

# **Cariños de los Niños**

## **Governance Board Policies & Procedures Manual**

**Approved September 30, 2010 - Reviewed 2011, 2012, 2013, 2014 and on August 26, 2015 and on July 26, 2016; and on July 26, 2017**

---

### **Contents**

<b>FOUNDATIONS AND BASIC COMMITMENTS</b>	<b>4-12</b>
<b>Mission Statement</b>	<b>4</b>
<b>Non-discrimination</b>	<b>4</b>
<b>Tobacco Free School</b>	<b>4</b>
<b>GOVERNANCE AND OPERATIONS</b>	<b>4</b>
Board Powers and Responsibilities, Inclusive of Hiring a CEO and Evaluation Process	4
Board Governance By-Laws and Operation Guidelines	5
Board Member Authority	5
Suspending or Revoking Policies and Directives	5
Board Membership	5
Board Member Conflict of Interest (1 and 2)	7
Board Anti- Nepotism	7
Board Training and Self-Evaluation for improving of performance, operation and Goal Setting	7
Board Organizational Meeting	7
Board Committees	7
Board Meetings	7
Board Meeting Agenda	8
Addressing the Board	8
Board Minutes	8
Policy Adoption	8
Parliamentary Authority	8
Board Communication with Employees	8
Public Participation At Board Meeting	9
Request to Address Carinos Governance Board	10
Board Communitions With The Public	10
Board Member Confidential Communications	11
Staff Reduction Policy	12
<b>General School Administration</b>	<b>12-15</b>
<b>Head Administrator's/Chief Executive Officer's Authority &amp; Responsibilities</b>	<b>12</b>
<b>Anti- Nepotism</b>	<b>13</b>

Business Manager	14
Executive Administrative Assistant	15
Administrative Office Assistant /Bookkeeper	15
Other Job Descriptions Reflected in Job Description Handbook	
Administrative Support	15
<b>Fiscal Management</b>	16-17
Budget process	16
Investments	16
Contracts	16
Central Purchasing	17
Audit	17
Fiscal Integrity	17
<b>Support Services</b>	17-18
Safety	17
Transportation	17
School-Owned Vehicles	18
Building Accommodations	18
<b>Personnel</b>	18-39
Equal Employment	18
Employee Conflict of Interest	19
Sexual Harassment and/or Any Type of Harassment	18
Drug Free Workplace and Required Drug Testing of all Employees and Random Testing	19
Staff Conduct with Students	20
Staff Participation in Political Activities	20
Grievance Adjustment Procedures	21
Employee Insurance	20
Holidays	20
Annual Leave	21
Sick Leave	21
Personal Leave	22
Bereavement Leave	23
Professional leave	23
Unpaid Public Service Leave	24
Jury Duty Leave	24
Military Leave	24
Voting Time Leave	26
Leave Without Pay	26
Transfers, Assignments, Re-assignments, Discharge, Termination of Employees	26
Duty Day	26
Staff Development	26
Personnel Evaluations	27
Background Investigations	27
Employee Standards of Conduct	27
	2

Employee Relations	27
Instructional Program	27
School Year and Work Year	28
Treatment of Religious Issues	28
Instructional Materials	28
School Volunteers	28
Student Travel: Field Trips	28
Reports to Parents on Student Progress	29
Teaching Controversial/Sensitive Issues	29
Student Internet Acceptable Use Policy	29
Pledge of Allegiance	29
Professional Dress Code	30-31
Experience and Change in Pay Status	31-39
Grievance Policy and Procedure	40-43
<b>STUDENTS</b>	40
Selection of Students	40
Enrollment Requirements	40
Student Attendance , Absences and Excuses	40
Release Of Students	41
Hazing and Bullying	41
Student Interrogations	41
Student Discipline	41
Extra-Curricular Activities	42
Student Records	42
Student Grade Change	42
Lost or Damaged Textbooks	42
Release of Students Lists or Directories	43
Student Possession of Fire Arms or Weapons ( Knives)	43
Release Time for Religious Instruction	43
Do Not Resuscitate Orders	43
Students and Off Campus Violent Acts	43-45
<b>SCHOOL RELATIONS</b>	43
Community and Parental Involvement	44
Use of Community Resources	44
Community Use of Buildings, Grounds, and Equipment	44
Advertising in School	44
Political Solicitations in School	44
Relations with Community Organizations and establish Partnerships	44
Custodian of Public Records	45
Restaurant Liquor License Waivers	46-57
Appendices A & B - Governance Board Policy on Head Administrator / CEO Evaluation Process	46-57



## **Foundations and Basic Commitments**

### **Mission Statement**

The Cariños de los Niños Charter School seeks to foster and encourage each child's positive, total development based upon his/her individual strengths, skills, and learning style in grades K-8. Using a 50/50 dual language instructional model, the school will ensure that all of its students will receive high quality academic content in a supportive, caring environment. Further, by using two languages for instruction, students will gain a greater understanding of and appreciation for the local and immigrant cultures that make up the Espanola Valley. The curriculum will also include thematic units through a framework of environmental awareness. The study of local agriculture and animal husbandry as well as Northern New Mexico arts and crafts that connect our current generation with a love, appreciation and pride for the work of their forefathers who have flourished in Northern New Mexico for generations, developing the traditions and culture that is incorporated in the challenging curriculum.

