

ESTANCIA MUNICIPAL SCHOOLS

Policy Manual Index

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606 Visitors to School

606.1 Parent / Guardian Permission - A student shall not be permitted to see persons other than parent, guardian, or duly authorized person in the absence of specific permission of parents or guardians.

606.2 Visitors to the School – School patrons and parents are encouraged to visit the school system. All visitors shall request permission for such visits through the office of each school unit.

All visitors will be required to present a legal, photo ID; must sign into the visitor log. Which communicates their purpose for visiting and the classroom to be visited; receive a visitor badge which must be visible at all times while on campus; refrain from visiting areas other than the classroom noted; and sign out in the visitor log before leaving campus. The visitor will only be given a visitor badge and be allowed to proceed from the office if the visit is approved, and does not interfere with instruction. As a reminder, visitors are encouraged to schedule appointments in advance whenever possible.

When a visit entails a conference with a staff member, it should be so arranged as to avoid interrupting scheduled classes. All visitors to a school campus must report to the appropriate school official.

The Principal shall have complete authority to exclude from the school premises any person whom he/she has reason to believe are disrupting the teachers, the staff or the students on the school premises or whom the Principal has reason to believe are on the premises for committing an illegal act. The Superintendent shall be notified as soon as possible of the exclusion.

Additionally, the Principal shall submit a written explanation for excluding person(s) from the school premises within 3 scheduled work days. The explanation shall be submitted to the Office of the Superintendent.

Board Technical Revision and Adoption: March 11, 2008
Board Technical Revision and Adoption: September 11, 2018
Board Technical Revision and Adoption: September 17, 2019

606.2.1 Public Conduct on School Property – The Restrictions on public conduct on school property and at school functions contained in this policy are not intended to limit freedom of speech or peaceful assembly. The district recognizes that free inquiry and free expression are indispensable to the goals of a free society. The purpose of this policy is to maintain public order and prevent abuse of the rights of others.

Disruptive Conduct – Persons present on school property shall not disrupt or interfere with educational activities and operations, including any extra-curricular or school-sponsored activities. Administrators and or designees may direct persons who have engage in such conduct to leave school property, may request the assistance of law enforcement officials and may impose conditions or a total ban upon the individual’s future presence on school property.

An individual commits interference with or disruption of an educational institution by engaging in any of the following activities;

1. Making threats of physical injury; making profane, obscene or harassing remarks or demonstrating aggressive behavior towards an employee or student of a school or guest, or the property of an employee, student or guest of the school.
2. Physical or verbal abuse or threat of harm to any person on property owned or controlled by the district or supervised functions, home or away, sponsored by

- the district.
3. Use of speech or language that is offensive or inappropriate to the public-school educational environment and/or school sponsored events, at home or away.
 4. Threatening to damage district property.
 5. Remaining on the property of a school district which results in interference with the lawful use of the property to others.
 6. Refusing to follow or obey a lawful order given by the Superintendent or his/her designee designed to maintain order.
 7. Attempting to serve legal documents in areas other than the designated location (see Policy 606.2.2).

PERSONS WHO ENGAGE IN DISORDERLY CONDUCT OF ANY KIND MAY BE SUBJECT TO REMOVAL FROM THE FACILITY OR EVENT AND MAY BE BANNED FROM DISTRICT EVENTS FOR UP TO 365 DAYS.

An individual who interferes with or disrupts an educational institution is committing a misdemeanor or felony and is subject to charges being filed and fines assessed.

The Board direct the Superintendent or his/her designee to develop and maintain a Code of Conduct for Spectators at District Sponsored Events for inclusion with the district's athletic handbook, parent/student handbook and posted on the district's website.

Board Adoption: April 9, 2019

606.2.2 Serving Legal Documents on Campus

Any and all legal documents (to include, but not limited to: subpoenas, custody documents, notice of intent to sue, restraining orders, etc.) must be served to the designee/s at Central Office. For purposes of this policy, any Central Office staff available may sign for the documents. Documents will be reviewed, and forwarded to the appropriate party/ies within a timely manner; every attempt will be made to serve the documents within 24 hours.

606.3 Visitors to the School Requiring Background Checks – Parents and school patrons who are attending school events, festivals, classroom meetings, parent/teacher conferences, parties, and competitions are encouraged to come and be a part of their students' education and our school community and will not require a background check.

A background check for visitors will be required under the following circumstances: A parent, guardian or school patron requires or requests an extended period of time for school visitation. Might allow the visitor unsupervised access to students other than their own.

