



2021-2022

**CLOVIS MUNICIPAL SCHOOLS  
EMPLOYEE HANDBOOK**

## CMS EMPLOYEE HANDBOOK SECTION 1: *Compensation*

### 1. Direct Deposit

All employees are encouraged to use direct deposit. Forms may be obtained from the Employee Services Department. If you need assistance in setting up direct deposit or have extenuating circumstances regarding direct deposit, please contact the Employee Services Department.

### 2. Payroll Information

Payday will generally be the 15<sup>th</sup> and 30<sup>th</sup> of each month. If the date falls on a weekend, payday will be the previous workday. Paycheck/check stubs can be printed through Skyward Access. If an employee notices an error with their paycheck amount or deductions, the employee must report the error to the Payroll Clerk as soon as possible so corrections can be made.

Salaries shall be paid in twenty-four (24) payment periods. For employees who do not work year-round, paychecks for June, July, and August will be paid on June 30. Twelve (12) month employees will receive paychecks on the 15<sup>th</sup> and 30<sup>th</sup> of each month. Contract length will determine each employee's initial payday in each fiscal year.

The District is required by law to make certain deductions from your paycheck. Deductions include federal and state taxes, Social Security, Medicare, New Mexico Educators Retirement, and Retiree Health Care. These and other employee-elected deductions are noted on your paycheck stub. Employees are encouraged to review their pay stubs carefully on the first payday of the school year and the calendar year for possible errors.

### 3. Fair Labor Standards Act (FLSA) Exempt and Nonexempt Employees

Employee Designation: The terms "exempt" or "non-exempt" refer to whether or not the employee is exempt from being paid overtime when they work more than 40 hours per week. "Non-exempt" employees include hourly clerical, child nutrition, maintenance, custodial, and educational assistant staff. If these employees work more than 40 hours in a workweek, they must be compensated for the additional hours at one & one-half times their regular hourly rate. "Exempt" employees include administrators, ancillary staff, certified professionals, and specialized staff members. These exempt employees do not receive overtime compensation.

### 4. Overtime Pay

Before an employee works beyond 40 hours in a workweek (36.15 hours for EAs), a supervisor must give permission in advance. Working overtime without permission may be considered misconduct.

### 5. Time Cards/TrueTime

All non-exempt employees must maintain a timecard in the Skyward TrueTime module, which **accurately reflects time worked**, leave time earned and used, holidays, and breaks of more than 15 minutes. Employees may only check-in at their assigned duty site or site approved by their supervisor. If an employee is absent, a time off request must be submitted to the supervisor as soon as practical upon return to work.

Employees must submit a TrueTime record to their supervisor on Monday morning, for the previous workweek. Supervisors must review and approve TrueTime no later than Monday afternoon. It is critical all nonexempt employees maintain a TrueTime record as required by law. Failure to do so may result in disciplinary action and/or possible legal action.

### 6. Resignation/Leaving the District

Any staff member who resigns from the District must give adequate notice and complete the necessary

paperwork, submit satisfactory payment for outstanding debts owed to the District, and return all district property. Failure to do so may result in adjustments in compensation, which may be owed to the employee by the District.

## **7. Retirement**

The Educational Retirement Act (ERA) requires mandatory participation. New Mexico Educational Retirement Board (NMERB) retirees who work .25 FTE or less or earn less than \$15,000 per year are excluded. Additionally, short term substitutes, employees that work less than .25 FTE, and students are excluded. Employees contribute a percentage of their total earnings as established by the New Mexico Legislature. Employee contributions are refunded without interest on deposits prior to July 1, 1971, and with interest on deposits after July 1, 1971, to those who leave employment covered under the New Mexico Retirement Act.

Refunds are not automatic; forms for a refund of employee contributions are available in the Benefits Clerk's Office located in the District Administration Office. Employee contributions to the Retirement Act are deferred from income tax. Federal regulations require a 20% federal tax withholding. When the employee contributions are refunded, they will be subject to taxation in the year refunded. Requested refunds will be processed at the end of the quarter in which the employee terminates. Contact the Benefits Clerk at the District Administration Building for additional information.

## **8. Salary Schedule**

A minimum of ninety-one (91) cumulative days shall be counted as a full year's experience in the District.

## **9. Certified Staff**

Each teacher/licensed staff member will be responsible for verification of his/her teaching experience in other school systems. All verification of experience must be in the Employee Services Department by October 1 to be reflected in that year's salary. Experience verification forms are available in the Employee Services Department. Also, an employee must complete a form for hours earned above his/her degree for pay purposes prior to October 1 in order for those hours to be reflected in that year's salary. Forms are available in the Employee Services Department.

All college or university credit must have been earned at a college or university regionally accredited or approved by the New Mexico State Board of Education. The Employee Services Department must receive official transcripts or National Board Certification credentials by October 1 to be reflected in that year's salary.

Daily rates are computed on the number of contract days that are indicated on the related salary schedule.

Salary schedules and individual information may be obtained from the Employee Services or Finance Departments. The CMS Salary Schedules are posted on the District's website under the Employee Services Department.

## **10. Non-Certified Staff**

Individual salary schedules can be obtained from the District's website, your supervisor, and the Finance or Employee Services Departments.

## **11. Travel**

The Board will reimburse employees for expenses incurred for travel in connection with school business. Such travel is to be approved by the supervisor and the Deputy Superintendent of Finance.

Employees, who are assigned to more than one building and/or must travel during the school day, will be

paid a stipend based on mileage in an amount established by the Board. Employees traveling out of town for business must complete a Travel Reimbursement Request Form for Out-of-District Travel in order to be reimbursed. If you are requesting reimbursement of actual expenses, you must provide receipts for all expenses. You must have prior approval from the Executive Coordinator of Custodial and Transportation to be reimbursed for the use of a personal vehicle when travel is outside the District.

## **12. Unemployment Compensation**

Clovis Municipal Schools has New Mexico Unemployment Compensation Act coverage. The cost of the coverage is borne entirely by the District. The Employment Services Division determines eligibility based on the circumstances of each case and the provisions of the Unemployment Compensation Act.

It is the responsibility of each supervisor to notify the Deputy Superintendent of Employee Services for each case of employee separation. The Employment Security Division allows the District a maximum of ten (10) days to respond to an unemployment claim. It is the supervisor's responsibility to ensure all data (letters of resignation, discharge notes, letters from the Employment Services Division) is immediately transmitted to the Employee Services Department.

## **CMS EMPLOYEE HANDBOOK SECTION 2: *Benefits***

### **Activity Tickets**

All contracted employees will be issued a CMS Employee Badge, which will also serve as a staff activity ticket. The employee badge allows admission to school-sponsored events for the staff member and immediate family members (e.g., spouse and children living in the home). Staff must be in attendance with family members in order for the Employee Badge to serve as an activity ticket. Employee Badges cannot be used as activity tickets to acquire admission to district games. Regulations concerning eligibility for staff activity tickets may be subject to change.

### **School Cafeteria Availability**

All employees are invited to eat in the school cafeteria but will be charged the published adult meal price. Students, however, receive priority.

### **Insurance and other Benefits Provided by Law**

The benefits listed below are currently available to employees of the District. There may be additional benefits for certain individuals and may change periodically. It is the employee's responsibility to complete all necessary paperwork and to meet the requirements. Law, state regulation, and Board action on an annual or as-needed basis may adjust these benefits. Eligibility for most benefits require an employee to be contracted a minimum number of hours per week during the duration of his/her contract year.

Eligibility for some benefits may include a requirement for the employee to complete an enrollment form within the first month of employment with the District. Beyond that period, some benefits may not be available or only available with additional restrictions.

To change or discontinue coverage often requires additional paperwork and documents, as well as the need to meet legal timelines. Contact the Benefits Clerk for clarification or additional information.

### **Insurance**

- Insurance is OPTIONAL. The employee must complete and sign an insurance enrollment form annually, even if he/she does not elect to have insurance.

### **Medical**

- District pays portion of premium per state regulated percentages based on salary
- Enrollment requires application and payroll authorization
- Guaranteed eligibility only with enrollment within 30 days of employment
- Employee Only, Employee + Dependent/Spouse, Family Plans available
- Includes prescription drug benefits

### **Dental**

- Multiple plans available
- Employee pays the total premium
- Waiting period for some benefits

### **Vision**

- Employee pays the total premium

### **Cancer/Catastrophic Illness**

- Employee pays the total premium

### **Long-Term Disability**

- Employee pays a portion of premium per state-regulated percentages based on salary.

### **Basic Life**

- \$50,000 per employee
- District pays the entire premium

### **Optional Additional Life**

- Additional term life insurance available
- Employee pays the total premium

### **Liability**

- District pays entire premium
- Provides protection and legal defense to an employee who is sued for liability arising from the proper performance of his/her employment responsibilities for the District.

### **Cafeteria Plan**

- Expenses for qualifying categories are paid with pre-tax dollars.
  - Option to pay for Insurance Premiums: Medical, Vision, Dental, and Long-Term Disability
  - Option to pay expenses for Child Care: The employee must submit form for reimbursement.
  - Option to pay expenses for Unreimbursed Medical Expenses including co-pay, deductibles, and prescription medication purchases. The employee can request a National Benefits Services (NBS) MasterCard to use for unreimbursed medical expenses. The employee can a submit form for reimbursement.
- Employees make changes in monthly deduction amounts annually at the end of the calendar year. NOTE: Per IRS Regulations, unused, deducted amounts will not be refunded.

### **Consolidated Omnibus Budget Reconciliation Act (COBRA)**

- This benefit allows you to continue some insurance coverage after you separate from the District. Federal law defines the terms and limitations of COBRA and you must apply for this benefit within a defined timeline.

### **New Mexico Educational Retirement Benefits**

- Required deduction from salary of all full-time employees, long-term substitutes, and retired employees who have received an ERB Return to Work letter.
- Matched by the District in a percentage set by state law
- Administered by the New Mexico Educational Retirement Board
- Upon separation from the District, an employee can rollover or withdraw employees ERB only.
- Retiree Health Care Plan is a required deduction from the salary of all ERB eligible employees.

### **Tax Deferred Annuity/403(b)/457/, etc.**

- Optional benefit
- Only District-approved plans are eligible for payroll deduction
- Employee must complete forms for payroll deduction
- Some maximum contribution, withdrawal eligibility, timelines for changes, and other limits may apply

### **Worker Compensation Benefits**

- Employees are protected under the New Mexico Workers Compensation Laws
- District pays a large portion of the premium for coverage. However, the employee will be assessed a \$2.00 fee each quarter; this will be reflected on his/her paycheck as a deduction.
- If an employee requires medical attention as a result of a workplace injury, he/she must complete the accident reporting process (see Accidents and Injuries).
- If an employee is absent from work as a result of a workplace injury, he/she must apply for the appropriate leave (See Absence Notification and Leave).

- If an employee is absent from work as a result of a workplace injury, he/she must submit a medical statement from the attending physician to the Employee Services Department indicating the employee is able to return to full duty, prior to his/her return to work.

### **Social Security (FICA)/Medicaid**

- Required deductions are a percentage of the employee's salary, per federal and state laws and regulations
- District matches employee contribution with percentage defined by federal and state laws

### **Credit Unions**

Employees are eligible to join PenFed Federal Credit Union. Other credit unions may be available to certain employees.

### **Transfer of Accrued Annual or Sick Leave**

The District recognizes the existence of circumstances under which non-job-related, seriously incapacitating, and extended illnesses and injury may exhaust an employee's accrued leave. To provide some measure of relief in such situations, a limited mechanism, based upon voluntary transfer of accrued annual or sick leave, has been established. The mechanism will be termed transfer of accrued annual or sick leave for a medical emergency. The definition of a 'medical emergency' will be as follows: a medical condition of the employee or family member of the employee that will require the prolonged absence of the employee from duty and will result in a substantial loss of income because the employee will have exhausted all paid leave available apart from the leave-sharing plan. The complete Board Policy G-3100 can be accessed on the District's website.

## **CMS EMPLOYEE HANDBOOK SECTION 3: *Staff Leave and Absence***

### **Absence Notification**

When it is necessary for a staff member to be away from their worksite, it is his/her responsibility to notify the supervisor as soon as possible and indicate the probable duration of the absence. Employees must give prior notification to his/her supervisor for any absence from work. Employees working remotely are required to be available during their assigned work hours. If a remote employee is not going to be available, they must make their supervisor aware of this in advance and put in leave on Skyward.

If an employee uses sick leave for more than three (3) consecutive days, he/she is required to provide a physician's certification in order to be paid for such absence. If an employee is on extended leave, he/she is required to contact the Employee Services Department.

Certified personnel who require a substitute must notify their principal/supervisor as directed. The absence must be entered into Skyward as well as the Absence Management System.

### **Holidays for Less than Twelve-Month Employees**

Staff members who are hired for contracts of less than twelve (12) months will not accrue vacation. Holidays will be given as indicated on the school calendar. School calendars are available in each building and on the CMS website. Personal leave on the two (2) days immediately preceding or following a holiday or vacation requires approval from BOTH the immediate supervisor AND the Superintendent.

### **Holidays and Vacations for Twelve-Month Employees**

Twelve-month employees shall have vacations based on their years of experience and job classification with Clovis Municipal Schools.

Twelve-month licensed administrators earn fifteen (15) days of vacation, which shall be taken only when approved by their supervisor.

All twelve (12) month support personnel will begin receiving vacation on their first pay period. Vacation leave will be earned at a rate of .415 per pay period. After the completion of five (5) years of service, all twelve (12) month support personnel will begin to accrue vacation leave at a rate of .625 per pay period.

Twelve-month employees will also have holidays as approved by the Superintendent. It is the intent that twelve-month employees have a total of 238 contract days.

Twelve-month employees may carry over into each new fiscal year a maximum of thirty (30) days of vacation. Days that have been accumulated in excess of thirty (30) as of June 30 of each contract year will be forfeited without compensation. If workloads disallow vacations as established, the Superintendent may approve vacation days during the school year. Vacation leave accumulated by employees prior to July 1, 1999 shall not be forfeited.

Full-time employees who have worked in a position where their contract year was less than twelve (12) months and are transferred to a twelve (12) month position, or their position is changed to a twelve (12) month position, will earn vacation as if all of their experience was in a twelve (12) month position.

Due to the District's need to have all employees on duty at certain periods of the year, the employee's immediate supervisor must approve use of vacation days.

### **Absent Without Leave**

An employee shall be deemed Absent Without Leave when absent from work due to:

- A reason that conforms to a policy currently in effect where the maximum days provided in that policy will be exceeded; or
- A reason that does not conform to any policy currently in effect; or
- Failure to report to work without prior notification to the supervisor

In no case shall an employee be compensated for time lost due to being absent without leave. An employee who is absent from work without prior approval is subject to disciplinary action. This includes anyone who was unable to obtain prior approval due to unusual circumstances when such approval is denied upon the employee's return.

### **Sick Leave**

Sick leave for District personnel is a designated amount of compensated leave that is to be granted to a staff member who, through personal or family illness, injury, or quarantine, is unable to perform the duties assigned.

Family, for purposes of sick leave, shall include: spouse, children, parents, siblings, grandparents, grandchildren, and like relations created by marriage (e.g. stepchild, father-in-law, etc.). Family illness, for purposes of sick leave, shall not exceed a period of three (3) days, unless the Superintendent grants approval.

Sick leave may include other excused absences, such as medical, dental, or optical examination or treatment impossible to schedule on non-duty days. Each staff member shall be credited with a sick leave allowance at the rate of one (1) day per month up to twelve (12) days, determined by the number of months employed:

- Twelve-month employment = 12 days
- Ten-month employment = 10 days

On June 30th, employees may roll up to a maximum of one hundred seventy-three (173) days.

Annually, employees who have more than 40 sick days accumulated as of December 1st, have the ability to apply for a cash payment in the amount of \$100.00 per day for up to 15 days. Only days in excess of the required minimum of 40 sick days will be eligible for reimbursement.

When a staff member exhausts all days of accumulated sick leave, an unpaid leave of absence must be requested, pursuant to District policy.

Sick leave of any staff member who does not serve a full school year shall be prorated at the rate of one (1) day per month.

Sick leave may be used for childbirth during the time the physician verifies that the employee is physically unable to perform her normal duties. If the employee does not wish to return to her duties following childbirth, an extended leave of absence must be requested, consistent with existing District policy.

Upon request, the staff member shall inform the Superintendent of the following:

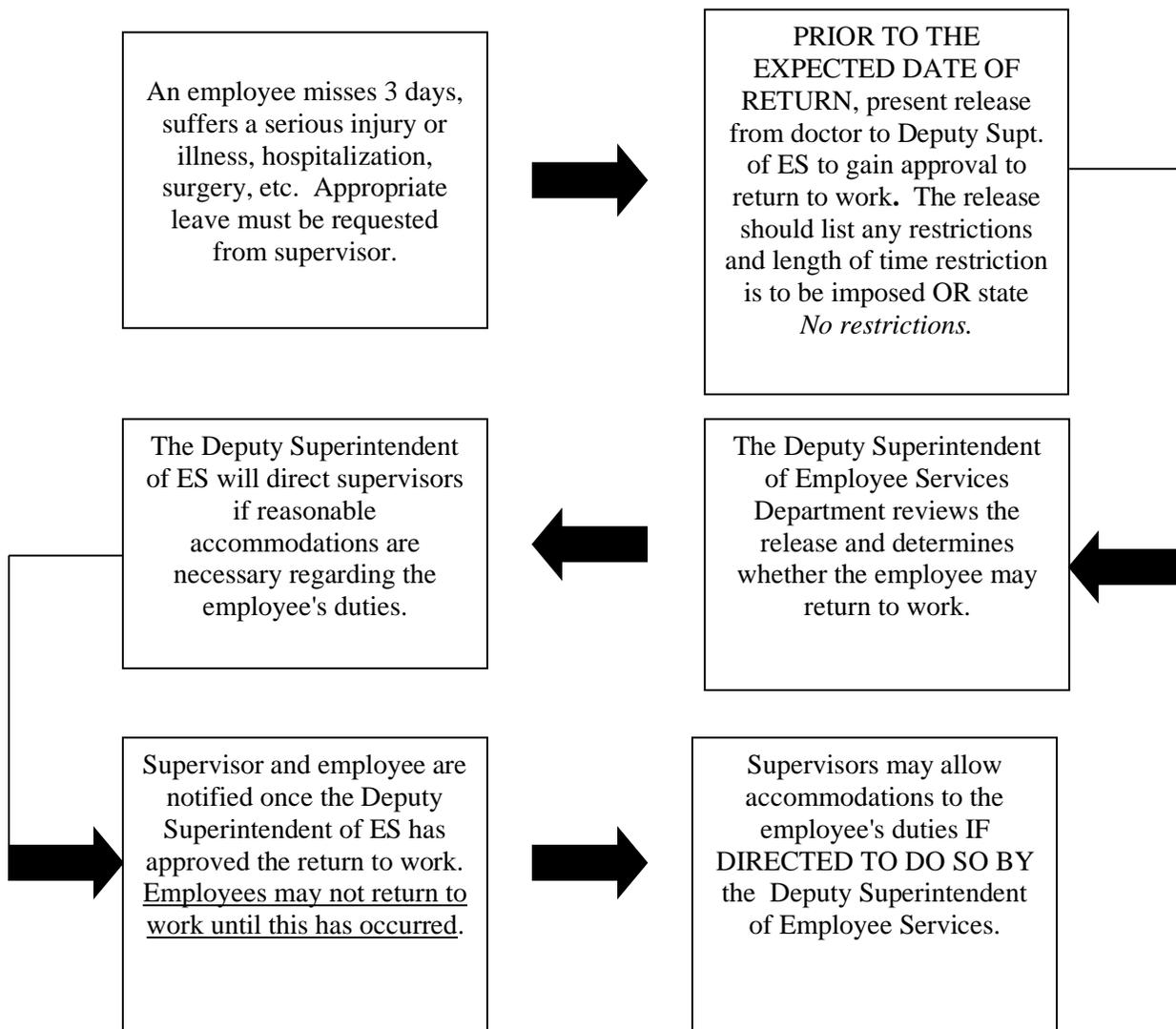
- Purpose for which sick leave is being taken
- Expected date of return
- Where the staff member may be contacted during the leave

Sick leave is only for the purpose of recuperative activities, e.g., obtaining medical care or treatment, procuring medications or other prescribed materials, convalescing at home or at a medical facility, or other therapy or activity prescribed by the employee's physician or health practitioner. Verification is required if requested by the Superintendent. The District may require documentation from a health practitioner that sick leave was properly taken or the employee can return to work. The District requires a doctor's release when an employee has missed three (3) consecutive days or suffers a serious medical condition such as an injury, serious illness, surgery, or is hospitalized. The District may, at District expense, require the employee to submit to medical or psychiatric

examination by a physician or psychiatrist selected by the District to determine: (1) whether or not the continued use of sick leave is appropriate, or (2) whether return to duty is appropriate. Any employee who can be shown to have willfully violated or misused the District's sick leave policy or misrepresented any statement or condition will be subject to discipline, which may include reprimand, suspension, and/or dismissal.