### **Non-discrimination**

The Cariños de los Niños affirms its commitment to the rights of students, parents, and employees with disabilities, as set forth in Section 504 of the Rehabilitation Act of 1973, the New Mexico Human Rights Act (NMHRA) and the Americans with Disabilities Act (ADA). This policy shall be implemented by the administration through the adoption of appropriate procedural directives.

### **Tobacco Free School**

Use of tobacco by any persons on school grounds is prohibited.

## **Governance and Operations**

### **Board Powers and Responsibilities, Inclusive of Hiring a CEO and Evaluation Process**

The Governance Board of the Cariños de los Niños retains and reserves unto itself all powers and duties conferred upon and vested in it by New Mexico State Statutes (including those prescribed in Section 22-5-4). The primary powers and duties of the Board are to set school policy, review and approve the budget for the Cariños de los Niños, and hire the Head Administrator/Chief Executive Officer for the school. The Governance Board has developed an evaluation policy with a process and instrument for the Head Administrator/Chief Executive Officer, which is found on the Appendices A and B of this Board Manual. The Board is subject to New Mexico Public Education Department regulations and state/federal statutes.



## Board Governance By-Laws and Operation Guidelines

The Governance Board operates within its attached By-Laws and Operation Guidelines.

### Board Member Authority

Board members will have authority only when acting as a Board in regular or special session or emergency session. The Board will not be bound in any way by any statement or action on the part of any individual Board member. No Board member will speak for or represent the entire Board unless so authorized by a majority of the Board.

### Suspending or Revoking Policies and Directives

Any policies of the Governance Board, not specifically prescribed by statute, may be suspended or revoked by a majority vote of the Board.

The Head Administrator/Chief Executive Officer of the school may, in the case of emergency, suspend any parts of policies and directives as they pertain to the administration of the school, provided, that the Head Administrator/Chief Executive Officer report the facts and reasons for such suspension at the next meeting of the Board and provided that the suspension shall expire at the time of said report unless continued in effect by the Board.

### Board Membership

The Governance Board shall consist of five (5) members.

Description of the responsibilities and obligations of the governing body as a whole, individual members, and officers of the Governance Board are also detailed in its approved Governance By-Laws and Operation Guidelines.

The Governance Board of the Cariños de los Niños retains and reserves unto itself all powers and duties conferred upon and vested in it by New Mexico State Statutes (including those prescribed in Section 22-5-4). The primary powers and duties of the Board are to set school policy, review and approve the budget for the Cariños de los Niños, and hire the Head Administrator/Chief Executive Officer for the school and develop an evaluation process. The Board is subject to New Mexico Public Education Department regulations and state/federal statute.

#### Board President

1. Is a member of the Governance Board?
2. Works in close collaboration with the Head Administrator/Chief Executive Officer in achieving the school's mission.
3. Provides leadership to the Governance Board.
4. Chairs meetings of the Governance Board after developing the agenda with the Head Administrator/Chief Executive Officer.

5. Encourages the Board's role in strategic planning/Education Plan for Student Success.
6. Helps guide and mediate Board actions with respect to the school's priorities and governance concerns.
7. Reviews with Head Administrator/Chief Executive Officer any issues of concern to the Board.
8. Monitors financial planning and financial reports.
9. Plays a lead in formally evaluating the Head Administrator/Chief Executive Officer.
10. Participates annually in the required board training.
11. Performs other responsibilities as assigned by the Board.
12. Serves as the school's ambassador to the community at large.

#### Board Member

1. Is an active participant in the Governance Board?
2. Regularly attends board meetings and important school related meetings.
3. Monitors financial planning and financial reports.
4. Volunteers and willingly accepts assignments and completes them on time.
5. Prepares well for meetings, reviews and comments on minutes and committee reports.
6. Gets to know other members and builds a collegial working relationship that contributes to consensus.
7. Plays a role in formally evaluating the Head Administrator/Chief Executive Administrator.
8. Participates annually in the required board training.
9. Performs other responsibilities as assigned by the Board President.
10. Serves as the school's ambassador to the community at large.

A vacancy on the Board caused by resignation, death, refusal to serve, incapacity, removal from the Board for cause, or the expiration of a term shall be filled using the following procedures:

1. Any member of the school, community, or existing Board may nominate a person to fill the position by writing a letter of support to the Head Administrator/Chief Executive Officer of the school.
2. The Head Administrator /Chief Executive Officer shall review all nominations and shall interview qualified nominees.
3. The Head Administrator /Chief Executive Officer shall nominate the chosen successor at the next regular or special Board meeting and the nominee shall be approved by a majority vote of the Governance Board present.



### **Board Member Conflict of Interest (1 and 2)**

A Board member cannot use information obtained as a member for personal gain, but must act in the best interest of the school. Board members will make known their connections with suppliers or groups doing business with the school.