This is required to assure student safety. The forms necessary for a background check and additional information may be obtained from the human resource office. There is an expense associated with the background check.

Board Adoption: October 9, 2018

606.4 Sex Offender Notification Act

It is the policy of the Board of Education to support the purposes of the Sex Offender Registration and Notification Act (New Mexico's version of ("Megan's Law")) by providing notification to parents and guardians of District students of the availability of public information concerning the presence of registered sex offenders residing within the District.

Accordingly, the superintendent of the District is to issue a directive to each building administrator to give notice to parents and guardians of District students at least once a year, preferably at the beginning of each school year, regarding the availability of the information.

606.5 Sex Offenders on School Property

Definitions:

For the purpose of this policy:

A sexual offender is defined in New Mexico Statutes Chapter 29:Article 11A:Section 29-11A-3 – Sex Offender Registration and Notification - Definitions.

A parent sexual offender is an individual who meets this policy’s definition of sexual offender and who has either parental or legal guardianship rights to a child attending the district school.

A nonparent sexual offender is an individual who meets this policy’s definition of sexual offender and who has no parental rights or legal guardianship rights to a child attending the district school.

School property includes all land within the perimeter of the school site and all school buildings, structures, facilities, computer networks and systems, and school vehicles, whether owned or leased by the school district, and the site of any school-sponsored activity.

1. Nonparent Sexual Offenders:

A nonparent sexual offender is prohibited from entering a district school except:

- a) When s/he is a qualified voter and is entering school property solely for the purpose of casting his/her vote. In this case, the individual will only be allowed in the voting facility, and will have no access to or interaction with students who may be on campus.
- b) To attend an open meeting as defined under the New Mexico Open Meetings Act. In this case, the individual will sign in as a guest at the Meeting, remain only in the Meeting area, and have no interaction with students who may be present (other than an immediate family member).

A nonparent sex offender who attempts to communicate electronically with a student while the student is logged into a district device will be considered on school property without permission and will be in violation of this policy.

2. Parent Sex Offenders:

Parent sexual offenders are prohibited from entering school property except for purposes outlined in section two parts a, b, and c of this policy and with the Principal’s prior approval in the following instances:

- a) To transport his/her child to and/or from school. The parent sex offender will only be permitted to transport his/her own child and must remain in their vehicle.
- b) To attend a conference to discuss his/her student’s progress, placement, or individual education plan (IEP).
- c) To attend a school event in which his/her student is performing.
- d) Under other circumstances on a case-by-case basis, as determined by the Superintendent.

A parent sex offender who attempts to communicate electronically with a student other than his/her child while the student is logged into a district device will be considered on school property without permission and will be in violation of this policy.

3. Student Sex Offenders:

The Superintendent shall determine the appropriate educational placement for student sex offenders except those identified as having a disability. When determining educational placement, the Superintendent shall consider such factors as the safety and health of the student population. The Superintendent shall develop guidelines for managing each student sex offender in district schools. If the Superintendent determines that, in the best interest of district schools, the student sex offender should be placed in an alternative educational setting, the district shall pay for the costs associated with this placement.

An IEP team shall determine the educational placement of a student sex offender with a disability. The student with a disability is entitled to all the due process procedures available to a student with a disability under the Individuals with Disabilities Education Act. The IEP team shall develop procedures for managing each student sex offender with a disability that attends a district school. If the IEP team determines that the

student sex offender should be placed in an alternative educational setting, the district shall pay for the costs associated with this placement, including transportation.

4. General Provisions:

Following are procedures detailing how and when a parent sex offender may be allowed on campus:

For a teacher or administrative conference, the parent sex offender will:

1. Call the campus principal and schedule a meeting before coming to the school;
2. Report immediately to the office upon arriving at school and obtain a visitor's badge, as required of all visitors to the school;
3. Be escorted by a school employee the entire time he/she is on campus;
4. Have no access to any commons area of the building, meaning cafeterias, auditoriums, breezeways, open areas for gathering on any campus, and so on;
5. Have no access to any classroom where students other than his or her child are present;
6. Not be allowed to utilize a cell phone or any electronic recording device while on school property;
7. not engage with students other than immediate family while on school property; and
8. Be escorted back to his/her vehicle by a school employee at the conclusion of the visit.

When dropping off or picking up a child to or from school outside of the normal drop off/pick up times, the parent sex offender will:

1. Call the campus principal and schedule the time of drop off or pick up;
2. Buzz the school for entrance at the appointed time and identify him/herself;
3. Be accompanied in and out of the office after the child has been dropped off or picked up.