### Employee Return to Work Protocol

Any employee who misses work for three (3) consecutive days, suffers a serious injury or illness, hospitalization, or surgery must present a release from a doctor to the Deputy Superintendent of Employee Services before returning to work. The chart below is designed to assist employees in understanding the process. Employees are not required to disclose protected health information to supervisors. Employees should contact the Employee Services Department with questions related to the return to work protocol.



### Bereavement Leave

An employee may be granted, upon request to the Superintendent, up to three (3) days of bereavement leave per year, deducted from sick leave, to be used in the event of death in the employee's family as defined in Board Policy GCCA: spouse, children, parents, siblings, grandparents, grandchildren, aunts, uncles, nephews, nieces of the employee and spouse as well as like relations created by marriage e.g., stepchild, father-in-law, etc. Two (2) additional days may be granted (if the employee has accrued leave) when the travel to the funeral site is a significant distance away. In the absence of leave, and upon request, the Superintendent may approve an unpaid leave of absence for each day of extended bereavement leave.

### **Personal / Emergency / Religious Leave**

Each staff member will earn personal leave not to exceed nine (9) days per year deducted from sick leave. No more than ten percent (10%) of the staff or other groups of employees may take personal leave at any one time. Requests for personal leave must be received at least three (3) working days prior to the first day of leave, and must be approved by the immediate supervisor. Requests shall be acted upon in order of receipt, and the availability of substitutes, if necessary, may limit the number of requests granted at any one (1) time.

Personal leave may not be granted during the following periods without prior written approval of the Superintendent:

- Two days immediately preceding or following a holiday or vacation
- During the first two (2) weeks or the last two (2) weeks of school
- Ten (10) days prior to the first instructional day and five (5) days after the last instructional day in the school calendar

### **Leave of Absence Without Pay**

The District recognizes that on occasion extenuating circumstances arise that may necessitate absence from duty that is not covered by other specific leave provisions of the District. To address such situations, Leave of Absence Without Pay, may be granted a member of the certified or support staff for no longer than one (1) year.

Leave of Absence may be requested for, but not limited to, the following purposes:

- Additional education that relates to the employee's primary assignment
- To provide for an unpaid leave in a situation where the employee will be absent from work due to: (1) a reason that conforms to a policy currently in effect but the maximum number of days provided in that policy will be exceeded, or (2) failure to report to work without prior notification to the supervisor
- For a Leave of Absence that benefits or is in the best interest of the District, as determined by the Board upon review of the application
- For leave under the Family and Medical Leave Act

A Leave of Absence requested pursuant to this policy may be:

- Approved by the Superintendent if the leave period does not exceed twelve (12) weeks; or
- Recommended by the Superintendent and approved by the Board if the leave period exceeds twelve (12) weeks

The District shall not deny a request for Leave of Absence if the employee is entitled to the leave under the Family and Medical Leave Act. All other applications for Leave of Absence may be granted or denied by the District, at its sole discretion.

Each request for a Leave of Absence shall be in a written application stating the purpose, starting date, duration of the Leave of Absence, reasons for its necessity or desirability, and any other information the applicant deems relevant to the request.

The Leave of Absence shall be only for the purpose and duration approved and may not be extended without written approval by the District.

All rights of retirement, salary increments, and other benefits shall be restored at the level earned when the leave was granted. Licensed teachers may also have their status restored. All accrued sick, vacation, personal, and other paid leave shall be applied to the leave period unless otherwise agreed to by the District or prohibited by the Family and Medical Leave Act.

### **Military / Legal Leave / Miscellaneous**

The Board recognizes that its employees have citizenship responsibilities. In order to make it possible for employees to carry out their responsibilities to the city, county, state, or nation, the Board may grant such leaves as indicated below. When an employee receives notice that requires leave as delineated above, it is the responsibility of the employee to notify the Superintendent or principal.

### **Subpoena**

You will be granted leave if you are served a subpoena for a deposition or a trial that is related to your employment. Please notify your supervisor as soon as you receive the subpoena. It is the intent of this section to apply to defendants and subpoenaed witnesses. It does not apply wherein a staff member instigates a lawsuit.

### **Jury Duty**

It is recognized by the Board that no employee is exempt from jury duty and that leaves of absence for such duty must be granted. An employee on jury duty will receive their regular salary.

- Staff members who are requested to serve as an election official in city, county, state, or national government or bond elections, jurymen, or witness by subpoena will not claim remuneration for such duty performed during the duty day and no deductions will be withheld from the salary.
  
- An employee excused from jury duty after being summoned shall report for regular duty as soon as possible. Failure to report for duty will result in a deduction equal to that portion of a contract day missed, as well as possible disciplinary action.

### **Military Leave**

An employee who is a member of the uniformed service may use leave and be given reemployment opportunities in accordance with the Uniformed Services Employment and Reemployment Rights Act.

### **Community Service and Civic Leave**

The principal and superintendent or his/her designee must approve absences due to community service in advance. The maximum allowable Community Service and Civic Leave will be five (5) days per year.

### **Professional Services Leave**

Staff members, who are requested to serve as an activity official, judge for a contest, or other similar educationally related activities, will submit the remuneration they may receive to the District, if the service was rendered during the duty day. The individual may retain remuneration earned for services after the duty day. Permission to render professional service must be received from the immediate supervisor and the Superintendent prior to commitment. The maximum allowable Professional Service Leave will be five (5) days per year. It is the intent of this policy that a staff member should not receive compensation from Clovis funds and another fund from another source, which would amount to more of a salary than the staff member would have received from the District.

### **Conferences / Visitations / Workshops**

To attend meetings or conferences, licensed employees must obtain approval from the administration at least twenty (20) days prior to the meeting or conference dates whenever such a prior request is possible.

The following guides will be used in granting released time and/or travel expenses:

- Value of the meeting or conference
- Budgeted fund availability
- Availability of a substitute, if necessary

Forms and instructions for filing travel claims are available at the District Administration Building.

### **Special Assignment Leave**

A certified/licensed staff member may be requested or assigned to represent the District, school, or department in an activity that directly relates to the certified/licensed staff's duties. The District shall pay substitutes.

### **Professional Activities Leave**

Professional Activities Leave is to provide an opportunity for staff members to participate in professional organizations, which enhance the delivery of services to students and professional educational growth on a local, district, state, and regional basis. When serving as a leader or similar position; the Superintendent may grant approval for the absence (maximum of five (5) days per school year) and the substitute will be paid by the District. Permission for such absence is to be requested in advance from the immediate supervisor and the Superintendent. Special consideration on an individual basis shall be given to those elected or appointed as a state or national officer.

Staff members desiring to run for a state presidency, national office, or accept a national appointment, shall be reviewed on an individual basis by the Superintendent.

Requests for Professional Activities Leave over and above-set limits shall be evaluated by the Superintendent to determine the benefit to the District. Professional Activities Leave days shall not accumulate from year to year.

### **Sabbatical Leave**

Upon approval, as a part of a compensation plan, the Board may grant Sabbatical Leave showing direct benefit to the instructional program to licensed teaching and administrative personnel for a maximum of one (1) year in accordance with 22-10A-35 through 22-10A-38 NMSA 1978, and 6.66.4.8 NMAC. The certified/licensed staff member must submit an application to the Clovis School Board no later than January 15 of the school year preceding the leave request period.

## **CMS EMPLOYEE HANDBOOK SECTION 4: *Employment Information***

### **Staff Contact Information**

An employee should notify his/her immediate supervisor and the Employee Services Department, as soon as possible, of any change of name or emergency contact information. If there is a status change with an individual who is listed on an employee's benefits document, the Benefits Office should be notified as soon as possible. Change of address and telephone number changes can be made through Employee Access in Skyward.

### **Meetings / Orientation**

Principals/supervisors are responsible for employee attendance at building level staff meetings, new educator orientation days, and participation in district in-service training. Employees are responsible for obtaining information regarding the location and time of the required meeting(s) and to attend as directed.

New educator orientation days consist of a general orientation to the District as well as the state-required training in Bloodborne Pathogen, Asthma Awareness, Sexual Harassment Staff-Staff, Sexual Misconduct Staff-Student, Playground Supervision (elementary only), Child Abuse Identification and Intervention, and Student Drug & Alcohol Abuse.

Numerous professional development opportunities occur throughout the year, and participation in the District Staff Development Program is based on individual interests and needs. Maintenance, Student Nutrition, Custodial, Related Services, and site supervisors will conduct training sessions at their discretion.

### **Documentation for Contracts and Compensation**

After successful completion of the background check process, each employee will provide the following information no later than October 1 or within thirty (30) days from the date of employment:

1. A proper license for the position to be held (certified and educational assistants, selected maintenance staff)
2. An official transcript or high school diploma/GED showing education record and training
3. Suitable evidence of the date of birth
4. Any other documentation as may be required by law

Failure to meet the required documentation submission timeline may cause the discontinuance of salary and the possible reimbursement of compensation received from the District.

### **Competencies**

Competencies for each job description may be obtained from your supervisor or on the District's website under the Employee Services Department. Competencies are addressed as a part of the District's Performance Evaluation Plan.

For teachers/certified librarians, the indicators for each level of competence may be obtained from your building principal or on the [www.teachnm.org](http://www.teachnm.org) website.

### **Health/Medical Examinations**

If at any time there is a question as to the ability of an employee to perform his/her assigned responsibilities or for other good and just reasons, the District may require a complete medical examination performed by a District appointed physician. The school district will pay for the examination.

Such a medical examination will be considered job-related and consistent with business necessity, and therefore permissible, in the following situations:

- When an employee wishes to return to work following an absence due to illness or injury. An examination may be conducted to determine if the employee, with reasonable accommodation, can safely and effectively perform the essential functions of the job.

- When an employee requests an accommodation. If an employee requests an accommodation on the basis of a claimed disability, an examination may be conducted to determine if the employee is an "individual with a disability" to whom a duty of accommodation is owed and, if so, to identify potential accommodations.
- When an employee is having difficulty performing the assigned job effectively, the District may require the employee to undergo a medical examination to determine if the performance problems are a result of an underlying medical condition.
- Medical examinations or monitoring are required under certain circumstances by regulations issued by the Department of Transportation and the Occupational Safety and Health Administration. Note that this does not include the normal doctor's excuse to not report to work or the doctor's note to return to work following an illness or medical care. For this type of medical documentation, the employee is generally responsible for paying for his/her own medical care.

### **Job Descriptions**

Job descriptions may be obtained from your supervisor. A copy may be provided to each employee at the initial point of employment. Job descriptions are also available on the District's website under the Employee Services Department. Job descriptions are subject to change without notice.

### **Licensure Requirements**

All staff members who are required to have a current license issued by the New Mexico Public Education Department, other licensure agencies, or regulatory boards in New Mexico must provide a copy of the license to the Employee Services Department by the state mandated deadlines.

Teachers, educational assistants, special education ancillary staff, librarians, counselors, social workers, coaches, trainers, therapists, administrators, and substitute teachers are a partial list of staff members who must be licensed.

The District provides training to educational assistants in an effort to assist them in acquiring a license, but it is the employee's responsibility to acquire the license.

Employees who do not have a license with the New Mexico Public Education Department are required to submit a fingerprint background check. Forms and information about licensure are available in the Employee Services Department and at the New Mexico Public Education Department's website: <http://www.ped.state.nm.us> and <https://webnew.ped.state.nm.us/bureaus/licensure/> under Licensure Information.

### **Continuing License, Renewing License**

For continuing licensure at all levels, your most recent employing local superintendent or nonpublic school administrator must verify that you have satisfactorily demonstrated the New Mexico Public Education Department's (PED) approved competencies. If you possess more than one license, you may renew each of those licenses provided that you have satisfactorily demonstrated the competencies for the license under which you are currently employed.

Should the local superintendent or nonpublic school administrator verify that you have not satisfactorily demonstrated the PED approved competencies, you may follow an established appeals procedure. A copy of the appeals procedure may be obtained from the New Mexico Public Education Department's Professional Licensure Unit.

**It is the employee's responsibility to monitor the expiration date of his/her license, take the necessary steps for renewal, provide a copy to the Employee Services Department, and do so prior to the state mandated deadlines.** If an employee does not maintain a current, valid license for the position for which he/she is hired, he/she will not be entitled to monetary compensation.

## **Personnel Records**

The Deputy Superintendent of Employee Services shall maintain a personnel file for each employee. This file will be retained in the District Administration Building with proper security controls observed. The personnel records of the school system will comply with all state and federal regulatory agencies. The records generally will include, but not be limited to:

### *Pre-Employment File:*

1. Original application and references
2. Documents obtained prior to employment, i.e., police record checks, court checks, worker compensation history, etc.
3. Reference documents prepared for submission to other agencies to which an employee may have applied for employment

### *Personnel File:*

1. Complete transcript of college credit or high school diploma
2. Current teaching certificate/license, if required
3. Driver's License or Passport
4. Social Security Card
5. Birth Certificate
6. Retirement record
7. Contracts or letters of employment
8. Supervising reports
9. Service record
10. W-4 form

Personnel records of the District are not classified as public records; therefore, are not open to public inspection. The use of the personnel file will be limited to the employee and his/her designated representative, the Superintendent or his/her designated representative, or the principal/supervisor. Use of the file by any of the above individuals will be through the office of the Deputy Superintendent of Employee Services.

Employees may have an opportunity to respond, in writing, to any material in their personnel file that they consider to be incorrect and negative and/or detrimental to their professional status or personal character. The response by the employee shall be included in his/her personnel record. Personnel may have what they consider incorrect, negative, and/or detrimental materials removed from their personnel record under the following guidelines:

1. A period of two (2) years has passed
2. The Deputy Superintendent of Employee Services and the Superintendent agree to its removal
3. All personnel involved in the material's submission to the personnel record and the employee agree to its removal, thereby agreeing that the reason for the initial submittal has been resolved.

If an employee wishes to review his/her personnel file, he/she may do so by contacting the Employee Services Department to schedule an appointment. Upon request by the employee, copies of personnel file documents will be provided by the Employee Services Department.

## **Required Training**

All employees shall be required to complete training in Bloodborne Pathogen, Asthma Awareness, Sexual Harassment Staff-Staff, Sexual Misconduct Staff-Student, Playground Supervision (elementary only), Child Abuse Identification and Intervention, Student Drug & Alcohol Abuse, Coronavirus: Awareness, and Coronavirus: Cleaning and Disinfecting your Workplace. This requirement shall be completed each school year. Additional training may be required of staff members periodically as a condition of continued employment in order for the District to meet legislative mandates and state and federal laws and regulations.

## **Optional Training**

Additional training is available on Safeschools including; Coronavirus: Managing Stress and Anxiety, and

Coronavirus: Preparing Your Household.

## **Resignations**

Resignations or any provision in regard to notification of resignation by an employee will depend on the conditions of tenure and continuing contract that are in effect. The District does not expect its employees to feel an obligation beyond the legal requirements of their contracts. The District does expect employees to act in accordance with several ethical considerations.

When feasible, a full-time employee who has been approached with an offer of employment outside the District should inform the appropriate administrators of the District when such negotiations are in progress. The conclusion of a binding agreement for the employee to accept a position elsewhere should always be followed by a prompt notice to the District.

A full-time employee should not resign in order to accept other employment during the term of a contract. It is recognized that emergencies occur. In such an emergency, the employee may ask the Deputy Superintendent of Employee Services to waive this requirement.

For certified/licensed staff, a written notice of resignation shall be filed with the Deputy Superintendent of Employee Services thirty (30) days prior to the effective date of resignation. The Deputy Superintendent of Employee Services may waive the 30-day notice. A resignation form may be obtained from the Employee Services Department or from the District's website. *Only the Superintendent may rescind a resignation.*

## **Transfers**

To be considered for a transfer to a different position within the District, an employee must complete an application. Teachers who are interested in transferring to a different position must follow the Lateral Transfer Process.

The Superintendent will determine all staff assignments. Such assignments shall be based on the needs of the District. In addition, no right to school, grade, or subject assignment shall be inferred from the standard teacher's contract. Therefore, assignments of all staff members may be changed to serve the best interest of the District.

Staff members may apply for transfer or reassignment when vacancies exist. Generally, transfers will not be approved during the school year unless the needs of the District dictate such.

It shall be the policy of the Board that personnel be assigned on the basis of their qualifications, needs of the District, and their expressed desires. When it is not possible to meet all three (3) conditions, personnel shall be assigned first in accordance with the needs of the District, second where the Superintendent determines the employee is most qualified to serve, and third as to expressed preference of the employee.

In the case of vacancies in new or existing positions, equal consideration will be given to qualified applicants among current employees.

The resolution of conflicts over the need for a transfer shall be based on what is best for the instructional program, student need, and the overall needs of the District as defined by the Superintendent.

## **Vacancies**

Vacancies in the District are generally posted on the District's website. Current employees who apply for a vacant position are fairly considered. Occasionally, preference is given to current District employees when the job description suggests they may be the best-qualified group of applicants. Generally, current employees who have applied for a position are given equal consideration with all applicants for the position.

## **Evaluation of Professional Personnel**

Evaluation of certified employees is necessary to improve performance and to move the District toward excellence. Another purpose of evaluation is to contribute to the process for the determination of re-employment, termination, and/or reassignment.

Clovis Municipal Schools' evaluation process will include student/parents/peer assessments, administrative observations, as needed; performance goals and objectives; competencies, and job descriptions. Procedures and suggested timelines for implementing Board Policy G-5350 are set forth in the District's handbook, Cooperative Professional Development Plan, and/or the New Mexico Public Education Department's website under NMTEACH.

## **Evaluation of Support Personnel**

Evaluation of support personnel is necessary to improve performance and to move the District toward excellence. Another purpose of an evaluation is to contribute to the process for the determination of re-employment, termination, and/or reassignment.

Immediate supervisors and directors are responsible for the evaluation of support staff. Procedures and suggested timelines for implementing Board Policy G-8900 are set forth in the District's handbook, Cooperative Professional Development Plan for Support Staff. A current copy is available on the District's website under the Employee Services Department.

## **Employee Discipline Process**

For job performance that is less than acceptable or for misconduct, supervisors may use a number of tools to motivate, correct, and/or discipline employees, including, but not limited to warnings, reprimands, suspension with or without pay, and discharge, as determined to be appropriate.