Board members are not permitted to act in any way that is inconsistent with the school's vision and mission. Any member of the Board with an actual or potential conflict of interest shall not be involved in decision-making affecting such issues.

### **Board Anti- Nepotism**

No "immediate family member" of a governing board shall not be employed while the Board member is on the Cariños Governance Board. "Immediate family member" means spouse, father, father-in-law, mother, mother-in-law, son, son-in-law, daughter, daughter-in-law, brother, brother-in-law, sister, sister-in-law or any other relative who is financially supported.

### **Board Organizational Meeting**

The Governance Board may ordinarily organize their officer's positions or their organizations structure on the month of July, or at any time that the board wised to by majority vote. Board members present at the meeting shall elect a President of the Board and its other officers.

### **Board Committees and Mandated Finance and Audit Committee**

The Governance Board shall establish three standing committees or committees. Each standing committee will consist of one Board member plus two members of the school. Committee assignments will be determined by action of the entire Board. The Board has established the following standing committees: Administration, Finance, and Curriculum. The Board will comply with the State Law and appoint a Finance and Audit Committee for accountability purposes

The function of the standing committees will be fact-finding, deliberative, and advisory, rather than legislative or administrative. Committee recommendations will be made to the whole Board (which alone may take action) by the administration.

### **Board Training and Board Self-Assessment**

The Governance Board shall attend mandatory Board training sessions to improve their skills and will assess their performance for improvement and or set Board Goals annually.

### **Board Meetings**

Regular meetings of the Governing Board will be held at a time and place designated by the Board and posted in the designate areas pursuant to the approved and published Open Meeting Resolution. The date of a regular meeting may be changed by action of the Board as provided by law, provided that every member and the public are notified.





## CARIÑOS CHARTER SCHOOL (CDLN) BOARD POLICY

---

### Member (CDLN) Conflict of Interest Policy

A board member cannot use information obtained as a member for personal gain or the personal gain of immediate family members, but must act in the best interest of the school. Board members will make known their and their immediate family members' connections with suppliers or groups doing business with the school.

Board members are not permitted to act in any way that is inconsistent with the school's vision and mission. Any member of the Board with an actual or potential conflict of interest either personally or through immediate family members shall not be involved in decision-making affecting such issues.

CDLN Policy Approved on September 30, 2010 -- Cariños Regular School Board Meeting.  
CDLN Policy Revised on May 20, 2015- Cariños Regular School Board Meeting.

# Evaluation of School Board/ Board Self-Evaluation

(Annual Self-Appraisal of the Cariños Governance Board)

Name: \_\_\_\_\_ Date \_\_\_\_\_

The following list of items pertaining to the operation of the Board is the basis for an annual self-evaluation. This may be carried out in conjunction with the annual evaluation of the Chief Executive Officer/ Chancellor.

Please check the appropriate box for each item (S = Satisfactory, N = Needs Improvement, U = Unsatisfactory).

## A. Board Relationship with the Chief Executive Officer/Chancellor:

S N U

- ☐☐☐ (1) The Board imparts information on issues, needs, and complaints in a manner allowing the Chief Executive Officer/ Chancellor the opportunity to solve related problems in a professional manner.
- ☐☐☐ (2) The Board clearly interprets its position on controversial matters pertaining to the Cariños Charter School, thereby enabling the Chief Executive Officer/ Chancellor to properly carry out the wishes of the Board.
- ☐☐☐ (3) The Board disregards personalities and considers the recommendations of the Chief Executive Officer/Chancellor in an unbiased and objective manner.
- ☐☐☐ (4) The Board communicates views of personnel effectiveness, including views related to the Chief Executive Officer/ Chancellor, in a confidential and professional manner.

## **B. Board Relationship with the Community:**

S N U

☐☐☐

(1) The Board recognizes that the citizens have entrusted them with the educational development of the children and youth of this community.

☐☐☐

(2) The Board recognizes that the communities expects their first and greatest concern to be in the best interest of each and every one of the young people without distinction as to who they are or what their background may be.

☐☐☐

(3) The Board enacts policies supporting the efforts of the administration in helping the people of these communities to have the facts about their schools, to the end that they will readily provide the finest possible school program, school staff, and school facilities.

## **C. Board Relationships Between Members During Meetings:**

S N U

☐☐☐

(1) Individual members of the Board treat other members of the Board and professional staff with respect during Board meetings.

☐☐☐

(2) Differences of opinion influencing Board member votes are based on the issues at hand and not on a personality basis.

☐☐☐

(3) All members of the Board conduct themselves in such a manner as to emphasize that individual Board members have authority only when convened in a legally conducted Board meeting with at least a quorum present.

## **D. Board Relationships with Staff and Personnel:**

S N U

☐☐☐

(1) The Board members make every effort to become acquainted with the personnel of the Cariños Charter School.

☐☐☐

(2) The Board members' personal friendships with Cariños Charter School personnel are maintained without allowing them to affect overall Board decisions and/or policies.



