist of the following organization units:

- 2.3.1 Lower Elementary School
- 2.3.2 Van Stone Elementary School
- 2.3.3 Upper Elementary School
- 2.3.4 Middle School
- 2.3.5 High School

**Technical Revision Adopted: June 13, 2017**

### **116.3 Principals**

**116.3.1 Line of Authority** - Principals shall be directly responsible to the Superintendent of Schools. Principals will perform any duties assigned by the Superintendent pursuant to local Board policies.

**116.3.2 Administrative Function** - Principals shall be responsible for the administration of their respective buildings and instructional programs and shall enforce the policies and regulations of the Board of Education and the Superintendent, and shall have authority to call upon all certified and non-certified personnel to meet this objective. The principal will assume administrative responsibility and instructional leadership, under the supervision of the Superintendent, with regard to the discipline of students, and the planning, operation, supervision and evaluation of the educational program of the assigned school.

#### **116.3.3 Principal Duties**

**116.3.1 Adherence to Board of Education Policy.** It shall be the duty of the Principal to keep informed concerning the rules, policies, and regulations of the Board of Education, and he / she shall adhere to them without exception.

**116.3.2 Responsibility.** Principals shall be fully responsible for decisions made in their respective buildings.

**116.3.3 Instructional Leader.** The Principal is expected to be the instructional leader of the school, and shall be responsible for recommending to the Superintendent improvements in the instructional program. Principals shall meet with the Superintendent in conference as required for this purpose. Principals must keep accurate records to supervise all academic and non-academic activities placed under their jurisdiction.

**116.3.4 Grounds and Buildings.** Each Principal shall establish rules for providing proper order in the buildings and on the grounds. Principals shall be responsible for informing proper authorities of maintenance and repair needs in their schools.

**116.3.5 Opening of Buildings for Pupils.** Principals shall cause the buildings of their school to be open for students at times compatible to the educational program of the school.

- 116.3.6 Promotion of Health and Safety.** Principals shall consider it an important phase of their work to promote health and safety education. They shall also conform to fire regulations in accordance with State law.
- 116.3.7 Supervision of Records.** The Principal shall examine all class records and registers, grade sheets, test records, etc., giving such directions as will insure their being kept in a proper manner.
- 116.3.8 Report of Teacher's Work.** The Principal shall be responsible for the supervision of the instructional program, especially the classroom supervision of the teachers. The Principal shall submit upon specific request a written report to the Superintendent on the status of each teacher relative to achievement, performance, and fitness for the position held. The Principal shall submit recommendations to the Superintendent concerning evaluation, promotion, transfer, and dismissal of all assigned personnel.
- 116.3.10 Suspension of Students.** The Building Principal shall have the authority to suspend students for cause. Rules, regulations and due process procedures are adopted and designed to protect all members of the educational community in the exercise of their rights and duties.
- 116.3.11 Truancy.** The Principal shall be responsible for enforcing attendance of students and shall be empowered to take any action deemed necessary to insure regular attendance on the part of students.
- 116.3.12 Agents and Salesmen.** The Principal shall not permit any of the time of school employees to be occupied by solicitors or agents while school is in session. No tickets shall be sold or offered for sale, and no meetings or entertainment shall be given in the school or on or about the school premises without the Principal's permission.
- 116.3.13 Removal of School Property.** Temporary removal of school furniture or equipment from a building shall be accomplished only on the authorization of the Principal of the building or the Superintendent.
- 116.3.14 Personnel Hiring.** Whenever possible, the Principal shall be consulted prior to the employment or assignment of any person to be placed under their supervision.
- 116.4 Student Services Director**
- Line of Authority.** The Student Services Director shall be directly responsible to the Superintendent. It shall be the duty of the Student Services Director to keep informed concerning the state and federal regulations and to provide leadership in the coordination of all student services activities. The director will oversee and supervise all staff assigned to the program and coordinate with all agencies that provide contract educational and diagnostic services to the district.
- 116.5 Athletic/ Activities Coordinator**
- 116.5.1 Line of Authority.** The Athletic/Activities Coordinator shall be directly responsible to the High School Principal. It shall be the duty of the Coordinator to keep informed concerning the rules, policies and regulations of the New Mexico Activities Association and all associated local policies and procedures, and adhere to them without exception. The Coordinator will approve and coordinate all student activities fund raising and scheduling of events across the district. The Coordinator will perform any duties assigned by the Principal pursuant to the Coordinator's job description.



**Technical Revision Adopted: July 08, 2008**  
**Technical Revision Adopted: October 09, 2007**

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**Succession of Authority**

1. The Assistant Superintendent shall be directly responsible to the Superintendent of Schools, and will perform any duties assigned by the Superintendent pursuant to local Board Policies.
2. Principals shall be directly responsible to the Superintendent of Schools. Principals will perform any duties assigned by the Superintendent pursuant to local Board policies.
3. The Student Services Director shall be directly responsible to the Superintendent.
4. The Athletic/Activities Coordinator shall be directly responsible to the High School Principal. The Coordinator will perform any duties assigned to him / her by the Principal pursuant to the job description.
5. Teachers, support staff and secretaries shall be directly responsible to the immediate supervisor of their respective programs. They shall promptly and consistently carry out the instructions of their Supervisor.

**Technical Revision Adopted: July 08, 2008**  
**Technical Revision Adopted: October 09, 2007**

**117 Implementation of Board Policy**

**117.1**

**Adherence to Policies and Regulations** - It shall be the duty of each staff member to keep informed of rules, policies, and regulations of the Board of Education, the Superintendent, and immediate supervisors and to adhere to them without exception. Staff are expected to be tactful and reasonably prudent in their official duties and should understand that actions considered offensive to the tenor and mores of the community served by the school do not have to be prohibited specifically by rule, regulation, or policy to violate the provisions of this section.

### **118 Administrative Reports**

- 118.1** The District will publish an Annual School District Accountability Report, which will provide district-wide data for the previous school year in compliance with NMSA 22-2C-11.