Progressive discipline may be used to correct employee behavioral or performance issues. In this process, employees may receive the following: (1) informal warning/counseling, (2) documented warning/reprimand/directive, (3) increasing disciplinary action, and (4) notice of termination/dismissal. However, there may be situations where the severity or seriousness of the offense justifies the omission of one or more of the steps in this process. Likewise, there may be situations where a disciplinary step is repeated.

Employees may respond in writing, in a timely fashion, to any disciplinary documentation they may receive from their supervisors. This process is separate from the District's Grievance Procedure.

If warranted, employees may be temporarily suspended from their worksite due to an incident.

Following an investigation, if the action or incident does not warrant dismissal, the employee will be reinstated to his/her position with all salary and benefits.

CMS employees may be suspended for actions, incidents, or work habits that do not adhere to policies of the Board of Education and/or administrative rules and regulations of Clovis Municipal Schools.

## **Administrative Leave Pending Possible Disciplinary Action**

If you are suspected of violating District policies, procedures, or work rules, you may be placed on Administrative Leave, with or without pay, pending an investigation. If placed on Administrative Leave With Pay, this may not be considered a disciplinary action. Instead, this action is often done to protect both the employee and the District until an appropriate investigation can be completed.

## **Disciplinary Actions and Suspensions**

Disciplinary action against an employee may take the form of a written reprimand or suspension (with or without

loss of pay). Causes for such actions and procedures are as follows:

- A. In the event the administration (Superintendent, principals or supervisors) learn that a staff member has been indicted, charged, or otherwise accused of having committed an offense which might warrant dismissal, the Superintendent may suspend the employee from duties, without loss of pay, until the question of the employee's fitness to perform his or her duties is resolved. Accusations which might warrant suspension include, but are not limited to, a charge that an employee has committed a felony or other crime involving moral turpitude, or otherwise has engaged in the conduct of a morally reprehensible nature tending to discredit the faculty or the District or to cast doubt upon the employee's fitness to continue serving in his or her position.
- B. In the event the Superintendent determines that suspension from duties is warranted and upon completion of an investigation, the Superintendent shall either return the employee to duty or initiate procedures for dismissal.
- C. In the event the Superintendent initiates procedures for dismissal, he/she shall give the employee written notice of proposed action and a statement informing the employee of his/her right to a hearing.

### **Dismissal or Termination**

Dismissal or termination of an employee may be imposed for cause, including but not limited to the following reasons:

1. Conviction of a felony or a crime involving moral turpitude;
2. Unlawful use of alcohol or narcotics;
3. Failure to comply with official directives and/or established Board of Education policies, or;
4. Physical or mental incapacity preventing performance of duties.

NOTE: dismissal of a certified staff member during the term of a contract requires due process.

### **Workplace Grievances**

This applies only to grievances, which relate to conditions of employment.

NOTE: *Grievances that relate to equal employment and educational opportunity, sexual harassment, and discrimination of groups that are protected under federal or state law are not covered in this process. Please refer to "Grievance Procedures for Civil Right Discrimination" contained in this Handbook.*

Terms and conditions of employment mean the hours of employment, compensation, including fringe benefits, and the employer's personnel policies directly affecting the employee. In the case of professional employees, the term does not include educational policies of the District.

In regards to workplace grievances, you should first try to resolve the matter by discussing it informally with your immediate supervisor. If that does not work, you must put your concern(s) in writing to your immediate supervisor. From this point forward, please follow the process outlined below. Please note, some concerns are not grievable using this process. For example, if your supervisor gives you a 'bad evaluation or written reprimand', you can respond in writing as a part of the Performance Evaluation Plan; you do not respond by filing a grievance under this process.

No person shall suffer retaliation, recrimination, discrimination, harassment, or otherwise be adversely affected because of the use of the grievance procedure.

The following procedure has been established for effective communication between District employees, administrative staff, and the Board:

- Prior to filing a formal written grievance, the grievant must attempt to resolve the matter by one (1) or more informal conferences with the immediate supervisor. The first informal conference must be conducted within ten (10) days after the employee knew, or should have known, of the act or omission,

giving rise to the grievance. A second or any subsequent conference must occur within five (5) days after the initial informal conference or any subsequent conference.

- If the informal conference(s) does not resolve the matter, the grievant moves to the Formal Grievance Process. The process is explained in detail in CMS Board Regulation G-1811, and the necessary forms are provided in CMS Board Exhibit G-1831. The regulation and form are also available in the Employee Services Department.
- Please note, employees must follow and complete each level in the formal process prior to moving to the next level. The Formal Grievance Process always begins with your immediate supervisor.

The following situations are **not** covered by this grievance procedure:

- The discretionary act(s) of professional judgment relating to the evaluation of the work performance of any employee by the designated evaluator(s).
- A personnel decision made by the Superintendent, including but not limited to termination or discharge, demotion, or Board action directly and adversely affecting an employee's employment, which may be subject to redress through provisions of state law and regulation.
- Situations in which the Superintendent and the Board are without authority to act or where the power to remedy the employee's concern resides exclusively with some person, agency or authority other than the Board.
- Situations as to which a different procedure for a remedy has been provided by the Board, or where state or federal authority prescribes District procedure.

## CMS EMPLOYEE HANDBOOK SECTION 5: *Remote Work*

During some periods, remote work may be required (inclement weather, pandemics, etc...).

When Work-From-Home protocols go into effect, detailed instructions will also be posted on the District website. **Please note, at any given time a staff member may be asked to report to the District at the direction of the Superintendent of Schools or designee.**

1. The Superintendent's expectation is that staff continue to work during remote assignments.
  - If you are unable to work at home virtually, please reach out to your direct supervisor and an accommodation will be made for you at one of our district buildings.
  - If you are unable to work virtually or at a site, please input your sick, personal\* or vacation\* day in Skyward. COVID absence does not apply for employees working from home/remote locations.

**\*NOTE: If you have a previously approved personal/vacation day in the system, you may still use it.**

2. In the event that you are engaged in any form of digital learning (i.e., google classroom) while the school building is closed, please be reminded of and adhere to all district policies located on the District's website: Board of Education, Policy Manual and in the CMS Employee Handbook.

### **Payroll Dates**

- Scheduled payroll dates during a closing will continue as usual.

### **Direct Deposit**

- Contractual employees who currently participate in Direct Deposit, will continue to receive their payroll stub and funds electronically.
- Live-checks will be mailed.

## **Clovis Municipal Schools - Remote Work Guidance**

### **Jobs that could be performed remotely on a long term basis:**

- Executive Legal Assistant
- Executive Assistant to the Deputy Director of Operations
- Public Relations Specialist
- Contract Systems Specialist
- Some Administrative Assistants
- Teachers of remote students
- Educational Assistants of remote students
- Some Tech Specialists
- Information Systems Specialist
- Some Related Service Providers

### **Jobs that cannot be performed remotely on a long term basis:**

- Superintendent
- Deputy Superintendents
- Deputy Directors
- Executive Directors

- Directors
- Coordinators
- Managers
- Principals
- Assistant Principals
- Teachers of in-person students
- Educational Assistants of in-person students
- School Administrative Assistants
- Student Nutrition Managers/Workers
- Guidance Counselors
- Interpreters
- Maintenance/Custodial
- Most Related Service Providers
- Most Administrative Assistants
- Administrative Support
- Most Tech Specialists
- Coaches

## **Guidelines for Short Term Remote Work**

### **Reasons short term remote work can be granted:**

- District Need
- District related travel
- Individual employee needs with supervisor and Superintendent's approval

### **Reasons short term remote work can be denied:**

- Day care related issues
- Non-work related travel
- Other employment
- Medical recuperation (must have doctor's release to work)

### **Additional guidelines and expectations for remote work:**

- All remote work arrangements are considered on a case-by-case and individualized basis.
- Requests for remote work initiated by the employee must be entered in Skyward under "Remote Work" and require supervisor/Superintendent approval.
- Standard work schedules must be followed for hourly employees, teachers, and educational assistants. Remote employees must be available by phone/internet during normal working hours.
- Dress code expectations are the same for remote and in-person employees.
- Remote employees are expected to check District correspondence throughout the day and respond in a timely manner during normal working hours.
- Supervision expectations, CPDP timelines, evaluations, and work performance reviews are the same for remote and in-person employees.
- Remote employees may be required to work full-time onsite for a period of time to form essential relationships, learn how the organization functions, or for other specific business reasons. Remote workers may be required to work in person for short periods of time at the District's discretion.

- Hourly workers may not work overtime without prior approval from their supervisor (37.25 for 7.25 hours a day employees or 40 for 8 hour a day employees).
- Remote employees are required to ensure a private space for their remote work and must provide their own reliable internet connection.
- Remote employees are expected to provide evidence of actual work completed.
- **CMS reserves the right to discontinue remote arrangements at its discretion.**

**\*ADDITIONAL EXPECTATIONS FOR INDIVIDUAL POSITIONS ARE AVAILABLE AS ADDENDUMS AND ARE LOCATED WITH CMS JOB DESCRIPTIONS.**

## **CMS EMPLOYEE HANDBOOK SECTION 6: *Employee Conduct***

*By accepting employment, you have a responsibility to the District and to your fellow employees to adhere to certain rules of behavior and conduct. The purpose of the rules is not to restrict your rights, but rather to be certain you understand what employee conduct is expected and necessary. Employee conduct guidelines are necessary to help everyone work together efficiently, effectively, and congenially.*

### **Employee Conduct in the Workplace**

Employees are expected to conduct themselves in a manner that is professional, mature, responsible, and appropriate in the workplace. Employees are to act in a manner as to provide a good example for students and follow the Code of Conduct [See CMS Policy G-0750] and all other CMS Board Policies and Administrative Regulations and directives. All employees should avoid behaviors, such as those listed below:

- Abusive, harassing, bullying, or threatening conduct in the workplace
- Excessive tardiness and absenteeism
- Being absent without leave
- Engaging in unprofessional conduct
- Engaging in behavior which creates discord and lack of harmony
- Engaging in acts of insubordination
- Neglecting assigned duties
- Violating security or safety rules or failing to observe safety rules or District safety practices
- Engaging in acts of dishonesty
- Engaging in discourteous treatment of the public
- Failing to follow the chain of command
- Engaging in activities which violate federal, state or local laws or which, in any way, diminish the integrity, efficiency or discipline of the District

If an employee fails to follow these guidelines, it may result in disciplinary action for misconduct, up to and including dismissal from their position.

If you have questions concerning work or safety rules, or any of the unacceptable behaviors listed above, please see your supervisor. The list of behaviors for employees to avoid does not include all types of conduct that can result in disciplinary action, up to and including discharge. Nothing in this list alters the at-will nature of employment for contracted employees of the District.

### **Safety**

Staff members are entitled to protection and reasonable safety while performing their duties for Clovis Municipal Schools.

Any employee who is threatened with harm by an individual or a group while carrying out assigned duties shall immediately notify the building principal or supervisor.

An employee who notices any health or safety concerns should notify the building principal or site supervisor.

A Safety Committee exists to ensure the safety of all employees. Questions or concerns may be addressed to the Deputy Director of Operations.

All injuries should be reported to your supervisor immediately. If the accident or injury is work-related, the Benefits Clerk at the District Administration Office should be contacted immediately.

## **Sexual Harassment**

CMS Board Policy A-0300 and District Regulation A-0311 state that all individuals associated with the District are expected, at all times, to conduct themselves so as to provide an atmosphere that is free from sexual harassment.

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when made by a member of the school staff to a student or to another staff member, or when made to a student by another student. It is important to note that sexual harassment crosses age and gender boundaries and cannot be stereotyped. In some situations, sexual harassment may even involve two women or two men.

Any employee who is subject to sexual harassment, or who knows of the occurrence of such conduct, should inform the Deputy Superintendent of Employee Services. The sexual harassment form, CMS Board Exhibit A-0331, is located on the District's website.

A substantiated charge against a staff member shall subject such staff member to disciplinary action.

## **Harassment and Discrimination**

The District intends to provide a work environment that is pleasant, professional, and free from intimidation, hostility, or inappropriate behavior that might interfere with work performance. Harassment or discrimination of any sort – whether verbal, physical, or visual-based upon race, color, religion, gender, age, sexual orientation, national origin or ancestry, disability, veteran status, or other protected status defined by law, will not be tolerated. Refer to CMS Board Policies A-0250, A-0300, and G-0200.

Workplace harassment can take many forms. It may be, but not limited to: words, signs, offensive jokes, cartoons, pictures, posters, email jokes or statements, pranks, intimidation, physical assaults or contact, or violence. Harassment is not necessarily sexual in nature. It may also take the form of other vocal activity including derogatory statements not directed to the targeted individual but taking place within their hearing. Other prohibited conduct includes written material such as notes, photographs, cartoons, articles of a harassing or offensive nature, and retaliatory action against an employee for discussing or making a harassment complaint.

All District employees have a responsibility for keeping the work environment free of harassment and discrimination. Any employee who becomes aware of an incident of harassment or discrimination, whether by witnessing the incident or being told of it, must report it to their immediate supervisor or the Deputy Superintendent of Employee Services.

If there is no threat of violence, the District encourages you to communicate directly with the alleged harasser and make it clear that the harasser's behavior is unacceptable, offensive, or inappropriate, although you are not required to do so. In any case, if you believe you have been subject to harassment or discrimination, you are required to notify your supervisor and/or the Deputy Superintendent of Employee Services immediately.

All complaints will be investigated promptly and as discreetly and confidentially as possible. If harassment or discrimination by an employee is established, the District will take appropriate disciplinary action against the offender. Disciplinary action can range from verbal warnings to discharge, depending on the circumstances. The District will also take additional action necessary to appropriately remedy the situation. The District prohibits employees from retaliating in any way against someone who has raised a concern about harassment or discrimination of another individual. Retaliation of any sort will not be permitted. No adverse employment action will be taken against an employee making a good faith report of alleged harassment, concern about harassment, or discrimination against another individual.

## **Equal Opportunity for Employment and Services**

The Clovis Municipal School District provides equal employment opportunities (EEO) to all employees and applicants without regard to race, color, religion, gender, sexual orientation, gender identity or expression, national origin, age, disability, genetic information, marital status, amnesty, or status as a covered veteran in accordance with applicable federal, state and local laws. The Clovis Municipal School District complies with applicable state and local laws governing nondiscrimination in employment in every location in which the District has facilities. The District will not tolerate discrimination and it requires employees to report incidents related to discriminatory behavior. Forms are available in the Employee Services Department to assist in this regard.

The District makes reasonable accommodations to qualified employees with disabilities for the performance of essential job functions as long as it does not impose an undue hardship on the District. Accommodations are made on a case-by-case basis in accordance with the Americans with Disabilities Act and other relevant laws and regulations. Contact the Employee Services Department for questions and assistance.

## **Grievance Procedures for Civil Rights Discrimination**

This pertains only to grievances that relate to equal employment and education opportunity, sexual harassment, and discrimination of groups that are protected under federal or state law. NOTE: Grievances that relate to terms and conditions of employment or supervisors following CMS Board Policies are not covered in this process. Please see *Workplace Grievances*.

The Deputy Superintendent of Employee Services shall be the compliance officer. Any person who feels unlawfully discriminated against or to has 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 or the Deputy Superintendent of Employee Services. If the Superintendent is the one alleged to have unlawfully discriminated, the complaint shall be filed with the President of the Board.

Complaint forms are available on the District's website in CMS Board Policies A-0331 or in the Employee Services Department.

The District is committed to investigating each complaint and 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 violations 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 Board 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 Board Policy G-6100, if evidence warrants.

The Superintendent may also recommend suspension without pay, dismissal, or impose other appropriate discipline. If the Superintendent's investigation reveals no reasonable cause to believe a policy has been violated, the Superintendent shall, in writing, inform the complaining party.

## **Code of Ethics for Licensed/Certified Staff**

Although this is the standard set for licensed/certified staff in statutes, it also applies to ALL employees of the

District. Specific information is contained in CMS Board Policy G-0750, Code of 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: June 21, 2021

## **CMS EMPLOYEE HANDBOOK SECTION 7: *Staff/Student Professional Boundaries***

*Board Policies referenced in this section include G-0650 and G-0750*

Staff are required to maintain appropriate professional, moral, and ethical relationships in their conduct with students and shall serve as positive role models for students at all times, whether on or off Clovis Municipal School District property, both during and outside of school hours. The District encourages healthy relationships between students and staff that promote student achievement and success. At the same time, clear and reasonable boundaries for interactions between students and staff are necessary to protect students from sexual misconduct and abuse and protect staff from misunderstandings or false accusations. A teacher is in a position of trust and power; therefore, their actions must always be guided by the principle of what is in the best interest of students.

Staff have a responsibility to provide and support an atmosphere conducive to learning through consistent and fairly applied discipline and the maintenance of professional physical and emotional boundaries with students. These boundaries shall be maintained regardless of the student's age, perceived consensual nature of the relationship or activity, location of the activity, or whether the staff member directly supervises the student. For staff whose children are students in the District, these expectations are not intended to violate or otherwise intrude upon the usual parent/child or other family relationship. However, the existence of a parent/child or other family relationship does not supersede the staff member's duty to attend to his or her professional responsibility to serve the interests of the District, its student population, and the local community. Should the staff member believe these duties are in conflict, (s)he shall discuss it with their supervisor to resolve the issue.

Personal contact between students and staff must always be professional, non-sexual, appropriate to the circumstances, and unambiguous in meaning. A boundary invasion is an act, omission, or pattern of behavior by a staff member that does not have an educational purpose, abuses or compromises, or has the potential, to the staff/student professional relationship.

Staff shall establish and maintain appropriate personal boundaries with students and not engage in any behavior that is prohibited by law, regulation, Board Policy, or that creates the appearance of prohibited behavior. Staff shall be required to maintain professional and ethical relationships with students that are conducive to an effective, safe learning environment. These expectations address a range of behaviors that include not only unlawful or improper interactions with students, but also precursor grooming and other boundary-blurring behaviors that have the intention or effect of leading to more egregious misconduct.

It is the staff member's responsibility to maintain a professional relationship with students and their families, and to report to their principal, Employee Services Department, or other appropriate administrator when they suspect, recognize, or observe the development of, non-professional or potentially inappropriate personal relationships with students and/or their families.

### **DEFINITIONS**

***Duty of Care*** – A common law concept that refers to the responsibility of staff to provide children and young people with an adequate level of protection against harm. It is usually expressed as a duty to take reasonable care to protect children and young people from all reasonably foreseeable risk or injury.

***Electronic Communications*** – A communication transmitted by means of an electronic device including, but not limited to, a telephone, cellular telephone, computer, computer network, personal data assistant, or pager. Electronic communications include, but are not limited to, emails, texts, instant messages, and communications made by means of an Internet website, including social media and other networking websites.

**Hazing** - Any action intentionally or recklessly taken or situation intentionally or recklessly created through which individuals are forced to perform, participate in, or endure actions which endanger the mental, physical, or academic health or safety of a student. This may include, but not be limited to, such actions which result in physical injury, assault or battery, kidnapping or imprisonment, intentionally placing a student at risk of mental or emotional harm, degradation, humiliation, intimidation or coercion, the compromising of moral or religious values, forced consumption of any liquid or solid, placing an individual in physical danger or at risk, or impairment of or interference with physical liberties or academic endeavors.

**Inappropriate Boundary Invasion** – An act, omission, or pattern of such behavior by a school employee or other adult that invades or is designed to result in an invasion of a student’s physical or emotional boundaries, *which does not have a legitimate educational purpose*, and results in abuse of the staff/student’s professional relationship.

**Legitimate Educational Purpose or Reason** – Matters or communications related to teaching, counseling, athletics, extracurricular activities, treatment of a student’s physical injury or other medical needs, school administration, or other purposes within the scope of the staff member’s job duties, including performing a task specified in his or her job description or contract agreement, a task related to a student’s education or to discipline of a student, providing a service or benefit related to the student or student’s family, or maintaining the safety and security of the school community.