Before attending any before or after school or extra-curricular event the person will:

1. Call the campus principal and state his or her intent to attend the event, no later than 24 hours before the start of the event;
2. Sign in at a place designated by the campus principal upon arrival at the event;
3. Remain at the site of the event with the designated school employee;
4. Sign out at a place designated by the campus principal before departing the event; and
5. Be escorted to his or her vehicle by a school employee at the time of the departure from the event.

The only exceptions to these requirements are when the Superintendent grants permission to a parent sex offender to transport his/her child. In this case, the parent sex offender may not exit the school vehicle, but will drop off/pick up the student in the designated drop off/pick up zone.

Any person subject to these procedures is also prohibited from working as a volunteer for the District, including but not limited to volunteering in a classroom or for school related activities such as athletics and/or clubs.

The Superintendent shall establish a system for identifying sexual offenders and will inform known sexual offenders of this policy. Lack of notification does not excuse sexual offenders from abiding by the requirement and prohibitions in this policy.

The Superintendent will contact law enforcement anytime a sexual offender violates this policy and will immediately revoke any privileges granted to the sexual offender under this policy.

Adopted July 12, 2021

609 Use of School Facilities

609.1 **Legal Status of Buildings** - The Board of Education shall have supervision and control of all sites, buildings, equipment, and funds of the School District.

609.2 **Regulations on the Use of School Buildings** - School buildings represent a tremendous investment and are used extensively. It is the desire of the Board of Education to get maximum use of all facilities without interference with the regular school program. To this end, the Board finds it necessary to seek compliance with all regulations in the use of school buildings.

609.3 **Application for Use** - Organizations wishing to schedule use of school facilities will make application to the Superintendent or the Principal of the Building.

609.4 **Fees for Use** - A \$150.00 deposit will be collected at the time the facility is reserved. If the facility is left in clean condition with no damage, the deposit will be returned at the end of the facility use. If damage occurs, the authorized user will assume full cost of the repair and may be suspended from future use.

609.5 **Approved Applicants** - In order to be considered, an applicant must be an organization, nonprofit in nature, whose goal is educational or who provides community service. Political meetings which are open to all are considered to be within the general scope as outlined, but religious activities are not unless it can be shown that a community service would be provided. No requests from individuals or from organizations within the realm of private enterprise will be granted except by special dispensation of the Board of Education.

609.6 **Supervision** - Organizations using the buildings and facilities must have the supervision of an adequate number of adult sponsors to assure proper care and use of school property.

Board Technical Revision and Adoption: July 8, 2014
Board Technical Revision and Adoption: July 11, 2022

609.7 **Tobacco, Alcohol, and Drug Use, Possession, or Distribution** - In compliance with State Federal regulations, the Estancia Municipal School Campus is designated as a Drug-Free and Tobacco Free Campus (to include vaping products, e-cigarettes, and nicotine liquid containers). No liquor, marijuana or marijuana-based (THC) products, mood-altering substances or non-prescription drugs are to be consumed, possessed, or distributed on school premises.

Board Technical Revision and Adoption: July 8, 2014
Board Technical Revision and Adoption: August 14, 2018

609.8 **Moving and Adjusting Furniture and Equipment** - Moving and adjusting furniture,

operating dishwasher, hanging special decorations, operation of public address systems, and similar matters must be accomplished under the direction of an employee of the schools.

609.9 Non-School Property Removal - All property not belonging to the school system is to be removed from the school premises immediately after use.

613 Relations with Other Agencies

613.1 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. He / She 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.

613.2 Cooperation Between Law Enforcement Agencies and Estancia Municipal Schools

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

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

613.2.1 Official Contact with Students in Schools

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

613.2.2 Administrative Monitoring of Contact with Students

613.2.2.1 After completion of the Verification, Documentation, and Parental Notification Procedures, and upon Administrative Authorization, as described in this policy, a law enforcement officer may conduct an investigation within the school building and upon school grounds and interview students as possible witnesses in the principal's office or other administrative office.

Board Technical Revision and Adoption: March 11, 2008

614 Rights of Custodial and Non-custodial Parents

The School District will follow the Family Educational Rights and Privacy Act (FERPA), 20 USC § 1232g and its implementing regulations, 34 CFR Part 99, an educational agency is mandated to "give full rights under the Act to either parent, unless the agency . . . has been provided with evidence that there is a Court order, State statute, or legally binding document relating to such matters as divorce, separation, or custody that specifically revokes these rights." 34 CFR § 99.4

- 614.1.1** Thus, either natural parent is entitled to review student records without consent from the other parent or the student so long as the non-custodial parent retains parental rights over the student (as is common in joint custody situations) and the divorce decree does not specifically designate one parent as the exclusive individual for making educational decisions about the child.