**E. Board Relationship to the Instructional Program:**

S N U

☐☐☐

(1) The Board makes an effort to keep informed about the instructional program by providing for periodic reports as deemed necessary and by periodic visitation in the schools.

☐☐☐

(2) The Board attempts to gain information from the communities pertaining to instructional program needs.

☐☐☐

(3) The Board maintains policies necessary to enable the educational staff to develop the educational program required to meet the needs of the communities.

**F. Board Relationship to the Financial Management of the Schools:**

S N U

☐☐☐

(1) The Board establishes the policies and provides the necessary resources to properly manage the finances of the Cariños Charter School.

☐☐☐

(2) The Board requires the proper accountability for the expenditure of funds in the Cariños Charter School.

☐☐☐

(3) The Board provides justified funding to maintain a high quality educational program in this Cariños Charter School..

☐☐☐

(4) The Board keeps the community informed about the financial needs of the Cariños Charter School.

**G. General Statements:**

(1) List in order of priority the four (4) major problems the Board faces:

(a)

(b)

(c)

(d)

(2) List any weaknesses you have observed in the operation of the school system:

(3) List any significant accomplishments made by the school system during the past year:

Board meetings will be held at a location to be determined by the Board. Annually, during the month of June, the Board will approve the Open Meetings Resolution that defines reasonable notice for public meetings. A special or Emergency meeting may be called by the Board President or by a quorum of Board members. Advance notice shall be given in accordance with the Open Meetings Act (NMSA 10-15-1).

A quorum is defined as those Board members present at the start of a regularly scheduled Board meeting.

### Board Meeting Agenda

The Governance Board agenda is set by the Board President and the Head Administrator/Chief Executive Officer. The Board reserves the right to delete items at the meeting that are from persons other than Board members. A written request that an item be included on the Board agenda must be filed in the office of the Head Administrator /Chief Executive Officer or the office of the Head Administrator/Chief Executive Officer at least seven (7) calendar days prior to the publication of the agenda. Such requests must include in writing, all statements and materials the person anticipates presenting. Agenda outlined items will be in the minutes.

### Addressing the Board

Any person may formally address the Board during the "public participation /comment" session of a regularly scheduled Board meeting, provided "public comment" is included on the Board agenda. "Public comment" is limited to two minutes per person. The Board President reserves the right to amend the public comment session. Public comments shall not be personal attacks against students, parents, staff, administration, or Board members.

### Board Minutes

A record of all actions of the Governance Board will be set forth in the official minutes of the Board. The minutes shall be kept on file at the school.

### Policy Adoption

Adoption of new policies or the revision or repeal of existing policies is solely the responsibility of the Board. Staff members, students, civic groups, or individual citizens may request that the Head Administrator/Chief Executive Officer propose a policy provided the request is submitted pursuant to above. Refer to Governance Board B -laws for specifics on process and adoption of policies.

### Parliamentary Authority

Roberts' Rules of Order in its modified version for schools through the New Mexico School Board Association will govern the Governance Board, except where state regulations prevail. Although most items are handled by appropriate motion procedures, consensus action is also used. Actual procedures will be left to the discretion of the Board President or Committee chairs.



## Board Communication with Employees

Official communication between the Board and employees will occur as follows:

- An employee will first communicate on school or employment-related matters with the Head Administrator / Chief Executive Officer. Any employee who exhausts the opportunity of discussing the matter with the Head Administrator / Chief Executive Officer may then communicate in writing with the Governance Board on the matter. **No anonymous communication will be considered by the Governance Board.**
- Official communications, policies, directives, Governance Board concerns, and Governance Board action(s), as appropriate, will be communicated to employees by the Head Administrator / Chief Executive Officer.
- The Governance Board requires all employees to follow the proper channels of authority in reporting or attempting to resolve problems. **It is considered to be insubordination whenever an employee knowingly circumvents the proper "Chain of Command".**
- Whenever an employee has a complaint, knowledge of wrongdoing in the workplace, a problem which requires administrative attention to information pertaining to their job assignment or location, they must follow the Chain of Command in reporting to the Head Administrator / Chief Executive Officer.

*Adopted: May 5, 2010*

## Public Participation at Board Meetings

All regular and special meetings of the Governance Board shall be open to the public.

The Governance Board invites the viewpoints of citizens throughout the District, and considers the responsible presentation of these viewpoints vital to the efficient operation of the District. The Governance Board also recognizes its responsibility for the proper governance of the schools and therefore the need to conduct its business in an orderly and efficient manner. All efforts must be exhausted to address all issues & concerns at the Chief Executive Officer's level before addressing the Board. The Governance Board therefore establishes the following procedure to receive input from citizens of the District:

- Any individual desiring to address the Governance Board **shall complete a form (Request to Address Governance Board)** and give this form to the **Chief Executive Officer** prior to the start of the Governance Board Meeting.
- The Governance Board President shall be responsible for recognizing speakers, maintaining proper order, and adhering to any time limit set.
- Questions of fact asked by the public shall, when appropriate, be answered by the President or referred to the Chief Executive Officer for reply. **No action of discussion shall transpire among Governance Board members** regarding such questions or comments. **Questions requiring investigation shall be referred to the Chief Executive**

Officer for later report to the Board. Questions or comments on matters that are currently under legal review will not receive a response.