**Professional Boundaries** – Appropriate professional, moral, and ethical relationships with students, on or off District property, that have a legitimate educational purpose or reason, both during and outside of school hours.

**Staff** – For purposes of these expectations, the term “staff” is defined to include all District employees, including but not limited to, all administrators, counselors, teachers, nurses, librarians, student support specialists, support staff, non-instructional staff, coaches, employees of virtual school programs, to include but not be limited to, distance learning, online programs, and vendors and/or independent contractors providing instructional services to, or who may have direct, unsupervised contact with students, as well as all substitutes, student teachers, interns, practicum students, volunteers, volunteer coaches, and community members.

These expectations apply to District employees, volunteers, student teachers, and independent contractors and their employees who interact with students, are present on school grounds, and who may have unsupervised access to students.

Independent contractors doing business with the District will ensure employees who have direct interaction with, or unsupervised access to students, or are present on school grounds, are informed of the provisions of these expectations and complete a criminal background check, which complies with NMSA 1978 Section 22-10A-5.

These expectations are not intended to interfere with appropriate personal or family relationships between staff and students and their families that exist independently of the District, nor to interfere with participation in civic, religious, or other outside organizations that include District students.

The interactions and relationships between staff and students should be based upon mutual respect and trust, an understanding of the appropriate boundaries between staff and students in and outside of the educational setting, and consistency with the educational mission of the District.

Staff will not intrude on a student's physical and emotional boundaries unless the intrusion is necessary to serve an educational, physical, mental, and/or emotional health purpose or to prevent the immediate risk of injury or harm to the student.

Staff shall use good judgment in their relationships with students beyond their work responsibilities and/or outside the school setting and shall avoid excessive informal and social involvement with individual students. Any appearance of impropriety should be avoided. Intimate relationships between staff and students are prohibited. In addition to regular classroom instruction and extracurricular activities, appropriate occasions when staff may interact with students beyond the school day include tutoring to improve students' academic skills, mentoring that provides students with positive role models, and hosting school-sanctioned or school-sponsored activities and events that reinforce positive behaviors.

One-on-one tutoring and mentoring offered during school or non-school hours must take place at the school or at an off-site location approved by the principal or appropriate administrator. When one-on-one tutoring and mentoring takes place away from the school, written permission from the parent/guardian must be obtained. Volunteers on school property must be under the supervision of a District staff member at all times.

During a school or instructional-related events and school-sanctioned or sponsored activities during non-school hours, staff must maintain the ethical standards applicable to their professions.

### **MANAGING PROFESSIONAL BOUNDARIES**

*Working in Local Communities* - Staff working in local communities face additional challenges in managing professional boundaries. They are more likely to have social relationships with the parents/guardians of children and young people with whom they work; therefore, more likely to share social and sporting events or membership at various community clubs, organizations, or associations.

This means staff will have legitimate reasons, on occasion, to attend social events with the children and young people with whom they work, visit their homes, or be visited in the company of their parents/guardians. These social engagements are an important part of community life and a positive contribution to the well-being of staff.

Following the guidelines below will assist staff in enjoying social engagements without compromising professional responsibilities. The guiding principles in managing professional boundaries are:

- Staff should avoid being alone or in unsupervised settings with children and young people.
- Staff should conduct themselves in a way that will not give an individual reason to question their suitability to work with children and young people, and that will not create fear, discomfort, humiliation, or intimidation for children and young people in their professional relationships.
- Consuming alcohol may lessen a staff member's capacity to judge when a professional boundary is at risk.
- Staff should politely refuse to discuss matters relating to the workplace and should not discuss children and young people's learning or social progress, other than at times set aside specifically for that purpose.

Any concern a staff member has about whether or not a situation may be compromising or breaching a professional boundary should be reported to the principal, Employee Services Department, or other appropriate administrator and an approved plan of action developed, implemented and monitored.

### **REPORTING VIOLATIONS, INAPPROPRIATE OR SUSPICIOUS CONDUCT**

Staff members are required to immediately notify the principal, Employee Services Department, or other appropriate administrator if they become aware of a situation that may constitute a violation of the law or Board

Policy. This obligation is in addition to the statutory responsibility to report suspected abuse and neglect under the law as implemented by Policy JLF, “Child Abuse Neglect and Reporting,” or its equivalent.

Students and parents/guardians are strongly encouraged to notify the principal, Employee Services Department, or other appropriate administrator if they believe a staff member may be engaging in conduct that violates appropriate boundaries, puts a student at risk, or which may violate the law.

Anonymous complaints involving inappropriate boundary invasions by staff members will be investigated as if a student, parent, or staff member reported the violation.

### **INVESTIGATION**

Allegations of inappropriate conduct shall be promptly investigated in accordance with the procedures utilized for complaints of harassment.

It is understood that some reports will be based on rumors or misunderstandings; the mere fact that the reported staff member is cleared of any wrongdoing shall not result in disciplinary action against the reporter or any witnesses. If as a result of an investigation, an individual, including the reported staff member, reporter, or witness is found to have intentionally provided false information during the investigation or hearings, or if any individual intentionally obstructs the investigation or hearings, this may be addressed as a violation of applicable laws, regulations, and Clovis Municipal School District Policies. Obstruction includes, but is not limited to, violation of “no contact” orders, attempt to alter or influence witness testimony by threat or intimidation, and destruction of or withholding evidence. Intimidation of a witness is a violation of the NM Criminal Code and appropriate law enforcement authorities notified immediately upon discovery.

### **DISCIPLINARY ACTION**

A violation of these expectations and Board Policy by a staff member may result in disciplinary action up to and including discharge or termination of employment. The New Mexico Public Education Department will be notified in cases of termination of employment for sexual misconduct or abuse. Consistent with the New Mexico Public Education Department’s guidelines, the District will disclose formal reprimands or dismissals in violation of expectations to potential employers seeking references, regardless if prior to the conclusion of the investigation, the staff member resigned.

### **RETALIATION**

Retaliation against students or staff members who report an improper staff/student relationship, alleged harassment, or participate in any related proceedings is prohibited and appropriate action will be taken.

### **INAPPROPRIATE BEHAVIOR INITIATED BY A STUDENT**

In the event a student initiates inappropriate behavior toward a staff member, the staff member must immediately document and report the incident to the principal, Employee Services Department, or other appropriate administrator. If applicable, the appropriate administrator will intervene and communicate with the student and his/her parent/guardian regarding the alleged inappropriate behavior, and implement necessary discipline or guidance.

## **TRAINING**

The District shall provide annual training regarding District expectations and Board Policies to current and new employees, and Board Members.

The District, at its sole discretion, may require independent contractors and their employees who interact with students or are present on school grounds to receive training on expectations, District procedures, and provide them a copy of Board Policy.

## **EXCEPTIONS**

An emergency situation or legitimate educational reason may justify deviation from professional boundaries set forth in these expectations. If a deviation occurs, the staff member shall be prepared to articulate the reason and must demonstrate that (s)he has maintained an appropriate staff/student relationship.

Nothing in these expectations shall set aside or void existing state laws or Board Policies relating to the topics covered herein. The expectations shall serve as a supplement to existing Board Policy.

## **CMS EMPLOYEE HANDBOOK SECTION 8: *Workplace Rules/Information/Procedures***

### **Employee Accidents and Injuries**

If an employee is injured or if an accident occurs while he/she is at work, he/she must notify the building administrator or supervisor. Regardless of the severity of the accident, the necessary accident forms must be completed. If an injury is work-related, the supervisor or designee should report the incident to the Benefits Clerk at the District Administration Office as soon as possible. A Notice of Accident form must be completed and signed by the employee and the supervisor or designee. Additional Workers Compensation forms are required to be completed by the employee and/or supervisor. Proper forms must be turned in to the Benefits Clerk at the District Administration Office within twenty-four (24) hours. If the supervisor foresees the employee may need extensive leave, he/she should contact the Deputy Superintendent of Employee Services immediately. Additional forms may need to be completed by the employee for the Payroll Department if extended leave is necessary.

The District has procedures for complying with the requirements of the Occupational Safety and Health Administration (OSHA), including an exposure-control plan, methods of compliance, work-practice controls, post-exposure evaluation and follow-up, and administering vaccine to employees exposed to Hepatitis B virus. All employees who, as a result of their employment, have had significant exposure to bloodborne pathogens are required to report the details of exposure, in writing, to their immediate supervisor as well as the Director of Health Services. The employee is also required to follow District procedure to complete this process. An employee who chooses to not complete the reporting requirements will be at risk of losing any rights to a claim.

### **Energy Conservation and Management**

It is the District's responsibility to assure that every effort is made to conserve energy and natural resources. The implementation of this policy is the joint responsibility of Board members, administrators, teachers, students, and support staff; and, its success is based on cooperation at all levels.

The principal or site supervisor will be accountable for energy management on their campus. Energy audits will be conducted periodically.

Temperature guidelines:

Cold Months	70-72	occupied	60 un-occupied
Warm Months	72-74	occupied	85 un-occupied

- Lights must be turned off in any area you leave, including classrooms.
- Computers must be shut down at night. Not in the power save mode.
- No space heaters unless supplied by the district.
- Lamps can only be on if the teacher is in the room. They are strongly discouraged as they simply use more electricity and do not aid in lighting the room.
- Lit candles and candle warmers are not allowed by the order of the Fire Marshall and due to the damage caused by melted wax.

### **Facility Use**

After-hours use of Facilities must be scheduled through the Transportation Department. Please schedule as far in advance as possible with a minimum of two (2) weeks notice. Some activities require additional paperwork and insurance forms to be completed prior to the use of District facilities. Prior approval is required for after-hours facilities use. Staff working in their rooms/offices after regular hours and have their own children/family members with them must supervise them closely. The children/family members should not roam the halls or be in a different part of the facility away from the employee. Children may not play in gyms while staff members work in the building.

Due to liability and safety issues, employees are not allowed to provide access to the District's facilities without prior approval. Employees are not to let groups or individuals in a building or allow them to remain in a building unless the employee received prior approval from the Transportation Department. This includes family members, church groups, friends, little league teams, etc.

### **Security of Buildings**

The security of District buildings and rooms is essential for the protection of both District and personal assets and equipment. Clovis Municipal Schools considers the safety of all students and staff a priority. These guidelines are designed to control access to District buildings thereby enhancing overall security as well as promoting accountability and preventing loss of property.

### **Keys**

Keys for District facilities must not be reproduced, duplicated, or obtained from any source other than the Maintenance Department. The unauthorized possession, use, or reproduction of a District key may constitute theft or misappropriation of District property. An employee who violates these procedures may be subject to disciplinary action.

### **Employee Responsibilities**

- Employees shall only use District keys/key cards for access to their assigned work areas and should lock doors when leaving their work area.
- Employees must also ensure that keys/key cards are safeguarded and properly used. Keys/key cards should never be placed on teacher's desks where students have access to take them.
- Keys/key cards should not be attached to employee badges and cannot be left in locked vehicles at any time.
- At the end of each school year, upon mid-term transfer, or upon the termination of employment, keys/key cards must be returned to the Site Administrator.
- Employees may not loan out or exchange assigned keys/key cards.
- Employees must immediately report any lost keys/key cards to the Site Administrator.
- The Site Administrator must immediately report the loss to the Maintenance Department, complete the Lost Key Report, and submit it to Operations.

### **Lost Keys/Key Cards**

Lost building keys can pose a serious security issue. Employees must report lost or stolen keys/key cards to the appropriate Site Administrator immediately. **DO NOT** wait until the end of the day to report missing keys/key cards. Maintenance must rekey all exterior doors before the end of the day.

If keys/key cards are known to be stolen, a police report is required.

#### Fees for Lost Keys:

Building and Classroom keys - \$10.00 each

Key FOB - \$25.00 each

Card Reader - \$25.00 each

Fireproof File Cabinets - \$75.00 each

File Cabinets - \$25.00 each

Desks - \$25.00 each

Casework - \$25.00 each.

### **Maintenance and Control of District Property**

Employees are responsible for the proper care of District facilities, equipment, and property in their custody or control. If the negligence of the employee is determined to be the cause of damage to facilities, equipment, or property, the employee may be required to compensate the District for damages.

Employees may be allowed personal use of school equipment/materials if assigned to them, not in conflict with the law, is within district policies and procedure, and the District does not incur any expense due to the use. If the equipment/material is lost or damaged during personal use, the employee shall be required to reimburse the District for repair or replacement.

### **Personal Property Replacement/Restitution**

The District shall not assume responsibility for the loss or damage to personal property stored, installed, or used on school property. If personal items are brought to work, it is the employee's responsibility to secure them appropriately. It is recommended that employees not bring valuable personal items to the workplace.

### **School Mail/Personal Mail**

A school mail service is maintained to allow staff to communicate effectively in ways related to their job responsibilities. This service, however, is restricted to materials and communications related to official school business and the educational purposes of the District.

Employees are directed not to have personal mail, including packages, delivered to the school; personal mail should be delivered to the employee's home address. Also, employees are not to place personal mail (bill payments, personal letters, etc.) in the outgoing mail.

Employees have no expectation of privacy in the mail that is delivered by this service. District officials may open and inspect mail utilized by this service. The District shall not be liable for items lost or opened, nor damage or injury incurred by an individual as a result of the mail service.

### **School Vehicle Usage Guidelines**

All access to school vehicles must be cleared through the Coordinator of Custodial Services and Transportation prior to use.

#### **Requirements to Drive a School Vehicle:**

- Drivers license in good standing. Must be a New Mexico license
- Subject to random Drug/Alcohol testing

If you are involved in an accident while driving a school vehicle you must receive a drug/alcohol test that day.

Employees and Board Members will maintain the highest standards while utilizing District vehicles and other movable assets. District vehicles and gas cards are to be used for official school/District business only. Misuse of vehicles and other movable assets may result in disciplinary action.

District vehicles are to be used for authorized employees, Board Members, or passengers. An authorized passenger is defined as a District employee, Board Member, or any person on official school/District business. Traffic citations or parking tickets are the responsibility of the authorized driver. The authorized driver will lock school vehicles when left unattended and store personal items in the trunk. Vehicles must be returned with all trash removed.

Employees or Board Members who are authorized to drive District-owned vehicles or receive a stipend to travel for district business shall be subject to random drug testing.

Cancellation of driving privileges shall result for the following reasons, but not limited to:

1. If an authorized driver transports an unauthorized passenger or permits an unauthorized person to drive.

(The authorized driver may be held personally liable for personal injury, death, or property damage arising from the unauthorized use of the District vehicle).

2. If an authorized driver is driving while under the influence of intoxicating liquor or drugs.
3. If an authorized driver fails to obey the driving laws of the State of New Mexico or a legal entity of the State.
4. If an authorized driver tests positive in a random drug test.

### **Employee Dress Code**

CMS Board Regulation G-0761, Staff Conduct states that all employees are expected to “dress and maintain a general appearance that reflects their position and does not detract from the education program of the school”.

Employees issued uniforms are to wear them consistently as provided, intended, and maintain them properly. Uniforms are not to be worn during off duty hours, except while traveling to and from work. Employees are to comply with the direction of their immediate supervisor in adhering to this policy.

### **Conflict of Interest/ Gifts**

It is unlawful for a public officer or licensed employee to take an official act for the primary purpose of directly enhancing a personal financial interest or position. An employee shall not, directly or indirectly, solicit, sell, or be a party to a transaction to solicit or sell a product or service to the school or District. This does not apply to an individual making a sale in the regular course of business while complying with the procurement laws and rules of the State of New Mexico.

No person shall sell or use a student, faculty, or staff list with personal identifying information obtained from the District for the purpose of direct marketing of goods or services except for legitimate educational purposes or with the authorized release of each individual on the list(s).

No employee will accept gifts from a person, group, or entity doing or desiring to do business with the District. The acceptance of any business-related gratuity is specifically prohibited, except for widely distributed advertising items of nominal value.

### **Political Activities**

Employees have the right to engage in political activity during off-duty hours. The employee shall make it clear while engaged in political activity that the utterances and actions are his/hers as an individual and that they in no manner represent the views of Clovis Municipal Schools. Employees shall not engage in partisan political activity on school property during business hours or while meeting his/her district responsibilities. Each employee shall request a leave of absence if an extended community or political activity interferes with his/her employment or District responsibilities. Or, the District must grant permission through the “Community Use of School Facilities” policy for political activities.

Political circulars or petitions may not be posted or distributed in the workplace. The collection of campaign funds and/or solicitation of campaign workers are prohibited on school property. The use of students for political influencing is prohibited. The use of District supplies, materials, buildings, or other resources to influence the outcome of an election is not permitted.

### **Public Appearances**

Staff members appearing before public or professional groups may not speak for the District unless specifically authorized by the Superintendent or Board.

### **Organization Membership**

The District will not directly or indirectly discourage employees from participating in political affairs or require

an employee to join any group, committee, or association. Employees may join or refuse to join any professional organization. A staff member's employment will not be affected by membership or the decision not to be a member of an employee or community organization that exists for the purpose of dealing with grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

### **Employment Recommendations/Job References**

No employee is authorized to issue a written or oral employment reference or recommendation for a current or former employee except in compliance with the following:

- No employee may issue or provide an employment reference or recommendation in his/her capacity as an employee for a current or former employee orally - all such references or recommendations shall be in writing only. If online forms must be completed, a copy of the form must be given to the Deputy Superintendent of Employee Services for approval
- No employee may issue or provide an employment reference or recommendation in his/her capacity as an employee for a current or former employee without first:
  - Receiving the written authorization of the reference or recommendation from the Employee Services Department.
  - Providing a copy of the proposed reference or recommendation to the Employee Services Department for approval; and
- An employee who wishes to provide an employment reference or recommendation in his/her personal capacity for a current or former employee, without the authorization or endorsement of the District, shall observe the following limitations and conditions:
  - No employee providing such personal reference or recommendation orally may do so during work hours, while on District property, or through the use of a telephone or other communication media owned by the District;
  - No employee providing such personal reference or recommendation in writing may do so during work hours, while on District property, or with the use of District or school letterhead, or through communication media owned by the District, or by other means that suggests District authorization or agreement; and
  - An employee providing an oral or written reference or recommendation shall specify that he/she is speaking for himself/herself and not on behalf of the District.

### **Extra Duty**

Principals/supervisors will inform employees of after-school activities, which they are expected to attend. The principal/supervisor will make all assignments on an equitable basis. All supervisors will adhere to the requirements for non-exempt employees under the Fair Labor Standards Act in differentiating between volunteer work and assignments related to the employee's position.

Staff desiring consideration for additional paid assignments in summer school, remediation programs, or school activities should direct their specific questions to the directors of said programs. A completed application should be sent to the appropriate director. All positions are considered temporary, and are based on the needs of each program. Additional information may be obtained by contacting the Employee Services Department.

### **Coaching/Increment-Related Assignments**

The "Extra Duty" assignments discussed previously do not pertain to positions for which staff members are given extended days or increments, such as coaching assignments or extended sponsoring assignments. For these positions, staff members may be assigned on an as-needed basis, at the discretion of the District. In some cases, assignments may be a condition of continued employment.

### **Emergency Drills/Procedures**

Emergency drills will be scheduled and conducted the first four weeks of each school year and each month during

the school year. The purpose of a drill is to train students, under staff direction, to move safely, quickly, and quietly from any location within the building to an assigned evacuation area. These drills include:

- **Evacuation**
- **Lockdown**
- **Shelter In Place**
- **Evacuation of Campus**

The following rules and procedures will be complied with in all schools:

- There shall be an emergency drill at least once every week during the first month of each year and at least once every month thereafter.
- Evacuation routes will be posted in each room. These routes will indicate the primary and alternate exits and the evacuation area to which the student should proceed upon leaving the building. During the first week of the school year, rules for emergency evacuation will be discussed with each class using the room.
- A distinct alarm signal will be used for emergency drills only; another signal (not the regular bell) will be established by the principal for return to class.
- No student or staff member is to remain in the building during emergency drills.
- A report stating the date and time that the drill was conducted, and the time required to complete the evacuation will be made.
- Each teacher is responsible for their students. Take charge IMMEDIATELY- Remain calm and assume leadership role.
- In any crisis situation, DO NOT RELEASE A STUDENT TO THEIR PARENTS UNTIL THEY HAVE SIGNED THEM OUT. You must have a check out sheet in grade/roll book at all times.