- 614.1.2** Where a divorce decree expressly grants sole and exclusive legal and physical custody of a student to one of the parents, or where the decree expressly limits the other parent's right to review student records, or to have any input into educational matters, the non-custodial parent may have the right to review student records or may be denied by school officials according to the decree.

- 614.1.3** A request by a non-custodial parent to visit with students at school should also be governed by the terms of the divorce decree. In the event the divorce decree grants specific visitation rights to the non-custodial parent, for instance, during every other weekend from 5:00 p.m. on Friday through 6:00 p.m. on Sunday, and the like, an attempt by the non-custodial parent to visit with the children at school violates the terms of such visitation rights as set out by the Court. In the event the divorce decree is not specific as to the times of the non-custodial parent's visitation, but the custodial parent has directed that the School District not allow the non-custodial parent to visit with the children at school, the building administrator will comply with the custodial parent's request.

- 614.1.4** The principal or other authorized administrator should advise the non-custodial parent to seek a modification of the divorce decree to spell out the right to visit with the children at school, rather than becoming involved in custody disputes.

- 614.1.5** If the parents persist in making demands contrary to the terms of a divorce decree, they should simply be referred back to their own attorneys to seek a modification to the decree. Confrontations or abusive use of the telephone by non-custodial parents may violate provisions of the Criminal Code if it interferes with the orderly conduct of school or administrative operations.

Board Revision and Adoption: March 11, 2008

615 Dismissal of Schools

When it is necessary to close school or delay school due to inclement weather, school closure will be announced on KOB-AM Radio Station (770AM). Announcements of school closure or a delayed school schedule may be on Channel 4 or other TV stations but will always be announced over KOB (770AM) Radio.

615.1 **Delay School Days** - On delayed school days, classes will begin at 10:00 AM. This will be announced as a two (2) hour delay.

615.1.1 The breakfast program will be canceled on delayed school days.

615.1.2 For students riding the bus, the individual bus drivers will try to notify students of their arrival time. If students do not hear from the driver, the bus will be delayed approximately by 1 to 1 1/2 hours depending on the different road conditions in the school boundary area.

615.2 **Early Release Days** - When early release becomes necessary, school will be dismissed at 1:00 PM. Buses will run at 1:02 PM.

615.2.1 Depending upon the weather, mountain buses may run earlier. It will be necessary for parents to have a plan for early pick-up of students at bus stops.

615.2.2 IF BUSES ARE UNABLE TO RUN IN YOUR PARTICULAR AREA AND SCHOOL IS OPEN, YOUR CHILD WILL RECEIVE AN EXCUSED ABSENCE.

Note: PLEASE DO NOT CONFUSE THE ESTANCIA PUBLIC SCHOOL DISTRICT WITH THE ESTANCIA HEAD START. THE ESTANCIA HEAD START IS COMPLETELY SEPARATE FROM ESTANCIA PUBLIC SCHOOL.

Board Revision and Adoption: March 11, 2008

616 Classroom/Activity Volunteer/Chaperone Requirements

616

Volunteers can make many valuable contributions to the students and educational programs of the District. A volunteer program is approved subject to suitable rules, safeguards, and regulations as developed by the Superintendent.

In order to protect the safety and security of children and school staff, any volunteer given access to students without the presence (line of site view) of a licensed staff member shall have a background and criminal history check, with the results received prior to allowing the volunteer such access. The volunteer is required to pay the cost of obtaining background check; however, after volunteering for ten hours, the volunteer may submit for reimbursement of the background check from the district. Volunteer applicants must submit to a fingerprint background investigation by completing an application form and background consent form in accord with current District policy. Chaperones for overnight trips will be considered “regular volunteer” and will require a fingerprint background check *prior to attending the event*.

Volunteers are to be made aware of and comply with all District policies and procedures relevant to the performance of volunteer duties including but not limited to conduct, privacy, discipline, supervision and ethics. Each volunteer will be provided with a job description of duties, time requirements and qualifications, and be provided training, supervision and evaluation according to NMAC 6.50.18.

This policy shall not apply to:

- adults who visit a school but have no ongoing individualized interaction with a student or students, including, but not limited to, adults who have been invited to speak to a class or assembly, to judge academic competitions, to give a musical performance, or to participate in a sponsored program;
- a parent or legal guardian who is accompanying his or her child's class on a one (1)-day field trip or on another type of occasional extra-curricular activity that does not involve an overnight stay.

Adopted September 15, 2022