- The President shall set a time limit on the length of the Governance Board for comment consisting of a period of fifteen (15) minutes. In order to ensure that each individual has an opportunity to address the Governance Board, the President shall set a time limit for individual speakers of the two (2) to three (3) minutes.
- Members of the public may be recognized by the President to provide the Governance Board with information applicable to its official business.
- Personal attacks upon Governance Board members, Chief Executive Officer, staff personnel, or other persons in attendance or absent by individual who address the Governance Board are prohibited. Presenters are cautioned that statements or representations concerning others that convey an unjustly unfavorable impression may subject the presenter to civil action for defamation.

*Adopted: May 5, 2010*

### Request to Address Cariños Governance Board

#### Request Form

(\*Note: Every effort must be exhausted to address all issues and /or concerns at the Chief Executive Officers level.)

Personal attacks upon Governance Board members, Chief Executive Officer staff personnel, or other persons in attendance or absent by individuals who address the Governance Board are prohibited. Presenters are cautioned that statements or representations concerning others that convey an unjustly unfavorable impression may subject the presenter to civil action for defamation.

I request permission to address the Cariños Governance Board on the following topic:

---

---

---

Date	Name	Telephone Number
------	------	------------------

*Adopted: May 5, 2010*

### Board Communications with the Public

Official communication between the Governance Board and the community is subject to the following:



Any community member who exhausts the opportunity of discussing a matter at the administrative level may communicate with the Governance Board in writing. No anonymous communication will be considered by the Governance Board.

- A member of the community who wishes to address the Governance Board in person may do so by following the procedures in Policy. Public participation at Governance Board Meetings/Request to Address Board.
- Official communications, policies, Governance Board concerns, and Governance Board action, as appropriate, will be imparted to the community by the Chief Executive Officer.

*Adopted: May 5, 2010*

### Board Member Confidential Communications

The Cariños Governance Board recognizes that confidential information will be brought to the attention of individual Governance Board members and/or the Governance Board that includes, but is not limited to, the following:

- Matters relating to employment or dismissal of, or charges against, or confidential investigations, and specific Cariños personnel.
- Matters relating to litigation or proposed litigation in which the Governance Board is or may become a party, attorney-client communication.
- Matters of consideration regarding the acceptance of gifts, bequests, or donations where confidentiality has been requested by the donor.
- Consideration of wages and benefits during salary discussions.
- Considerations of the suspension, expulsion or disciplinary action related to a student(s).
- Matters relating to discussions of bargaining strategy preliminary to collective bargaining and information relating to actual collective bargaining sessions.

The Governance Board further recognizes that public disclosure of such information may result in injury to individuals or potential harm and possible liability to the Cariños Charter School, and that Governance Board members are honor-bound by the Governance Board's code of Ethics to respect the confidentiality of information that is privileged under applicable law. Thus, Governance Board members shall discuss or disclose confidential information only in connection with legitimate Charter School business and only with individuals having a legitimate right to know.

All information discussed or documents provided to Governance Board members who fall within the parameters of confidential information, or which are presented in an executive session authorized to be closed by the Open Meeting Act, shall be kept confidential, unless otherwise authorized by legal counsel.



*Adopted: May 5, 2010*

## **Staff Reduction Policy**

The number and type of classified staff positions required to implement that Cariños Charter School educational program will be determined annually by the Chief Executive Officer. In the event the Chief Executive Officer decides to release staff members, the following guidelines will be in effect:

- Normal attrition due to teacher resignations will be relied upon as the first means of reducing staff.
- If attrition does not accomplish the required reduction in the staff, the Chief Executive Officer shall inform the Governance Board of the termination of specific staff members. The criteria used in formulating these recommendations shall include, but shall not be limited to:
  - Qualifications and certification of staff members to accomplish the Charter School educational program.
  - Overall experience, teaching experience, academic training and ability.
  - Past contributions to the educational program of the Cariños Charter School.
  - All other things being equal, length of service at the Cariños Charter School.

Criteria for selection of staff members to be released will be applied separately to employees within specialty categories.

Personnel to be terminated for the ensuing school year shall be notified as soon as practical. All terminations are to be conducted in accordance with NM statutory, PED regulations and Cariños policy requirements.

*Adopted: May 5, 2010*

## **General School Administration**

### **Head Administrator's/Chief Executive Officer Authority & Responsibilities**

1. The Governing Board delegates to the Head Administrator/Chief Executive Officer the authority and responsibility to develop procedures to implement each non-budgetary policy of the Board.
2. The Board delegates to the Head Administrator/Chief Executive Officer the authority and responsibility to employ appropriate personnel and set salaries, according to New Mexico State Statutes (NMHB212).