The teacher will be responsible for:

- Maintaining order during the drill.
- Taking the grade book and checking roll when the class is in the assigned evacuation area. The name of any student not accounted for will be reported immediately to the principal.
- The alarm is in the office. Each teacher must know how to give the alarm. If you do not know how, see the principal for instructions.

Failure or refusal to comply with any emergency drill shall result in the district submitting an ethics violation to the NMPED ethics bureau which can result in loss of licensure. (6.29.1.9 NMAC)

### **Evacuation (Fire Drills, Bomb Threat)**

#### **Fire Drill**

Students in New Mexico are required by law to have fire drills each year.

- All classes report to the same assigned spot. If in specials, students report to their assigned homeroom spot.
- Teachers should know how to use fire extinguishers and other fire safety devices. They should also teach fire prevention.
- In the event that the bell system cannot be used, several long blasts from a whistle will alert the school to evacuate for a fire bell.

1. At the sound of the alarm, all students should quietly rise and leave the room. Proceed out the planned exit to at least 100 feet from the building. No talking or running.
2. The teacher is responsible to see that all children are out of the room. The teacher then turns out the lights and closes the door and any other empty classroom door that is open on the way out.
3. When students and teachers arrive at their designated area, the teacher should:
  - Take roll
  - Report to a designated supervisor so that the class can be accounted for
4. If someone is missing, notify designee immediately.

5. Students should remain in line and start back into the building at the signal. Do not enter on the bell sound.

### **Bomb Threat**

Classrooms will be notified in person when there is a need to evacuate. Do not use cell phones or handheld radios.

1. Walk students out of the building using fire drill exits and procedures.
2. Do not touch anything, leave everything as is when leaving the room or building.

If you answer the phone and it is a bomb threat:

- Remain calm and keep the bomb threat caller on the phone as long as possible
- Immediately after the phone call dial #57 to trace the call
- Complete as much of the BOMB Threat checklist as possible
- Immediately notify the Principal or office of the threat

### **Lockdown (Intruder or Weapon Situation)**

At the notification of a lockdown, immediately:

1. Lock classroom door and windows, closing blinds
  2. Have students report to an area of the classroom that is out of view of windows and doors
  3. Turn off lights and remain quiet
  4. Do not allow anyone to enter/exit the secured area
  5. Take roll and report status using **green** (everything is ok) **red** (I need attention in this room) **yellow** (missing or extra students) card-on window or under the door
  6. Cell phones should be on vibrate
- Children/staff in hallways should go to the nearest room and lock the door.
  - Do not contact the office just to see what is happening. Only communicate essential information. Classroom doors will be UNLOCKED by runners or police only.

### **Shelter In Place (Tornado, Exterior Hazard, etc.)**

#### **Tornado Drills**

Tornado drills will be conducted during the months of March, April, and May. The following procedures will be followed:

1. An announcement is made to take cover.
2. Take cover in designated safe areas. Maps are posted in each room.
3. Classroom doors need to be closed.
4. Assume civil defense protective position. Head should be facing the wall.



5. Students should face an interior wall with knees and elbows on the floor, and hands over the back of their heads. Students kneel on the floor in a crouched position with hands covering the back of their head and neck.
6. Take roll and report any missing student to the principal.
7. An announcement will be made when it is safe to re-enter the classroom.

### **Evacuation of Campus**

1. Announcement will be made.

2. Classroom lights need to be off and doors closed.
  - a. Stage 1- Evacuate the building using fire drill exits to fire drill distance. Take roll and report missing students.
  - b. Stage 2 - Evacuate to a designated safe area.

### **Nepotism/Supervision of Relatives**

Initial employment in any capacity will not be recommended of a person who is the spouse, father, father-in-law, mother, mother-in-law, son, son-in-law, daughter, daughter-in-law, brother, brother-in-law, sister, and sister-in-law of a member of the Board or Superintendent. The above-listed persons may not be initially employed or approved for employment in any capacity in the District.

Nothing in the section of this policy shall prohibit the continued employment of such a person employed on or before July 1, 2008. No school employee may be the immediate supervisor of a close relative (restrictions listed above). In addition, close relatives cannot perform job duties that require separation of duties in financial matters.

### **Non-School Employment**

A regular, full-time employee's position in the District shall be given precedence over any type of non-school or self-employment. Employees are free to carry on individual work or self-employment projects as long as District facilities, equipment, or school(s) are not used, except as provided by policy, and the non-school work or self-employment does not interfere with the employee's work performance.

Therefore, an employee may not perform duties related to non-school work or self-employment during regular District work hours or during additional time needed to fulfill the responsibilities of their position. Employees who violate this policy are subject to reprimand, suspension, or termination.

### **Work Hours**

All staff members shall report to their duty stations on time each workday and shall, as scheduled, be available until their designated departure time(s). The Superintendent may alter or extend the school day for meetings, special events, or activities.

<u>Elementary 7:30-3:25</u>	<u>30 minute duty-free lunch</u>
<u>Secondary 8:00-3:45</u>	<u>30 minute duty-free lunch</u>

Professional staff members are expected to be in their respective rooms or work areas as the schedule prescribes in order to be available for students, parents, and/or attend to other assigned duties. All staff members will conduct themselves in a way that will meet these expectations.

1. When it is necessary for a teacher to leave the building during school hours, sign out in the office. Please indicate your destination (& phone number, if possible) in case it becomes necessary to contact you.
2. Planning times are not to be used to run errands.
3. If you need to leave the building for more than 15 minutes for any non-school related business, you must fill out a leave request.

In order to ensure the safety of students and the security of school campuses, teachers may be assigned supervisory duties during the workday. Duty assignments shall be considered a regular part of a teacher's assignment and shall be fulfilled accordingly.

### **Extra Duty**

Teachers will be informed of after school activities which they are expected to attend. This will be limited, as much as possible.

Support staff will also conduct themselves in a way that allows them to meet these requirements. Any employee who is not at his/her duty station must have given prior notification to their supervisor.

### **Solicitation/Distribution of Materials**

An 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(s) of employees and/or students for profit, nonprofit or charitable groups, institutions, or organizations must have prior approval from the Superintendent. Solicitations or distribution of non-District literature by staff members must have PRIOR approval by the Superintendent and/or his/her designee. No other solicitations shall be made by or of employees during official work time.

The Superintendent will establish procedures so staff members are not disturbed during the workday by solicitors and, in turn, encourage staff members to refrain from solicitations that involve the school system, other than for authorized purposes.

### **Telephone/Cell Phone Usage**

Employees will not be called from class or other workstations to answer telephone calls except in cases of urgency. No personal long distance calls are to be made on a school phone unless approved by the principal/supervisor.

The use of cell phones by employees will be governed by the principal/supervisor. Cell phones should only be used in cases of urgency and should not disrupt the work schedule or educational services. An employee's inappropriate use of a cell phone, telephone, or other electronic device may be considered misconduct, and disciplinary action may be taken.

### **Tobacco-Free Policy**

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 the following locations: school grounds, school buildings, school parking lots, school playing fields, school buses, District vehicles, and off-campus school-sponsored events. These prohibitions do not apply to an adult when possession or use of tobacco products are for demonstration purposes as a necessary instructional component of a tobacco prevention or cessation program, which has been approved by the District or established in accordance with New Mexico Revised Statute.

### **Drug-Free Workplace**

Per Board Policy G-0950, no employee shall violate the law or District policy in the manufacture, distribution, dispensing, possession, or use, on or in the workplace, of alcohol or any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, or any other controlled substance, as defined in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation at 21 C.F.R. 1308.11 through 1308.15.

*Workplace* includes any school building or any school premises and any school-owned vehicle or any other school-approved vehicle used to transport staff members or students to and from school or school activities or on school business. Off school property, the workplace includes any school-sponsored or school-approved activity, event, or function where students or staff members are under the jurisdiction of the District. In addition, the workplace shall include all property owned, leased, or used by the District for any educational or District business purpose.

Any employee who violates this policy in any manner is subject to discipline, which may include, but is not limited to, dismissal.

### **Reasonable Suspicion Drug and Alcohol Testing.**

Any employee who is reasonably suspected of using alcohol or illegal drugs or of abusing controlled substances in the workplace or of performing official duties while under the influence of alcohol, illegal drugs, or abused controlled substances (including medical cannabis) may be required to undergo an alcohol and/or drug test. "Reasonable suspicion" exists when an employee exhibits patterns of behavior that suggest impairment from drug or alcohol use or when job performance or safety is affected. An employee may be requested to take a drug and/or alcohol test if management officials or supervisors have reasonable cause to believe that the employee's faculties are impaired while at work due to drug or alcohol use. An employee who refuses to consent to an alcohol and/or drug test will be subject to discipline, including but not limited to termination or discharge from employment.

### **Weapons in the Workplace**

No weapons, guns, etc. are to be brought into the workplace. Violators will be subject to severe federal and state penalties. Section 30-31-2 through 30-31-41 NMSA 1978.

### **Copyright Compliance**

A variety of machines and equipment for reproducing materials is available to staff.

All reproduction of copyrighted material shall be conducted strictly in accordance with applicable provisions of the law. Employees in violation of copyright laws may be required to remunerate the District in the event of loss due to litigation and may be subject to discipline up to and including dismissal.

If you have a specific question about the copyright laws or District policy, refer to CMS Board Policy E-3900 or contact the staff in the Instructional Resource Center at the District Administration Office.

### **Vandalism**

A staff member who observes or has direct knowledge of an act of vandalism to public school property shall file a report describing the incident pursuant to established procedures. Reports will be made to the site supervisor or to the Operations Department. A person who files a report shall not be discriminated against in any manner or discharged by the Superintendent due to the incident filing.

### **Receiving and Depositing Money**

All money collected from students must be receipted immediately upon acceptance of the funds. A copy of the receipt(s) must be immediately given to the student/employee/parent and the money must be turned into the school office on the day it is received. This includes money brought to or earned at school by students for any purpose such as: organization dues, school pictures, book fines, book fair sales, fundraisers, field trip deposits, and book club purchases.

In no case shall money be left overnight in classrooms or school buildings, except in safes provided for safekeeping of valuables.

1. Collect all money from students first thing in the morning when possible.
2. All monies received must be receipted and sent to the office for deposit no later than 9:30 AM.
3. Count & verify amount received from each student.
4. Receipt money.
5. Place all money with the printed summary copy into the bank bag. Turn into the office.

The school principal or designee will be responsible to deposit money daily in the bank. If an employee has a situation where money will be collected after the school's office is closed, follow the direction of your principal in securing the money until the next school day. Generally, this will mean locking the money in a school safe.

## **Purchases With School Money**

Employees are expected to adhere to all purchasing requirements. No cash purchases are to be made. All purchases will be made with purchase orders, which are generated by the building principal, or the school's secretary prior to the purchase. Unless you already have a purchase order do not:

- Order anything
- Get something on approval
- Order preview instructional materials or items
- Take things to sell on consignment

If you have a situation where you need to purchase an item from a company that does not take a school purchase order, check with your principal prior to the purchase. Items purchased from school activity money remain the property of the school.

1. Purchase orders must be made as soon as practical.
2. All items purchased must be for student use.
3. All PO's must list each item and the dollar amount.
4. All materials needed for instruction, business, and custodial operations of the individual schools shall be ordered from the warehouse when available from that source.
5. Receipts cannot exceed the amount of the purchase order request.
6. PO's with no receipt will be the responsibility of the purchaser.
7. Make sure tax is not charged.

Please contact your supervisor or the Chief Procurement Officer if you have questions regarding purchases with school money.

## **Acceptable Use Policy - Computer and Network/Internet Guidelines and Conditions of Use**

Computer and network access, including Internet access, is available to students and staff of the District. CMS is a Children's Internet Protection Act (CIPA) compliant School District and therefore is required to use a content filtering system to regulate access to and from Internet sites. Please read this Acceptable Use Policy carefully. Our goal in offering these services to our school community is to promote educational excellence in schools by providing resource sharing, innovation, and communication.

Technology offers the potential of access to such services as:

- Computer-based tools and applications
- Instructional resources and materials
- Networked references, research sources, and library catalogs
- Electronic communication services
- Global information and news
- Correspondence with other institutions
- Online publishing and information sharing
- Social networking

With access to computers and people all over the world also comes the availability of material that may not be considered educationally valuable in the context of the school setting. However, on a global network it is impossible to control access to all materials, and an industrious user may discover controversial information. CMS firmly believes that the valuable information and interaction available on this worldwide network far outweigh the possibility that users may acquire material inconsistent with the educational goals of the District. The smooth operation of the network relies upon the proper conduct of the end-users who must strictly adhere to the following guidelines and conditions of use. These guidelines are provided so that users are aware of the responsibilities they are about to acquire. In general, this requires the ethical and legal utilization of the computer and network resources.

This Acceptable Use Policy is binding on all users of the CMS school community site as a matter of law, whether this agreement is signed or not. The guidelines and conditions outlined in this policy in no way limit the school District's prerogative to manage its technology systems as it sees fit, or restrict its authority to take any actions it deems necessary to adequately supervise, protect, and if necessary, discipline students and staff. CMS reserves the right to revise this policy at any time, and all revisions will take effect immediately, upon approval by the CMS administrators.

### **Acceptable Use**

The purpose of educational technology in CMS is to support its educational goals. Your use of technology must be consistent with the educational objectives of CMS. Use of computer systems and networks imposes certain responsibilities and obligations on users and is subject to CMS policies and local, state, and federal laws. Acceptable use must always be ethical, reflect honesty, and show courtesy in the utilization of shared resources. It demonstrates respect for intellectual property, ownership of information, and system security mechanisms.

### **Privileges/Consequences**

The use of technology is a privilege, not a right, and inappropriate use may result in restriction of privileges and other disciplinary action. Listed below are examples of user activities that CMS deems inappropriate and in violation of this policy. CMS reserves the right to expand this list as necessary. CMS retains the right to deny, revoke, or suspend specific user privileges or restrict access to technology resources, require payment for any damage, and bring criminal charges if deemed necessary. Any material used, generated, received, or stored by any user through the use of CMS computers, networks or another technology is subject to review. The CMS Technology Department has been given the responsibility of monitoring all network activities. CMS reserves the right to examine, restrict, or remove any material that is on or passes through its technology systems. Access to electronic information related to any student or staff member will be governed by the same policies that would apply to that information if it were not in electronic form. Parents, or legal guardians, may request to see the content of any material created or accessed by their child(ren), if technically possible.

Examples of user activities that violate this policy:

- Commercial advertising or unethical/illegal solicitation
- Accessing a file or website that contains pornographic or obscene pictures, videos, stories, or other material; making copies of such material, or distributing or exposing others to such material
- Using copyrighted material without permission when such is required
- Sending or receiving messages that are obscene, profane, racist, sexist, inflammatory, threatening, disruptive, violent, or slanderous toward others
- Creating, distributing, and/or placing a computer virus on the network or any workstation
- Sending messages or information with someone else's name on it or misrepresenting the source of information you enter or send
- Harassing others or requesting or distributing addresses, home phone numbers, or other personal information
- Cyber-Bullying
- Sending chain letters or engaging in "spamming" (sending an annoying or unnecessary message to large numbers of people).
- Purchasing goods and/or services, which obligates CMS to another party.
- Revealing home addresses, e-mail addresses, or phone numbers of other students or colleagues.
- Sharing passwords. The only person to ever use a password is the authorized person to whom it has been issued by CMS.
- Attempting to access and/or alter information in restricted areas of any network or in any way violate the confidentiality rights of other users on any network.
- Failing to report violations of this policy or other conditions that may interfere with the appropriate and efficient use of school resources. Users are required to report any of the following to his/her teacher,

supervisor, or the building network administrator as soon as the following are discovered:

- Any messages, files, websites, or user activities that contain materials that are in violation of this policy.
- Any messages, files, websites or user activities that solicit personal information about you or someone else, or request a personal contact with you or another user (i.e. asks for your address, phone number, photograph, e-mail address, or other personal information for any network site, credit card number, Social Security number, or to meet you.)
- Attempts by any user to abuse or damage the system; violate the security of the network and its resources; obtain access to secure, restricted or confidential information without authority from CMS; hacking.
- Any illegal activity or violation of school policy.
- Political Lobbying
- Fundraisers
- Non-CMS Approved Chat Rooms
- Instant Messaging Sites
- Do not allow ANY non-CMS employee to “work on”, “fix”, use or download unauthorized programs or features on School District computers (desktop, laptop or mobile device)

### **Security**

Security on any computer system is a high priority, especially when the system involves many users. Any user identified as a security risk or having a history of problems with other computer systems may be subject to severe restriction or cancellation of privileges. CMS reserves the right to examine, restrict and/or remove any material that is on or passes through its technology systems. Access to electronic information related to any student or staff member will be governed by the same policies that would apply to that information if it were not in electronic form.

If you feel you have identified a security problem on the network:

- You must notify the Executive Director of Technology as well as your immediate supervisor.
- Do not demonstrate the problem to other users

### **Security Violations**

1. Attempts to log on to any network, as a system administrator
2. Attempts to compromise the security, integrity, and functionality of any CMS technology system
3. Possession of tools, which are designed to do so, while on school property
4. Uploading or creation of computer viruses
5. Deletion or alteration of other user’s files
6. Loading of applications removing protection from restricted areas
7. Unauthorized blocking of access to:
  - Information
  - Applications
  - Areas of the network
8. Introduce or attach any software or hardware to the technology used in CMS, which is not authorized by the Executive Director of Technology
9. Modification to any hardware or software owned or managed by CMS, which is not authorized by the Executive Director of Technology

### **Network Etiquette**

The user is expected to abide by the generally accepted rules of network etiquette. (NEPN/NSBA Code: IJNDB E2)

1. Users shall be polite in all communications.
2. Use appropriate language; swearing and vulgar language are considered inappropriate.
3. Do not reveal home addresses, e-mail addresses, or phone numbers of other students or colleagues.
4. Electronic mail (e-mail) is not guaranteed to be private. CMS scans all email for viruses, malware, adware,

spyware, spam, and content.

5. Do not use the network in any way that would disrupt its use by other users.
6. Messages relating to, or in support of, illegal activities may be reported to the authorities.
7. Consider that communications and information belonging to other people should be treated as private property.

### **Web Publishing**

CMS website ([www.clovis-schools.org](http://www.clovis-schools.org)) is maintained by the District Webmaster. In order to maintain consistency of layout, only the Webmaster is authorized to implement it to the website.

### **Content Changes**

1. Employees and students may make changes to the content of a site established or maintained by the employee or student on the CMS network, with authority from CMS.
2. Changes are submitted to the site's administrator and/or Superintendent's designee for approval.
3. Approved changes are submitted to the Webmaster, who will change the website.

### **Layout Changes**

1. Site administrators may request layout changes for their website.
2. Approved reviews are submitted to the Superintendent's designee for approval.
3. Approved changes are submitted to the Webmaster, who will change the website.

### **Warranty**

CMS makes no warranties of any kind, whether expressed or implied, for the service it is providing. CMS will not be responsible for any damages users suffer. This includes loss of data resulting from delays, non-deliveries, misdirected deliveries, or service interruptions caused by its own negligence or user errors or omissions. Use of any information obtained via the Internet is at the user's risk. CMS specifically denies any responsibility for the accuracy or quality of information obtained through its service.

### **Social Networking and Electronic Communication**

Social networking is defined as websites, weblogs (blogs), wikis, social networks, online forums, virtual worlds, and any other social media generally available to the public or consumers (e.g. MySpace, Facebook, Google+, Google Hangouts, Twitter, LinkedIn, Flickr, YouTube, blog sites, etc.).

Readers of social media networks may view the employee as a representative of the schools and the District. The District requires employees to observe the following rules when referring to the District, its schools, students, programs, activities, employees, volunteers, and communities on any social media network:

1. An employee's use of any social media network and an employee's postings, displays, or communications on any social media network must comply with all state and federal laws and any applicable District policies.
2. Employees may not act as a spokesperson for the District or post comments as a representative of the District, except as authorized by the Superintendent or the Superintendent's designee.
3. Employees may not disclose information on any social media network that is confidential or proprietary to the District, its students, or employees or that is protected by data privacy laws.
4. Employees may not post images on any social media network of co-workers without the co-workers' consent.
5. Employees may not post images of students on any social media network except for images of students taken in the public arena, such as at sporting events or fine arts public performances.
6. The District recognizes that student groups or members of the public may create social media representing students or groups within the District. When employees, including coaches/advisors, choose to join or engage with these social networking groups, they do so as an employee of the District. Employees have a responsibility for maintaining appropriate employee-student relationships at all times and have responsibility for addressing inappropriate behavior or activity on these networks. This includes acting to

protect the safety of minors online.

7. District technologies are provided for educational use. Use of social media for personal use during District time or on District equipment is prohibited.

An employee who is responsible for a social media network posting that fails to comply with these rules and guidelines may be subject to discipline, up to and including termination. Employees will be held responsible for the disclosure, whether purposeful or inadvertent, of confidential or private information, information that violates the privacy rights or other rights of a third party, or the content of anything posted on any social media network.

### **Employee Sign-Out Form & User Agreement for CMS Technology Equipment**

- CMS staff members may be issued, assigned and authorized to utilize CMS technology equipment for business, instructional, or school-related purposes ONLY, including laptops, tablet computers, scanners, cameras, Kindles, Smart-pens, printers, phones, and projectors.
- At the time such equipment is issued and assigned to the staff members by CMS, when the employee signs into their issued device the employee agrees to the inventory of the device and “User Agreement” for such technology equipment. A reminder of the agreement is included on the bottom of the sign in page on each district issued laptop.
- All equipment assigned to you will be on loan during your time of employment , but in no event later than the last day of your employment with CMS, or upon return of the equipment to the CMS IT Department in good and working condition.
- You are bound to follow all CMS technology guidelines and Acceptable Use policies when using CMS electronic equipment.
- All equipment issued to you by CMS must be returned in good and working condition at the end of the assigned period or on or before your last day of employment with CMS, whichever is earlier, NO EXCEPTIONS.
- Upon return, equipment will be inspected by IT staff to ensure it is still in good and workable condition, as it was when assigned to you, given normal wear and tear.
- Should the equipment be lost, damaged or destroyed, or should you fail to return the equipment assigned to you, as well as its corresponding parts (i.e. charger, batteries, etc...), on or before the end of the assignment period or the last day of your employment with CMS, whichever is earlier, you will be responsible for paying or reimbursing CMS for the cost of repair or replacement of the equipment.
- Payment for repair or replacement of equipment will be due no later than thirty days after the IT Department gives you notice of the repair or replacement cost, or on the last day of your employment with CMS, whichever is earlier.
- Should you fail to pay for or reimburse CMS for the repair or replacement cost of the equipment, CMS is hereby authorized to deduct such costs from your payroll following reasonable notice to you.

## District Authorized Communication Systems

Clovis Municipal School District employees are provided and authorized to use four systems to communicate with parents and students: Skyward, district email account, approved electronic conferencing software (Zoom, Google Meet, etc. ) and a district telephone.

If an employee uses third-party communication systems, software or applications, non-district email accounts or personal telephone/cellular phones to communicate with parents/students, that employee is acting independently of the school district, which is not permitted and will, therefore, be personally responsible for responding to and complying with any related legal inquiries or issues that arise and could face disciplinary action depending on the situation.

Additionally, District employees are prohibited from engaging in social media or electronic communications as a representative or spokesperson of the District without express permission from the Superintendent – see *Social Media and Electronic Communication*.

Authorized Communication Systems	Verified/Filtered User Identities	Two-Way Communication	Secure Communications	Archived Communications
Skyward (Preferred) Message Center or Skyward email	√	√	√	√
District Gmail		√	√	√
District Telephone		√	√	√

Skyward Message Center & Email via Skyward:	District Email Accounts:	District Telephones:
<ul style="list-style-type: none"> <li>● District preferred school-to-family-to-school communication system</li> <li>● Authorized users must have custodial/legal right to student data.</li> <li>● Protects staff from mistakenly releasing private information to an unauthorized party.</li> <li>● Maintained and audited in accordance with statutes and guidelines regarding student data security.</li> <li>● Fully archived, allowing the district to respond to/comply with legal requests for documentation or records.</li> </ul>	<ul style="list-style-type: none"> <li>● Fully archived, allowing the district to respond to/comply with legal requests for documentation or records.</li> <li>● Maintained in accordance with statutes and guidelines regarding educational data security.</li> </ul>	<ul style="list-style-type: none"> <li>● Communicate effectively with parents/students while maintaining personal/schedule boundaries.</li> <li>● Classroom and office phones are equipped with voicemail to give individuals direct access to their messages.</li> <li>● The district can respond to/comply with legal requests for documentation or records.</li> </ul>
<p><i>Scenario: A parent loses custodial rights or is placed under a domestic violence order that prohibits them from having contact with their student. When the school is provided the court order, an alert is set in Skyward and the parent's access is deactivated. A teacher may not know about the court order but Skyward still prevents communication from being sent to the unauthorized parent.</i></p> <p><b>**If a private, online communication account/system is used to communicate with parents/students or to conduct work duties, the employee is personally responsible for providing records and/or data to comply with any court orders or information requests that arise.</b></p>	<p><i>Note: When communicating via district email accounts, there is nothing to prevent contact with a party who is not legally authorized to receive student information. It is the employee's responsibility to verify the identity and authorized access of those they communicate with prior to providing student information by email or other means.</i></p> <p><b>**If a private email account is used to communicate with parents/students or to conduct work duties, the employee is personally responsible for providing records and/or data to comply with any court orders or information requests that arise.</b></p>	<p><i>Note: When communicating via telephone, there is nothing to prevent contact with a party who is not legally authorized to receive student information. It is the employee's responsibility to verify the identity and authorized access of those they communicate with prior to providing student information by phone or other means.</i></p> <p><b>**If a personal cell phone or home phone is used to communicate with parents/students or conduct work duties, the employee is personally responsible for providing records and/or data to comply with any court orders or information requests that arise.</b></p>

## **CMS EMPLOYEE HANDBOOK SECTION 9: *Responsibility for Students/Instruction***

*Staff members will maintain appropriate professional behavior while working with students and refrain from harassment, malicious or prejudicial treatment, and abridgment of student rights. Furthermore, staff members are required to report to their supervisor or to the appropriate person or agency any information they may have that relates to a student being harassed, bullied, discriminated against, threatened, or any other demeaning treatment by another person.*

### **Accidents Involving Students**

If an injury or accident occurs involving a student, employees must notify the building administrator or supervisor. Regardless of severity, the necessary accident forms must be completed. School employees will exercise caution in administering first aid to students. Normally, the expectation is that the school nurse will be available, or the student will be taken to a medical facility, if warranted. If a student is injured or has a medical emergency, the staff member supervising the student should seek appropriate medical assistance as quickly as possible. The staff member should dial “911” and request an ambulance if he/she feels it may be in the student’s best medical interest. In the case of a serious injury and “911” is called, the Superintendent’s Office and Operations Department must be notified immediately.

### **Sexual Harassment of Students**

No employee of the District may engage in conduct of a sexual nature with a student, regardless of the student’s age, ability to consent, or actual consent. An employee who is aware of sexual harassment of a student, by an employee, is required to report it to the Superintendent’s Office immediately.

### **Reporting Child Abuse, Child Neglect, Drug Use by Students (Board Policy J-6250)**

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 exhibit below).

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: June 21, 2021

#### **Additional CMS Guidelines:**

Do not interview the student. The building administrator must be informed. A building 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.

Drug use or suspected drug use by students should be reported to a local law enforcement agency and to the principal or site administrator. An employee who fails to report abuse may be subject to legal sanctions.

#### **Reporting Student Concerns, Complaints, and Grievances**

All staff members must report observed incidents and reported incidents that involve demeaning behavior. When a staff member is aware of situations related to harassment, intimidation, bullying, or endangerment of students, he/she must report it to the proper authority and submit required documentation. Reporting is a condition of employment.

Clovis Municipal Schools believes that providing an educational environment for all students, employees, volunteers, and families, free from harassment, intimidation, or bullying supports a total learning experience that promotes personal growth, healthy interpersonal relationships, wellness, and freedom from discrimination and abuse. Therefore, harassment, intimidation, or bullying are forms of dangerous and disrespectful behavior that will not be tolerated.

Bullying is prohibited in the school, on school grounds, in school vehicles, at a designated bus stop, or at school activities or sanctioned events. Defined, bullying is any repeated and pervasive written, verbal or electronic expression, physical act or gesture, or a pattern thereof, that is intended to cause distress upon one 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 hazing, 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.

All staff members must report observed incidents and reported incidents that involve demeaning behavior. When a staff member is aware of situations related to harassment, intimidation, bullying, or endangerment of students,

he/she must report it to the proper authority and submit any required documentation. This is a condition of employment.

Students may present a complaint or grievance regarding one (1) or more of the following (Board Policy J-3600):

- Violation of the student's constitutional rights;
- Denial of an equal opportunity to participate in a program or activity for which the student qualifies;
- Discriminatory treatment on the basis of race, color, religion, sex, sexual orientation, age, national origin, genetic information, or disability;
- Harassment, intimidation, bullying, or any other demeaning treatment of the student by another person,
- Concern for the student's personal safety.
- Provided that:
- The topic is not the subject of disciplinary or other proceedings under other policies and regulations of this District, and
- The procedure shall not apply to any matter for which the method of review is prescribed by law, or the Board is without authority to act.

The guidelines to be followed are:

- The accusation must be made within thirty (30) calendar days of the time the student knew or should have known that there were grounds for the complaint/grievance.
- The complaint/grievance shall be made only to a school administrator or professional staff member.
- The person receiving the complaint will gather information for the complaint form.
- All allegations shall be reported on forms with the necessary particulars as determined by the Superintendent. Forms are available in the school office.
- The person receiving the complaint shall preserve the confidentiality of the subject, disclosing it only to the appropriate school administrator or next higher administrative supervisor or as otherwise required by law.

The Superintendent shall determine whether the complaint/grievance falls within this policy.

Students should file complaints on their own behalf. A parent or guardian may initiate the complaint process on behalf of an elementary school student.

A complaint/grievance may be withdrawn at any time. Once withdrawn, the process cannot be reopened if the resubmission is longer than thirty (30) calendar days from the date of the occurrence of the alleged incident. False or unproven complaint documentation shall not be maintained.

Retaliatory or intimidating acts against any student who has made a complaint under this policy and its corresponding regulations, or against a student 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 a separate complaint.

Knowingly submitting a false report under this policy shall subject the student to discipline up to and including suspension or expulsion. Where disciplinary action is necessary pursuant to any part of this policy, relevant District policies shall be followed. [See CMS Board Policy J-3600]

### **Teacher Lesson Plans**

Each teacher should have lesson plans with adequate directions for the substitute to be able to continue ongoing programs and instruction in his/her absence. Lesson plans should address the individual educational needs of the students assigned to the teacher. Lesson plans should also contain the elements the site supervisor requires in order to deliver the approved curriculum. Supervisors may request teachers have these lesson plans available for

review, as directed. Adequate lesson plans is a condition of employment for all classroom teachers. [See CMS Regulation I-7961]

Guidelines include:

- Lesson plans shall reflect State Standards and the scope and sequence of the courses of instruction.
- Lesson plans should include information pertinent to the effective implementation of a lesson.
- Material to be used in a lesson(s)
- Lesson plans for individualized programs should be consistent with the general overview and purpose of the instructional program. The progress of individual student(s) must be a consideration in the plan.
- Teachers are to provide adequate directions for substitutes, the purpose of which shall be to continue, if possible, the ongoing program or, if more appropriate, a meaningful educational alternative that relates to the subject area.
- Lesson plans for the entire week must be complete by Monday at 7:30 a. m.
- An assessment to determine mastery of a concept should be included.

### **Report Card and Grading Guidelines**

- Report cards are available for parents to view in Skyward Family Access at the end of each 9-week grading period as per the District instructional calendar.
- Students must attend at least fifteen (15) days in a grading period in Clovis Municipal Schools to receive a report card. If the attendance time is less, the grades from the receiving school will be used.
- Any grade below a 'C' on the report card must have been brought to the attention of the parent well in advance of report cards being available.
- The grading system should be consistent within the class for the entire year, and students should understand the system thoroughly.
- Grades must not be affected by or upheld based upon disciplinary problems, work habits, or conduct. Grades will not be used as a disciplinary device.
- Grades must be recorded in Skyward within five (5) days after the assignment is due.

### **Elementary**

*Grades are given in the following subjects:*

- Language Arts (average of two grades per week from the following categories)  
Reading, writing, speaking and listening. Spelling will not factor into Language Arts grade.
- Mathematics (average of two grades per week)
- Social Studies (average of two grades per week)
- Science-Health (average of two grades per week)
- Music (a minimum of 6 grades per 9-weeks)

*Grades must be recorded in Skyward within five (5) days after the assignment is due.*

#### **Successful Learner**

**O- Outstanding**

**S- Satisfactory**

**I- Improvement Needed**

### **Kindergarten**

*Performance will be reported as:*

**E- Exceeds Grade Level Proficiency**

**P- Proficient at Grade Level**

**NP- Nearing Proficiency**

**BE- Beginning Step**

**Grades 1-5**

*Performance will be reported as:*

- A** – 90-100
- B** – 80-89
- C** – 70-79
- D** – 60-69
- F** – Below 60

*Grade Weights*

Math	Assignments 67%	Tests 33%
Language Arts	Assignments 67%	Tests 33%
Science and Social Studies are not weighted.		

**Secondary**

*Performance will be reported as:*

- A** – 90-100
- B** – 80-89
- C** – 70-79
- D** – 60-69
- F** – Below 60

**Grades 6-8**

*Grade Weights*

- Assignments 50%
- Assessments 50%

**Grades 9-12**

*Grade Weights*

- Assignments 45%
- Assessments 45%
- 9-Weeks Exam 10%

An average of at least two grades per week should be recorded in the Skyward grade book for each subject.

**Homework** [Board policy I-7050]

The development of study skills and self-discipline are integral and indispensable elements of a quality educational process.

Homework should be assigned consistent with the maturity, special needs, potential, and achievement level of the individual student.

Homework is a desirable practice which may be employed at all grade levels. Homework must be relevant and meaningful, otherwise neither a willing attitude nor quality work is likely to result. Simple homework assignments that are designed to create responsibility, as well as reinforce academic skills are appropriate. Please be reasonable as you make homework assignments.

Homework is not usually given over the weekend and should not require more than 30 minutes to complete. Anything more than this is excessive and defeats the purpose. Homework should not be assigned just for the purpose of having homework.

**Honor Roll** [Board policy I-7150]

An academic honor roll will be published in the local newspaper at the end of each nine weeks for elementary and secondary schools. The following guidelines will be utilized when determining which students qualify for the honor roll:

Two honor rolls will be created in grades 3-5 and will only include the four core content areas.

1. The “A” honor roll: The student must have all “A’s” to qualify at the end of the nine-week period.
2. The “A/B” honor roll: The student must achieve at least two “A’s” and two “B’s” or better to qualify at the end of a nine-week period.

### **National Honor Society Qualifications**

The National Honor Society recognizes students who are outstanding in academics, leadership, character, and service. Induction occurs during the spring semester of the sophomore or junior year. Academic eligibility requires students to have a minimum 3.7 cumulative GPA in addition to meeting other criteria. Members must maintain a 3.5 cumulative GPA to remain a member. National Honor Society members complete various community service projects and attend regularly scheduled meetings.

### **Teaching and Discussion of Controversial Issues**

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. Teachers should adhere to the approved curriculum and use of instructional materials that have been appropriately approved by the District.

### **Supervision of Students**

When students are in school, engaging in school-sponsored activities, or traveling to and from school on school buses, they are responsible to the school and the school is responsible for them. Supervision shall include being within the physical presence and, whenever possible, within a line of vision of the students so school personnel will have a reasonable opportunity to control the behavior of and assist the students if necessary.

Teachers shall exercise supervision as appropriate:

- From the commencement of the school day;
- Before classes begin;
- During class sessions;
- Between classes;
- At dismissal;
- Any other time when performing teaching or related duties on behalf of the school;
- When students are in the halls and restrooms.

If, in an emergency situation, it is necessary for a teacher to leave the physical presence of the students, the teacher shall make a reasonable effort to obtain a school employee to supervise the students during their absence. Under no circumstance shall the teacher leave students unsupervised if there is a reasonable possibility that harm to students or property will result.

Students are not to be sent on errands from the school premises.

School administrators, teachers, and other staff members will ensure that anyone who wishes to contact a student during the school day is doing so for proper reasons.

Standing in the hall visiting is not part of teaching and is to be considered leaving children unattended. When children are in the classroom the teacher is to be with them and involved in instructional activities.

Teachers must be at their prescribed place on time. Do not be late for duties as proper supervision depends on it.

Students can never be put in the hallway, either for disciplinary reasons or for academic reasons.

### **Recess Duty**

In order to ensure the safety of students and the security of school campuses, teachers may be assigned supervisory duty during the teaching day. These duty assignments shall be considered a regular part of a teacher's duties and shall be fulfilled accordingly.

It is very important that duty teachers walk around and monitor behavior. You should be looking for activities that students could get hurt doing and stop them.

If students come to you about other students picking on them, please address the issue with that student and not just tell them to go play.

The playground is an extension of the classroom and the legal liability for supervision is the same. When more than one teacher is on duty, they should be in separate areas of the playground to maintain adequate supervision. Use the radios for necessary communication.

### **Research/Publishing/Distribution Involving Student Information** [Board Policy L-0500]

Any research or distribution of data that involves students must have the prior approval of the Superintendent or must be conducted within the guidelines established by the District. This includes research done by teachers as a part of college coursework or licensure advancement. This also includes outside agencies and institutions of higher education that are conducting educational research. Distribution of information related to students must be done in a way that complies with District policies and regulations, as well as state and federal laws and regulations.

### **Student Attendance Records**

Each time a class meets, the teacher shall check and formally record the attendance of all students assigned to the class. Teachers should keep an accurate account of student attendance and tardies. Teachers must take roll themselves.

1. Attendance will be taken each day and posted in Skyward before 8:30 a.m. or within the first ten minutes of the class period. You are legally responsible for not reporting a child absent.
2. Accuracy is mandatory. If a student is absent and the school has no information as to why this student is absent, the school will make every attempt to reach the parent and confirm the absence. Students mistakenly marked absent will cause undue concern for a parent if a phone call is made. Verification of absence will not be made prior to contacting parents.
3. Check attendance after lunch. If any student is absent after lunch that was in class in the morning session, check with the office immediately for confirmation.
4. If a parent notifies you that a child will be absent, please email the attendance secretary.
5. All students arriving late must receive an admittance slip. This is necessary to give them proper credit for attendance. Do not admit a student without an admittance slip from the office.