3. The Head Administrator/Chief Executive Officer of the school makes all decisions related to the employment and/or discharge of all employees of the school as per section 22-5-6 NMSA and section 22-8B-10 of the Charter Schools Act.
4. The Governance Board delegates to the Head Administrator/Chief Executive Officer the authority and responsibility to develop procedures to implement all budgetary policies of the Board. The Board delegates to the Head Administrator/Chief Executive Officer the authority and responsibility to employ appropriate personnel, according to New Mexico State Statutes.

### Anti- Nepotism

The Head Administrator/Chief Executive Officer of a charter school shall not initially employ or approve the initial employment in any capacity 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 or sister-in-law of a member of the Governing Body or the Head Administrator/Chief Executive Officer. However, pursuant to NM State Law the Governing Board may waive the nepotism rule for family members of a Head Administrator/Chief Executive Officer

### Job Descriptions

#### Head Administrator/Chief Executive Officer

1. Develop and implement a mission-driven, equitable, and transparent process for the allocation of core organizational resources within the school: human, financial, physical, and temporal decisions about the allocation of core resources within the school.
2. Through the Business Manager prepare the annual budget and jointly present to the Board for its review and eventual approval.
3. Through the Business Manager manage accounting and auditing functions, ensuring proper financial management to meet the annual goals outlined in the Board-approved budget.
4. Ensures that:
  - The educational program adheres to the charter
  - Adequate and appropriate assessment systems are in place to evaluate the success Of the program and to use data to drive instructional improvement
5. Enhance the school's credibility with parents, students, and the broader community by leading the school with professionalism, integrity and enthusiasm.
6. Is responsible for the annual evaluation process of all school staff.
7. Works closely with the president of the Governance Board and other the other board members to meet the school's mission.



8. Other duties as needed for the effective day-to-day operation of the school.
9. Create and maintain a powerful and consistent vision for the school, ensuring that the school meets its accountability plan.
10. Provide exceptional support and information to the Governance Board in order to:
  - a. guide the school's mission, direction, and strategic plan/Education Plan for Student Success
  - b. establish appropriate policies and procedures
  - c. make informed decisions based on timely and accurate information which takes into account legal and regulatory requirements
11. Ensures that:
  - a. the educational program adheres to the charter
  - b. adequate and appropriate assessment systems are in place to evaluate the success of the program and to use data to drive instructional improvement
12. Enhance the school's credibility with parents, students, and the broader community by leading the school with professionalism, integrity and enthusiasm.
13. Is responsible for the annual evaluation process of all school staff.
14. Other duties as needed for the effective day-to-day operation of the school.

#### **Business Manager**

1. Direct, coordinate, monitor and report on financial activities.
2. Develop a Financial Accountability Manual for compliance purposes
3. Responsible for the general ledger accounting and reporting for general Cariños de los Niños funds, Special Education funds, Federal, State and Local funds and grants.
4. Collect and record receipt of grant revenues and expenditures.
5. Prepare and input entries for general ledger; prepare reports for granting authorities.
6. Reconcile various general ledger accounts monthly.
7. Payroll to include salaries, deductions, deposits, taxes, input and tracking of employee data, including available contract days and attendance reimbursement, timesheets for eligible employees, state and federal forms for employees.
8. Accounts payable to include processing of invoices for payment, monitoring invoice accuracy and issuing checks on a weekly basis.
9. Tracking and collection of all accounts receivables to include necessary billing statements.
10. Prepare financial and regulatory reports required by law.
11. Analyze and classify risks as to frequency and financial impact of risk on school.
12. Prepare operational reports for management analysis.
13. Administrator of benefits including medical, dental, life insurance, ERB, vision, etc.



- Facilitates insurance administration.
- 14. Budget planning and development of yearly budgets as directed by Head Administrator/Chief Executive Officer.
- 15. Evaluate data pertaining to cost and budget planning.
- 16. Evaluate effectiveness of current policies and procedures.
- 17. Works with outside auditors for all scheduling, reporting and other information needed for annual audit.
- 18. Analyze expenditures and revenue.
- 19. Responsible for purchase orders and purchases.
- 20. Monitor charter school funding from the state as well as special allocations and additional funding sources.

#### **Executive Administrative Assistant / Registrar**

- 1. Serve as a Secretary, Student Recruiter, Office Manager and Receptionist.
- 2. Answer phones and interact with students, parents, prospective families, and visitors in a friendly, professional, and pleasant manner.
- 3. Maintain student and employees files, office files and assist with faxing and copying.
- 4. Help provide overall administrative support for the Head Administrator.
- 5. Coordinator of STARS and JMAC, Student Registrar, Human Resource Office.
- 6. Assist in counting fund raisers funds.
- 7. Perform other duties as assigned.

#### **Administrative Office Assistant/Bookkeeper**

- 1. Assist the Business Manager, Executive Administrative Assistant and Chief Executive Officer.
- 2. Procurement, Payroll, Insurance Officer, Bursar and perform other duties as assigned.

#### **Administrative Evaluations**

An effective working relationship between the Governing Board, the Head Administrator/Chief Executive Officer is essential to the successful operation of the school. The development and maintenance of such relationship will be assisted by annual performance reviews.

As required under NMSA 22-10A-11(G) the Board directs the Head Administrator /Chief Executive Officer to evaluate any additional members of the administrative team in compliance and in accordance with the New Mexico Highly Objective Statewide Standard of Evaluation for Principals and Assistant Principals (HOUSSE). The Board shall annually evaluate the job performance of the Head Administrator/ Chief Executive Officer during a closed meeting of the Board. The Board may evaluate the Head Administrator/ Chief Executive Officer on the achievement of set goals, student learning achievement, working relationship with Governance Board and the financial well-being of the school. Board may obtain input from staff and students.

All members of the school's administration shall conduct themselves in an ethical manner as outlined in the New Mexico Code of Ethics for the Education Profession (6.60.9.8 NMAC).

### Administrative Support

It is the policy of the Governance Board to provide the Head Administrator/Chief Executive Officer and the administrative team the support and tools necessary to effectively carry out the educational program of the school, to meet the school's vision and mission and to create a safe learning environment for the students, staff members and community.

The Board hereby adopts and makes part of this policy manual the following documents: the Educational Plan for Student Success; the Student Discipline Handbook, Financial System: Accounting Policies and Procedures; the Educational Technology Plan; the Special Education Manual and the Student Assistance Team Manual (SAT); the Safe School Plan; and the Employee Handbook.

### Fiscal Management

#### Budget process

The adoption of the annual operational budget is the responsibility of the Governance Board. The administration shall present to the Board for adoption a specific budget. The Board shall identify priorities and give general instructions to the administration to prepare a balanced budget based upon the Board's priorities. Finally, the Board shall debate and vote upon budgetary matters following a public hearings.

#### Investments

The Board authorizes the Administration at their discretion to engage in an investment program for the purpose of securing a maximum yield of investment earnings to supplement other revenues for the support of the school.

#### Contracts

The Board recognizes that in order to accomplish the specific mission, goals, and objectives of the school, the administration must enter into contracts for specific purposes. Furthermore, the Board recognizes that it is in the school's best financial interest to secure services on an as-needed basis rather than employ full-time personnel to fulfill short-term needs or requirements – as allowed by the State Procurement Code.

The Board authorizes the administration to seek contractual services wherever it is deemed appropriate, inclusive of Financial and or legal services.

The Board authorizes the Head Administrator/Chief Executive Officer to enter into professional service contracts up to State Procurement Code limit of \$60,000.00. The Board President must execute each negotiated contract in excess of \$60,000.00. The Board shall be notified at the



next Board meeting of any professional service contract entered into on behalf of the school in excess of \$30,000.00 but less than \$60,000.00.

### Central Purchasing

The Governing Board assigns the Head Administrator/Chief Executive Officer, pursuant to sections 22-5-4 and 13-1-97 NMSA 1978, as the central purchasing agent.

The Head Administrator/Chief Executive Officer will purchase, rent, lease, or otherwise acquire on behalf of the school all items of tangible personal property, services, or construction. All purchases will be strictly in accordance with the laws of the State of New Mexico and federal law in addition to applicable policies and procedures of the Board and the State Public Education Department. The Head Administrator/Chief Executive Officer shall establish and maintain a manual of purchasing policies and procedures which shall be reviewed and approved by the Board as part of the school's financial policies and procedures.

### Audit

The Governance Board considers the audit function to be a critical ingredient in providing comprehensive evaluation of the level of control in the school's operating and accounting systems. The audit function shall be independent from school administration in carrying out the responsibilities outlined in this policy.

The auditor shall independently review, evaluate, and report through audits and management studies the status of the school's financial condition; accuracy of financial and property record keeping; compliance with applicable laws, policies, guidelines, and procedures; and effectiveness and economy of operations.

### Fiscal Integrity

In the event that the Head Administrator/Chief Executive Officer determines additional personnel, programs, or initiatives are warranted, no such additions shall be made without a corresponding identifiable source of funding.

### Support Services

#### Safety

The policy of the Governance Board is to take all reasonable steps to safeguard employees, students, and the public from accidents and to provide a safe, healthy work and educational environment.

#### Transportation

Transportation to and from school is the sole responsibility of the parents, guardians, or their designees. The Board directs the Head Administrator/Chief Executive Officer to communicate or contract with state approved transportation providers in the Espanola School District on an as-needed basis for school related activities and for "to and from school".



### School-Owned Vehicles

School vehicles may be taken home by employees in cases in which the employee must respond to school needs outside normal working hours and the Head Administrator/Chief Executive Officer has identified the need as appropriate to warrant approval of a school take home vehicle.

The school reserves the right to refuse an employee authorization to operate a school vehicle or be reimbursed for mileage if the employee is deemed to be a negligent operator or fails to maintain a valid New Mexico driver's license. Any school employee convicted of driving while intoxicated shall not be allowed to operate a school vehicle.

- A. Facilities Development
- B. Naming Facilities

The Head Administrator/Chief Executive Officer of the school will determine the names of sites and other facilities governed by the Board.