Students who leave during the school day must have an adult sign them out in the office. **Students are only dismissed from class after they have been called to or received a pass from the office.** Never release the student directly to a parent at any time.

### **Disciplinary Action Towards Students**

Classroom teachers will develop expectations for behavior for the students whom they supervise. These expectations will be within the guidelines established by each site and the District. Teachers and other

instructional staff will use appropriate instructional strategies and interventions to assist students in meeting these expectations.

Students who do not meet these expectations should be subject to disciplinary actions and/or referrals that are developed at each site and meet the CMS Disciplinary Matrix, as well as state and federal laws and regulations.

The use of corporal punishment in any form is prohibited. This includes prohibiting the direction or suggestion of physical mistreatment of a student by another student.

### **Corporal Punishment Defined**

- Spanking, paddling, striking, squeezing, or pinching any part of the body or forcefully grabbing the body or clothing of a student, or pushing a student;
- Requiring a student to assume uncomfortable positions (e.g. hands overhead, holding books, etc.);
- Restraining or restricting physical movement through binding or tying;
- Enclosing a student in a confined space such as a closet, locker, or similar cubical; and
- Using exercise as punishment (e.g. pushups, laps); exception for PE and Athletics where activity is appropriate to the physical and emotional condition of each student.

### **Corporal Punishment Exceptions**

Reasonable restraint of a student whose conduct is violent or physically disruptive if the conduct is directed toward any person (employee, other student(s), third-person) on school premises, or student him/herself, or if the conduct is directed toward school property or the property of another on school premises.

Reasonable grasp upon, or restraint of the student for the purpose of moving or removing the student, or for the purpose of preventing the student from entering the premises AFTER student has REFUSED valid directives.

### **Corporal Punishment Penalty for Violations**

Employees found in violation of the policy shall be subject to discipline, which may include suspension, termination, or discharge. Instances of physical mistreatment will be referred to law enforcement or child protective agencies as required by law.

### **Tutoring**

There will be no tutoring of students for pay during the school day or after school hours on school property without proper approval. Tutoring one's own students for pay will not occur at any time during the regular school year. Such tutoring will be considered as both a violation of Board Policy and professional ethics and may lead to termination of contract, following a hearing as provided by law.

## **Instructional Topics for Teachers**

### **Audio Visual [Board Policy I-6300]**

It is the policy of the District that there is educational value in utilizing movies and videos in classrooms only when such movies and videos extend and/or reinforce the concepts being taught and have been planned for in advance. All staff must be aware of and follow the copyright laws. (Refer to policy, Performance Rights and "Fair Use")

1. The librarian will provide a form that must be filled out and signed for each A.V. used.
2. The use of A.V. materials should be planned for, related to objectives, and given proper pre and post showing attention so that their use could be justified to anyone questioning their utilization.

3. The use of A.V. must be included in lesson plans.

No films or videos can be shown without the proper paperwork in place. Schools have the option to purchase an annual movie license to cover public viewings for non-educational purposes.

#### Performance Rights and “Fair Use”

A display or performance of a copyrighted audiovisual work requires a license if it is shown to a substantial number of persons outside of a normal circle of a family or its social acquaintances. Schools are exempt from having to have a performance license IF they meet the following four “Fair Use” requirements:

1. *The performance must be presented by instructors or pupils and*
2. *The performance must occur in the course of face-to-face teaching activities and*
3. *The performance must take place in a classroom or similar place of instruction in a non-profit educational institution (including the library) and*
4. *The performance must be of a legally acquired copy of the work.*

All four conditions must be met before a performance is considered exempt from the public performance requirements. Face-to-Face also requires that the showing be directly related to the curriculum. Classroom-or school-wide use of audiovisuals for entertainment or reward is especially prohibited under fair use.

#### Violations

Employees in violation of copyright law may be required to remunerate the school in the event of loss due to litigation and may be subject to discipline, up to and including dismissal.

#### **Committees** [Board Policy B-1200, C-1350]

The use of committees helps to lessen the extra responsibilities associated with our profession. Involvement on committees is a required part of our job. If you have a passion for a particular committee, notify your principal.

#### **School Advisory Council (SAC)**

The Board authorizes the establishment of an advisory school council at each school site. The advisory school council shall work with the school principal and give advice, consistent with state and school district rules and policies, on instructional issues and curricula and on the public school's proposed and actual budgets. The advisory school council shall develop creative ways to involve parents in the schools, champion for students, build community support and encourage community participation in the public schools.

The advisory school council at each school shall reflect an equitable balance between school employees and parents and community members and shall be composed of at least:

- Three (3) parents of students enrolled in the school who are not employed by the District
- Two (2) teachers
- One (1) non-licensed employee
- One (1) community member who will represent the business community, if such person is available

The initial representatives shall be selected at public meetings held at the school site, and, thereafter, representatives shall be selected by their groups at an annual organizational meeting. Each group specified above shall select its advisory school council appointees and shall submit the names of its respective representatives to the principal. Schools shall give notice of the public meeting where the representatives of the

groups shall be selected, clearly stating its purpose, time and place. The notice shall be given to pupils for delivery to their parents or guardians. Should a council member resign or move the principal may appoint an interim member of the group until the next organizational meeting. Members will be elected to two (2)-year terms.

The principal will call advisory council meetings and maintain minutes, post the agenda, and provide necessary resources for their functions in accord with Statutes, Secretary of Public Education regulations and District policy and regulations.

The SAC President also serves on the Superintendent's School Advisory Committee.

### **Student Assistance Team (SAT)**

The Student Assistance Team is a problem-solving group. Team members assist in developing intervention strategies for dealing with the needs of students who are “at-risk” for school failure. This committee will meet as needed. The meeting is chaired by the principal.

### **Social Committee** (School Specific)

This committee will plan all social activities for the faculty and will make all necessary decisions concerning sending flowers, food, and giving of gifts.

### **Copyright Compliance** [Board Policy E-3900]

A variety of machines and equipment for reproducing materials to assist staff in carrying out their educational assignments is available to staff in both the school and home setting. Infringement on copyrighted material, whether prose, poetry, graphic images, music, audiotape, video or computer-programmed materials, is a serious offense against federal law, a violation of Governing Body policy and contrary to ethical standards required of staff and students.

All reproduction of copyrighted material shall be conducted strictly in accordance with applicable provisions of law. Unless otherwise allowed as "fair use" under federal law, permission must be acquired from the copyright owner prior to reproduction of material in any form. Permission forms are available in the office and media center.

Fair use:

#### ***Printed Materials***

Permissible uses - school employees may:

- Make a single copy of the following for use in teaching or in preparation to teach a class:
  - A chapter from a book;
  - An article from a periodical or newspaper;
  - A short story, short essay or short poem, whether or not from a collective work;
  - A chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper.
- Make multiple copies for classroom use (not to exceed one [1] copy per student in a course) from the following:

- A complete poem, if it has fewer than two hundred fifty (250) words and does not exceed two (2) printed pages in length;
- A complete article, story or essay of less than two thousand five hundred (2,500) words;
- Prose excerpts not to exceed ten percent (10%) of whole or one thousand (1,000) words, whichever is less;
- One (1) chart, graph, diagram, cartoon or picture per book or per issue of a periodical
- An excerpt from a children's book containing up to ten percent (10%) of the words found in the text.
- All permitted copying must bear an appropriate reference. References should include the author, title, date and any other pertinent information.
- Prohibited uses - school employees may not:
  - Copy more than one (1) work or two (2) excerpts from a single author during one (1) class term;
  - Copy more than three (3) works from a collective work or periodical volume during one (1) class term
  - Copy more than nine (9) sets of multiple copies for distribution to students in one (1) class term;
  - Copy to create or replace or substitute for anthologies or collective works;
  - Copy "consumable" works, such as workbooks, exercises, standardized tests and answer sheets;
  - Copy the same work from term to term;
  - Copy the same material for more than one (1) particular course being offered (may not copy every time a particular course is offered) unless permission is obtained from the copyright owner.
- All sound recordings, including phonograph records, audiotapes, compact discs and laser discs, will be treated under the same provisions that guide the use of print materials unless as may otherwise be excepted by regulations governing the reproduction of works for libraries/media centers.
- Please note that materials purchased online that employees send to the IRC for printing must include proof of purchase and cannot be copied multiple times for other users.

### **Violations**

Employees in violation of copyright law may be required to remunerate the school in the event of loss due to litigation and may be subject to discipline up to and including dismissal.

For a complete copy of this policy refer to Board Policy E-3900

### **Guest Speaker** [Board Policy I-6550]

The District recognizes that one of the greatest resources of the school is to be found in the people of the community who have special knowledge and particular talents to contribute to the school program. Therefore, the use of community resources and citizens to serve in furthering the educational program is encouraged. Staff members should study the needs of their respective schools, survey the resources available in the school community, weigh their probable usefulness, and then present to the Principal for approval for any staff-developed plans for using those community resources. Guest speakers must have prior authorization.

### **Inclement Weather** [Board Policy E-0750]

The decision to delay opening of school or to dismiss school early will be made by the Superintendent.

### School Cancelled

- If school is canceled, it will be decided by 6:00 a.m.
- No employees report to work
- Clovis High School will have virtual school via Google classroom on inclement weather days

### Delay

- One (1) or two (2) hours will be decided by 6:00 a.m.
- 12-month employees report as soon as possible
- Principals report on time
- All other employees report according to delay
- No a.m. preschool program

### **Inventory** [Board Policy D-2350, D2361, D-3350]

Teachers are responsible for all equipment and textbooks assigned to their classrooms. Textbook inventory will be conducted at the end of the year. Furniture items should not be removed from classrooms or building without prior permission and an inventory transfer form.

The loan of school equipment to employees for personal use is against board policy.

### **Non-Custodial Parents** [Board Policy J-7050, J-706]

The Clovis Municipal Schools will give full rights under the Family Educational Rights and Privacy Act to either parent/guardian unless the school 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. The parent/guardian should provide the school with a copy of the evidence that will allow the principal to abide by their wishes.

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

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) 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. If the court has not set specific visitation rights, the principal should abide by the request of the custodial parent/guardian. The principal should advise the non-custodial parent that requests additional visitation at school to seek a modification of the divorce decree by the court.

### **Student Nutrition Department** [Board Policy J-4950, E-3300]

Elementary: Lunch counts must be completed first thing in the morning. It is critical to get an accurate count of students eating in the cafeteria. This allows the cooks to prepare the correct amount of food without shortages and waste.

Candy and sodas may not be given out as incentives or rewards. These are in violation of the State Department Nutrition Policy.

Snacks in classrooms must be kept in a sealed plastic container so as not to attract bugs and rodents. No exceptions. Snacks should never be cookies and items of high sugar content.

**Parent Conferences** [Board Policy I-6900]

Parent conferences will be scheduled by the professional staff, or at the request of the parent, as often as is necessary to achieve maximum understanding between the home and the school and/or to resolve a student problem or to avoid a potential problem. Conferences should be held periodically to discuss student progress. Record will be made of conferences, if significant action is taken or if serious disagreement exists between the parent and school personnel. Teachers are encouraged to document all contact with parents or legal guardians.

100% participation is required on the first conference of the year.

**Program Access/Resources**

Passwords- Passwords are not to be shared with anyone under any circumstances.

Alpine

<http://www.alpineachievement.com/>

Contact your site administrator for login credentials.

Skyward

Login on to the district website. Add as a bookmark.

ELEMENTARY

Setting Up Grade book at First of Year – Use percentages, **not** points to record grades

- Go To Homeroom Grade book
- Click on Categories
- Uncheck all but assignment and put at 0%

LA Grade book <ul style="list-style-type: none"><li>● Click on categories</li><li>● Assignment 67%</li><li>● Exam 33%</li><li>● Uncheck everything else</li></ul>	Math Grade book <ul style="list-style-type: none"><li>● Click on categories Assignment 67%</li><li>● Exam 33%</li><li>● Uncheck everything else</li></ul>
---	---

#### Science and SS Grade book

- Click on categories
- Assignment 100%
- Uncheck everything else

#### Music Grade book

- Click on categories
- Assignment 100%
- Uncheck everything else

#### Art, Library, & PE

- No grades will be taken for Art, Library and PE

#### Enter Attendance

- Go to my grade book
- Social Studies grade book
- Attendance
- Take daily attendance (This is where you do attendance and lunch count)

#### Progress Reports

- Go to Social Studies Grade book
- Reports
- Multiclass Progress Report

#### Attendance for the 9 weeks

- Go to Social Studies
- Go to reports and drop it down
- Under the attendance subtitle-click on detail report, current term

### SECONDARY

Setting Up Grade book at First of Year - Use percentages, **not** points to record grades

#### ***Grades 6-8***

##### *Grade Weights*

Assignments 50%

Assessments 50%

#### ***Grades 9-12***

##### *Grade Weights*

Assignments 45%

Assessments 45%

9-Weeks Exam 10%

### **Release of Student Information**

Before any information or forms are filled out for students, parents must sign a Release of Information form. The Release of Information paper and the form that has been filled out must then be turned into the principal's office for approval prior to release. A copy will be made and kept on file and the original will be given to the parent.

## **Staff Member's Children**

If your child attends the school in which you are working, your child is to be considered a student of the school he/she is attending during your contract hours. He/She must follow all rules, including time schedules, as they pertain to all other students enrolled in the school. During off times, students must stay with his/her parent in the parent's classroom and not be in the halls or other locations in the school.

## **Student Placement** [Board Policy J-1400]

A teacher should never tell a parent that he/she would like to have that parent's child in his/her room next year. Neither should a teacher ever recommend another teacher to a parent. If a parent comes to you with a question concerning student placement, refer him/her to the principal.

## **Substitute Teachers** [Board Policy G-3750, G-3861]

When utilizing the leave policies of the District, it shall be the responsibility of the teacher to notify the supervising principal, as soon as possible, of the need for a substitute teacher. The teacher must then enter the leave request in Skyward. Lastly, the teacher must request a substitute via Absence Management in Frontline.

Teachers must have a substitute folder available at all times which includes:

- Definite and clear lesson plans
- Daily class schedule
- Up-to-date seating chart
- Planned work to meet individual differences of the class
- Instructional supplies that are needed for the day's assignment
- Duty Schedule
- List of classroom expectations and school expectations
- Procedures to follow in case of emergency drills
- Up-to-date class list including information about students who require extra attention or have a medical condition (be confidential)
- Provide the name of a teacher/administrator to contact in case of emergency
- Procedural information such as restroom breaks, where and when to pick up students, dismissal, attendance, lunch procedures, a copy of the emergency plan and some extra work just in case
- Information that the regular teacher expects for the substitute to leave notes regarding (e.g. progress on lessons, challenges, successes)

Any time you have to be absent from your classroom and turn your class over to a substitute teacher, you are inviting a stranger into your school "home". It is very wise to be well prepared for this critical visitor. Talk with your students about their behavior during your absence. The students should know that the substitute is a guest of the class, and that he/she should be treated as such. The students themselves can make the substitute's day a pleasure or an ordeal. The way the students treat your substitute is in large part up to you. A substitute teacher has a difficult job and any counseling you can give your students about their behavior will help.

If you have to be absent and have taken your lesson plans home, ensure plans are made available to the substitute (e.g. email to the principal, send with a buddy teacher). Teachers should upload their lesson plans onto AESOP after they request a sub. This will allow the sub to have immediate access to the lesson plan(s)

prior to arriving at the school site. Any problems or issues with the sub should be immediately reported to the building principal, who may then contact the Employee Services.

### **Textbook Inventory** [Board Policy I-5250, I-5261, E-1750, D-2361]

Students using District-provided textbooks, subject-matter materials, supplementary books, or instructional computer software are responsible for loss of or any damage to these items. Accurate records of distribution or assignment of materials or textbooks to students shall be maintained.

1. Textbooks should all be numbered, stamped with the school stamp and organized in sets with corresponding numbers. Never renumber textbooks.
2. Book numbers should be assigned to each student and documented.
3. A final book inventory will be completed at the end of the year.
4. Students should pay for lost or damaged books before the end of the school year, withdrawing or they receiving a final transcript.
5. Books are very expensive, and it is important to keep a very careful record.

It is advisable to keep extra books where they are not accessible to students.

### **Visitors** [Board Policy I-8600, K-2450, E-0150]

All visitors must check in at the office. A visitor must be wearing the badge assigned to him/her from the office. Other badges that are accepted are the Clovis Municipal Schools Badges.

Please take note of a visitor in the building. Be sure they have one of the badges mentioned above. If there is any other badge or they are not wearing a badge, notify the office at once that you need assistance.

### **Volunteers** [Board Policy I-6600]

Volunteers can make many valuable contributions to the students and educational programs of the District. With student safety being one of our primary concerns, volunteers must receive clearance and training prior to working in schools. Please make sure all volunteers are in possession of their volunteer badge.

## **Instructional Topics Regarding Students**

### **Attendance** [Board Policy J-0500, J-0511, J1550, J-1650, J-1661]

Each time a class meets, the teacher shall check and formally record the attendance of all students assigned to the class. Teachers should keep an accurate account of student attendance and tardies. Teachers must take roll themselves.

1. Attendance will be taken each day and posted in Skyward before 8:30 a.m. or within the first ten minutes of the class period. You are legally responsible for not reporting a child absent.
2. Accuracy is mandatory. If a student is absent and the school has no information as to why this student is absent, the school will make every attempt to reach the parent and confirm the absence. Students mistakenly marked absent will cause undue concern for a parent if a phone call is made. Verification of absence will not be made prior to contacting parents.
3. Check attendance after lunch. If any student is absent after lunch that was in class in the morning session, check with the office immediately for confirmation.
4. If a parent notifies you that a child will be absent, please email the attendance secretary.

5. All students arriving late must receive an admittance slip. This is necessary to give them proper credit for attendance. Do not admit a student without an admittance slip from the office.

Students who leave during the school day must have an adult sign them out in the office. Students are only dismissed from class after they have been called to the office. Never release the student directly to a parent at any time.

### **Cumulative Folders/Student Records [Board policy J-7050, J-7061, I-7750]**

1. Folders are to remain in the building in an area inaccessible to students.
2. Folders must be signed in and out of the office. They must be returned to the fireproof cabinet each night in the office.
3. Statements of opinion or hearsay should never be included.
4. If a student is recommended for retention, parents must sign the back of the folder.
5. Student work is NOT included in the cum folder.
6. Do not attach pictures.

### **Cumulative Folder Organization**

The following items are required in the Cum folder in the following order:

- Most current enrollment pages stapled together:
  - Student Enrollment Form
  - Student Enrollment Screening
  - Birth Certificate Registration Certification
- Language Use Survey (LUS)
- All other enrollment pages from previous schools in Clovis or other districts

### **Required Folders:**

#### **Assessment Folder**

- NMSBA/PARCC
- ACCESS/Alternate ACCESS/NMELPA
- NMAPA/NCSC
- LAS
- W-APT Score Sheet (If student was not identified as an EL)

#### **Health Folders**

- Student Health Information
- Medication Logs/Consents
- Health Action Plans
- Immunization records and/or exemptions
- Individualized Health Plans
- Screenings Forms/Results
- Health Referrals
- Human Growth & Development/Puberty Opt-Outs
- Sexual Misconduct Opt-Outs
- Health Specific Information from previous school districts
- Other health information as deemed appropriate by the school nurse

*Nothing should be removed from the health folder except by the school nurse.*

**Special Education Folder (If applicable)**

- Current IEP and two preceding it
- Most recent IEP progress report
- Most recent diagnostic evaluation report(s) including ancillary evaluations
- Functional Behavioral Analysis and Behavior Intervention Plan, if applicable
- Current re-evaluations
- Any Evacuation Plans
- Any Addendums to current year IEP and two preceding it

**Red Priority Folder (If applicable)**

- SAT records and AIP's
- 504 plans that have been written/implemented
- OT, PT, SLP screens of General Education Students
- Custody and guardianship paperwork

They will also contain any at-risk information, including attendance records, court documents, summer school records, etc.

**Blue ELL Folder (If applicable)**

- Home Language Survey
- Teacher Observation Form (if applicable)
- W-APT Score Sheets
- ACCESS scores (attach label to the folder)
- CMS Bilingual Education/ESL Program Services Form
- Acceptance/Refusal Sheet

**Next Step Plan Folder (Secondary Only)**

The Next Step Plan folder is created at the end of grade eight or beginning of grade nine. This record is required by the Public Education Department and must remain with the student until he/she graduates from high school.

**Dismissal Precautions** [Board Policy J-6500]

Students are checked out only through the office. No student will be removed from the school grounds, from any school building, or from any school function during school hours except by a person authorized to do so by the student's parent or by a person who has legal custody of the student, except as provided in law.

Before a student is removed, the person seeking to remove the student must present evidence of proper authority to remove the student. If any police or court official requests the dismissal of a student during school hours, parents should be notified as soon as possible.

**Dress Code** [Board Policy J-2350, J-2361]

The District encourages students to take pride in their attire as it relates to the school setting. Students should dress in a manner that, in addition to the following guidelines, takes into consideration the educational environment, safety, health, and welfare of self and others.

When in the judgment of the principal, the student's appearance, mode of dress, and/or cleanliness is distracting and disruptive to the educational process, or constitutes a threat to safety or acceptable standards of sanitation, or does not meet the following regulations the student may be required to make the requested modifications. Anything that can be considered gang related will be prohibited.

To implement the above, the following apply:

- Shirts and tops must be long enough to conceal the midriff. Chest area must be adequately covered.
- Pants must fit at the student's waist; they must be large enough to be pulled up to the waist and must not sag below the waist. No undergarments may be exposed.
- Shorts and skirts should be long enough to reach mid-thigh (halfway from waist to knee) or fingertip length, whichever is longer.
- If the fit of the garment is too anatomically revealing, it will be deemed unacceptable.
- Garments determined to be unacceptable because of slogans or artwork, particularly, those that depict drugs, alcohol, tobacco, or things of an obscene nature are not allowed.
- Outer garments (jackets/coats) that extend below mid-thigh or fingertip length, hats, sunglasses, or similar articles will not be worn in buildings.
- Shoes must be worn at all times.
- Students identified as homeless under the McKinney-Vento Act or migrant under Title I part C, cannot be sent home for dress code violations. These students should be referred to Family Services for assistance in finding appropriate clothing for school.

On certain occasions, a more stringent dress code may be enforced. For example, shorts will not be acceptable at special events such as graduation, awards ceremonies, installations, or other events so determined by the administration and/or activity sponsors. Also, the prom at Clovis High School is a semi-formal occasion that requires a special dress attire.

Exceptions for special activities or health considerations may be preapproved by the administrator and/or health services.

Students who attend or participate in extracurricular activities, such as athletic events, band, chorus, pep rallies, etc., are subject to the standards of dress.

### **Field Trips** [Board Policy E-2650, I-6500]

Field trips must be planned within the context of the school program and must be appropriate for the age level, grade level, and curriculum. Before any student is taken from the school grounds on a field trip, written permission must be obtained from the parents or legal guardians. Transportation shall be provided only by District vehicles, driven by authorized personnel.

When planning for a field trip, please observe the following:

1. Field Trips must be planned 3 weeks in advance.
2. Fill out the Request for Field Trip form and packet, submit it to the principal.
3. Once you are given a PO number, telephone the transportation department to determine/schedule the bus.
4. Give the transportation department the PO number.
5. Secure permission slips and medical release forms for each child. One master should be turned in with a packet and remain in the office. Phone permission is not acceptable. Students cannot walk home to get a permission slip.
6. Permission slips must be turned back into the office at the conclusion of the trip.

Other guidelines include:

- Elementary school field trips will not exceed 150 miles one way for Grades K-3 and 250 miles for grades 4-5.
- Students cannot be permitted to leave the total group for any reason.
- Students must travel with the sponsor and use the transportation provided by the school. Students may not be transported in private vehicles.
- Students will NOT be released to anyone unless other arrangements have been made in writing with the principal and/or sponsor prior to the trip.
- The students should be reminded that the same expectations apply to activity trips as they do at school.
- Lunches- If you are eating lunch away on your field trip, please notify the cafeteria by email at least two weeks before the trip. Please notify the cafeteria by the third week in April for the remainder of the year.
- Teachers must fill out a leave request prior to leaving. Leave is listed as Special Assignment.
- Blanket walking field trip permission forms are not allowed. A new permission form must be completed every time a student leaves the campus.

If students are not being allowed to go on a trip, teachers must make arrangements to sit in another classroom for the day. A list of students not attending the field trip, why, and where they will be during that time is to be turned in to the office on the morning of the trip. Students cannot be told they must stay home that day if they choose not to attend.

#### **Flag [Board Policy I-8250]**

Each student shall be provided with an opportunity to participate in the Pledge of Allegiance or other patriotic observance each day. Students whose parents have informed the school that they are not to take part in observances will be expected to observe the courtesy of not disturbing others. When special days or significant events are recognized, it is recommended that appropriate classroom and assembly programs be presented in keeping with the traditional and historical significance of the event or season.

#### **Medications [Board Policy J-5350]**

1. All medications including aspirin, cough drops or cold tablets require a special form filled out by the prescribing doctor. These forms are available in the office and are to be kept on file in the office. All medications will be kept in the office. (GEN 588 or other applicable medication authorization form)
2. Medications brought to school by students without the proper form must be taken to the office to have an adult pick up. Under no circumstances may a student return medications home. This includes cough drops etc.
3. Medication will be stored in a locked cabinet in the nurse's office. Exceptions of this rule will be noted on the physician's order and medication authorization form and will pertain to medication that must be stored in a refrigerator or those carried by students.
4. In the event the school nurse is unavailable to administer medication, a trained designee shall act in his/her stead or the parent/guardian may come to the school to administer the medication.
5. Medications should be counted by staff, such as the school nurse, secretary, or principal each time they are dropped off, and then again when they are picked up.
6. Medications must be logged in the Medication Log any time medication is given.

## **Parties**

Parties are a wonderful celebration for special events throughout the year. There may be up to 5 parties throughout the year, at the discretion of the administrator and/or classroom teacher. They include: Fall/October, Christmas/Dec, Valentines/Feb, Easter/April, End of Year/May. Since parties can be a considerable disruption to the instructional day the following guidelines should be observed:

- Please try to schedule your parties between 2:00 - 3:00 P.M. on the day of dismissal for the holidays. If there is an early dismissal, parties should be held 30 minutes prior to dismissal.
- Always have a clean-up committee of parents or children to leave the room in good order after the party. Use the large trash bags.
- Carpet stains easily. Please protect the carpets during parties. Clear drinks only.
- Parties that involve lunch, please notify the cafeteria two (2) weeks in advance so they can plan accordingly.
- Be aware of any student in the classroom with a peanut allergy and provide a peanut free zone at all times, but especially during a party.

## **Retention of a Student** [Board policy I-6900, I-7200]

Parents shall be notified no later than the end of the 1<sup>st</sup> semester that their child is failing to meet standards, and a conference consisting of the parent and the teacher shall be held to discuss possible remediation programs available to assist the student in attaining standards.

1. A parent or guardian shall be notified no later than the end of the second grading period that the student is not attaining appropriate grade level proficiency in the Common Core State Standards and New Mexico Content Standards and Benchmarks. A conference of the school-based SAT including at least the teacher, parent, counselor must be held and a written plan will be developed that includes timelines, academic expectations and measurements to be used to verify improvement. Remediation/Academic improvement plans may include tutoring, extended day or week program, and other research-based models for student improvement. (See CMS Remediation/Academic Improvement Plan)
2. At the end of grades one through seven, three options are available dependent upon a student's mastery of standards;
  - a. The student has met the standards and shall enter the next higher grade.
  - b. The student has not met the standards and shall participate in the required level of remediation. Upon certification of the school district that the student has met the standards, the student shall enter the next grade.
  - c. The student has not met the standards and upon completion of the prescribed remediation program and upon the recommendation of the teacher and principal shall either be:
    - i. Retained in the same grade for no more than one school year with an academic improvement plan developed by the SAT in order to meet the standards, at which time the student shall enter the next higher grade; or
    - ii. Promoted to the next grade if the parent refuses to allow the child to be retained. In this case, the parent shall sign a waiver indicating a desire that the student be promoted to the next higher grade with an academic improvement plan designed to address specific academic deficiencies. The academic improvement plan shall be developed by the SAT outlining timelines and monitoring activities to ensure progress toward overcoming those academic deficiencies. Students failing to attain proficiency of content standards at the

end of that year may then be retained in the same grade for no more than one year in order to have additional time to master the required content standards.

#### **Section 504 Students** [Board Policy I-2400]

The School district acknowledges its responsibility under the American with Disabilities Act, Section 504, to avoid discrimination in policies and practices regarding its students. No unlawful discrimination against any student with a disability shall knowingly be permitted in any school district program or practice. This policy extends to all aspects of the school district's educational program, as well as to the use of all school district facilities, and participation in all school district-sponsored activities, including extracurricular activities and athletics. For further information on Section 504, please contact your building principal or the District Section 504 Coordinator.

District Section 504 Coordinator  
Mr. Joe Strickland  
Deputy Superintendent of Employee Services  
1009 Main Street  
PO Box 19000  
Clovis, NM 88102-9000  
575-769-4322  
joe.strickland@clovis-schools.org

#### **Special Education Services/Student Support** [Board Policy I-2350, I-4550]

Clovis Municipal Schools is committed to providing a free appropriate public education to all students. In order to accomplish this important commitment, we offer a wide variety of programs and services. Each school site employs special educators who work collaboratively with general education staff, parents, students, and related service providers to design an Individualized Educational Plan (IEP) for eligible students.

Staff members are required by law to follow the modifications put forth in the IEP. It is critical that all staff members work closely for the well being of the student involved. Teachers can be held personally liable for failure to implement an IEP. (Regular Education and Special Education Teachers)

#### **Student Charges** [Board Policy J-6950, J-2400]

Students may be assessed the cost for all lost or damaged items such as textbooks if the cost is greater than \$20.00. Transcripts may be withheld from students responsible for damage or loss of instructional materials until restitution is made. (Public School Code Section 22-15-10). Report cards cannot be held for fundraising money not turned in.

#### **Student Transportation in Private Vehicles** [Board Policy E-2700]

During school or school-sponsored functions, students may be transported only in school-approved vehicles operated by District-authorized personnel.

The Board specifically forbids any employee to transport students for school purposes without prior authorization by the Superintendent.

#### **Suicide Protocol**

Always take the threat seriously.

- Never leave a suicidal youth alone. Keep them with you and do not allow them to go to their next class.
- Talk calmly with the student and get them to a predetermined location.
- Immediately talk to the student to determine if he/she has the means at hand to harm self.
- If the student permits, immediately remove any dangerous objects from the student and his/her surroundings.
- If the student reports that he/she has done anything (e.g., taken pills), immediately initiate a call to 911 and begin timeline.

### **Student Telephone/Cell Phones**

Students are not to use the telephone except for emergency situations. Please screen these needs carefully as the school has limited phone lines that are needed for business.

All students must have a phone pass before using the phone. Please do not send a child to use the phone without a phone pass. A hall pass will not be accepted.

Students are not allowed to carry cell phones on their person (K-5). Cell phones should be in the locker or in the students' backpacks in the off position.

### **Weapons Policy [Board Policy J-3100]**

It is the intent of the Clovis Board of Education to provide a safe school environment for all its students and staff members. To ensure that these students have a weapon-free school environment, students are not permitted at any time to possess, use, transmit, or conceal any weapons in public education buildings, on school grounds, on school buses, or during school activities off the school grounds. Such incidents must be reported immediately to the building principal.

Dangerous weapons may be defined as, but not limited to, any type of instrument that could cause bodily injury to oneself or another individual. Also included in this definition is any replica of a dangerous weapon, such as a starter pistol or toy pistol.

## **Facilities**

### **Care of Building and Rooms [Board Policy C-1200]**

Clovis Municipal Schools is fortunate to have nice facilities that are the pride of our town. Care must be taken by everyone to ensure that the facilities remain in excellent condition. To help achieve this goal the following standards are expected.

#### **Care of the Building and Classroom**

- Have the children pick up all paper and trash from floors before being dismissed.
- Do not use any kind of tape, tacks, staples or nails on walls, chalkboards/whiteboards, lockers, any wood surface or carpet.
- We are fortunate to have carpet in our classrooms. Please impress upon your students the necessity of extreme care with use of paints, markers, etc. If anything liquid is spilled on the carpet, please use the absorbing powder and call the office for clean up. Students may drink only clear liquids in the classrooms.

- Do not remove any items that are attached permanently to your room or do anything that causes permanent damage to your room.
- Please keep your room organized, neat, and free of clutter. You are setting an example for your students. Counters should set the example for students' desks.
- When you need maintenance or repairs, notify the principal.
- No gum.
- Protect the area around the pencil sharpener from marks/scrapes.
- No tape may be used on carpets-this leaves a residue on the carpet.

### **Fire Code/Safety Precautions**

- No more than 20% of any wall should be covered with flammable material.
- Extension cords may not be used.
- Powerstrips must have the appropriate URL rating 700-800.
- Exits must have a 3-foot clearance. Clear doorway of shelves, desks, etc.
- Plugs and light switches are not to be blocked or covered.
- Report loose or damaged electrical receptacles.
- Cleaning material or aerosol cans may not be stored in classrooms.
- Do not hang anything from the ceiling.
- Furniture should not be in hallways.
- Fire extinguishers cannot be blocked with material or furniture.
- Electric heaters must have a public building rating.
- No items stored within 24" of the ceiling.
- Storage areas free of clutter.
- Materials stored in cabinets and closets must be stored in a way that they do not fall out when opened.
- Remove any tripping hazards (cords across floor).
- Do not overload bookcases.
- When working in "high" places, ask for a ladder. Safety is a must!
- Paper cutters should not be stored where children have access to them.
- Windows beside classroom doors and in doors cannot be covered.

### **Custodial Services**

CMS will try to provide the best custodial services possible. Please be considerate if you do not get all the services you would like. The custodians will be on a rigid schedule, so if you need any special assistance, please place your request in the office and not go directly to the custodians. A few minutes of extra services for each teacher can add extra hours to the custodians' daily schedule.

Compliment them if you are pleased with their work. Everyone likes to be appreciated for the job they are doing. Remember they are part of the CMS team. Take time to talk to your students about pride and neatness in the cafeteria, school grounds, and in all buildings. Model and emphasize neatness in your classroom. A minute of class time can save many minutes of a custodian's time.

If, however, you should have consistent concerns regarding the lack of services in your area, please see the principal immediately.

## **Copiers**

Copiers are provided for staff in teacher workrooms. Please take care when using the copier and avoid slamming the paper drawer. This causes serious damage to the interior of the machine and costly repairs. If the copier jams and you can readily see the paper and it is easy to grasp without touching any of the insides (namely the drum) then pull gently but firmly until the paper is dislodged. Make sure all of the paper has come out.

If there is difficulty, please notify the secretary. If not available, please email the secretary and it will be taken care of at the earliest possible time.

If the copier requests toner, please notify the secretary before continuing.

## **Supplies and Materials** [Board Policy E-1600]

The District will provide for the central purchasing, receiving, warehousing, and distribution of supplies, equipment, and materials common to the requirements of all schools.

The District warehouse will be operated as an adjunct of the finance office to store and distribute supplies as requisitioned by staff members. All materials needed for instruction, business, and custodial operations of the individual schools shall be ordered from the warehouse when available from that source.

We operate schools with limited resources, so we must be wise managers to get the most for our students. Please use supplies wisely.

Personal orders may not be sent to the warehouse or school addresses.

## **CMS EMPLOYEE HANDBOOK SECTION 10: *District Information***

### **Board Policy/District Regulation Changes**

Changes to Board Policies may be proposed through the Policy Committee and/or administration. Such proposed changes that relate to employment issues are generally presented to the Policy Committee and/or administration, which may present the proposed changes to the Superintendent. The Superintendent, in turn, may submit all proposed changes to the Board of Education. The Board of Education may amend the proposals.

Generally, policy changes approved by the Board, in whole or part, are reviewed for one month. Policies are introduced at a regular Board meeting; then, the Board will take action the following month at the meeting. The Board may approve policies in a shorter time frame. Only policy changes approved by the Board will become effective.

Regulations are developed and approved by the Superintendent or his/her designee. Generally, input and review by appropriate District staff is sought, and notification is generally made to the Board prior to the implementation of changes in regulations. Staff will be notified by email regarding policy changes approved by the Board.

### **Board of Education Meetings**

Regular Board of Education meetings are generally held at 5:30 p.m. on the fourth Tuesday of each month at the Clovis Municipal Schools - Administration, Board Room, 1009 Main Street, Clovis, New Mexico. Specific meeting dates are published in a legal notice each year and are available in the Superintendent's Office and on the District's website.

To obtain information on how to place an item on a Board agenda, contact the Superintendent's Office. Staff members are invited to attend the meetings. The Board may allow comments by the public, including employees. This does not, however, preclude employees from following the proper chain of command when addressing work-related concerns.

### **Policy Committee**

The Policy Committee will consist of a teacher representative from each building, two secretaries, two educational assistants, one special education representative, one library representative, one counselor, two principals, and one administrator from the Administration Building. The Superintendent will appoint the administrator from the Administrative Building. The respective employee groups will elect support staff members to serve on the committee.

The primary function of the Committee will be to advise the Superintendent on policy review, development, and maintenance. Policy that affects staff members and their working conditions will be a primary emphasis for the Committee. The Committee will meet on an as-needed basis and will be chaired by an administrator of Clovis Municipal Schools.

### **School Calendar**

The instructional calendar is available on the CMS website, from your supervisor, Employee Services Department, or the Superintendent's Office. The District has an Instructional Calendar, a Central Office Closing Calendar, and a Payroll Calendar. The Policy Committee makes recommendations to the Superintendent for the instructional calendar. Suggestions about possible changes to the calendar may be submitted to your Policy Committee representative or directly to the Superintendent.

### **AHERA Public Notice**

The Clovis Municipal School District has completed an inspection of all buildings under the school District authority and prepared a Management Plan for all asbestos containing materials, and suspected asbestos containing materials identified during the inspection process. All records are available for public inspection. If you would like a copy of a public record, the fee for printed documents is one dollar (\$1.00) per page.

**Contact:** John King  
Deputy Director of Operations  
1009 Main Street  
Clovis, New Mexico 88101  
Telephone: (575) 769-4329  
Email: [john.king@clovis-schools.org](mailto:john.king@clovis-schools.org)

### **Notice of Nondiscrimination**

Applicants for admission and employment, students, parents, persons with disabilities, employees, and all unions or professional organizations holding collective bargaining or professional agreements with Clovis Municipal Schools are hereby notified that the District does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The person listed below has been designated to handle inquiries regarding the non-discrimination policies:

Individuals having inquiries concerning the District's compliance with the regulations implementing Title VI, Title VII, Title IX, the American with Disabilities Act (ADA), or Section 504 are directed to contact the person listed below who has been designated to coordinate compliance with the regulations regarding nondiscrimination:

**Contact:** Joe Strickland  
Deputy Superintendent of Employee Services  
1009 Main Street  
Clovis, New Mexico 88101  
Telephone: (575) 769-4322  
Email: [joe.strickland@clovis-schools.org](mailto:joe.strickland@clovis-schools.org)