### Building Accommodations

The Board desires to maintain the quality of the educational environment regardless of size and location. In an effort to accomplish the mission, vision, goals, and objectives of the school as set forth in the charter, the Board directs the Head Administrator/Chief Executive Officer to secure appropriate facilities through the use of lease-to-purchase arrangements, leases, gifts, and donations as provided by statute. The Board recognizes that it must obtain a permanent facility by 2015 to comply with New Mexico State Laws requiring charter schools to be in publicly owned facilities by this date.

The Head Administrator/Chief Executive Officer in collaboration with the Espanola School District will develop criteria outlining building and facility site safety, number, use, and location for the school. The Head Administrator/Chief Executive Officer in collaboration with the Espanola School District shall negotiate all facility acquisition arrangements on behalf of the school. For the duration of the 5 year renewal: Effective: July 1, 2011 - June 30, 2016, of the Cariños de los Niños charter, the Espanola School District and the school will reside in the current location (116 Calle Espinoza Street /Hunter Street, Española, New Mexico 87532).

### Personnel

#### Equal Employment

The Cariños de los Niños is an equal opportunity employer. The school prohibits discrimination and sexual or other harassment in all facets of employment, compensation, promotion, transfer, demotion, layoff, termination or selection for school-sponsored training programs. Discriminatory behavior violates state and federal laws and regulations and erodes the moral authority granted to schools.

### Employee Conflict of Interest

Employees are prohibited from requesting or receiving and accepting a gift or loan for themselves or another that tends to influence them or appear to influence them in their discharge of their duties as employees. Each Administrator is required to disclose any related party transactions – listing potential conflicts of interest annually.

Employees may be required sign a non-compete contract during the term of their employ at the Cariños de los Niños. Nothing in the non-compete contract may limit an employee upon severing employment with the school.

### Sexual Harassment and/or Any Type Of Harassment

Cariños de los Niños is committed in providing an education and working environment free from all forms of discrimination and harassment conduct. Sexual harassment or any kinds of harassment are prohibited. All harassment conduct must be reported instantly in written form by the employee or student to the Head Administrator /Chief Executive Officer or to the President of the Governance

Board. All reports of harassment will be investigated immediately and impartially and in as confidential a manner as possible to insure prompt and appropriate action. Any individual, who is found, after appropriate investigation to be engaged in sexual or any form of harassment of a member of the school, will be subject to disciplinary action up to and including termination of employment.

### Drug Free Workplace – Required Drug Testing of all Employees, Inclusive of Random Drug Testing

In accordance with federal law, the Cariños de los Niños has adopted a drug free workplace policy. The unlawful possession, dispensing, distribution manufacture, sale, or use of controlled substances and alcohol in the workplace by an employee is prohibited.

Since the school may be a recipient of federal funding, as a condition of employment, individual employees are required to notify their supervisor within five days if they are convicted of a criminal controlled-drug statute violation. Failure by an employee to report such a conviction may be grounds for disciplinary action – including termination.

Violation of this policy shall be considered a serious matter and inconsistent with the school's employment practices which will result in disciplinary action, which may include termination of employment and referral to law enforcement.

The Board directs the Head Administrator/Chief Executive Officer to only utilize transportation contractors who have implemented drug-testing programs for all persons responsible for driving or maintaining school transportation vehicles consistent with U.S. Department of Transportation guidelines.

The Board directs the Head Administrator/Chief Executive Officer to require and conduct random drug test of its employees, as needed.



### **Staff Conduct with Students**

Staff members shall maintain appropriate professional behavior while working with students and refrain from harassment, malicious or prejudicial treatment, and abridgement of student rights.

### **Staff Participation in Political Activities**

Staff members of the Cariños de los Niños may hold public office regardless of the relationship between the public office and the interests of the school. The school seeks to assist employees/public officials in avoiding conflicts between interests of the school and the interests of the public official's constituents. An employee of the school, acting in his/her capacity as an elected official, may speak, act, debate, and vote according to his/her convictions, without undue influence by the Board.

During the time a staff member is serving as a public servant and is unable to serve in the capacity in which he/she was hired at the school, the employee will be deemed to be on an unpaid leave of absence.

### **Grievance Adjustment Procedures**

The school will strive to resolve conflict to ensure that all employees may bring to levels of authority legitimate grievances in order to secure equitable solutions.

### **Employee Insurance**

The school strives to provide quality insurance and fringe benefits for employees through the New Mexico Public School Insurance Authority (NMPSIA). The school will participate in Workers' Compensation Benefit programs as specified in the New Mexico Workers' Compensation Law and as provided by the NMPSIA.

The Board grants the Head Administrator/Chief Executive the authority to enter into agreements for other fringe benefits as allowed by New Mexico statutes, federal law, and IRS regulations. These include but are not limited to employee access to 403B plans, deferred compensation plans, annuities, cafeteria plans, supplemental insurance, and other fringe benefits designed to make employment at the Cariños de los Niños competitive with other schools and businesses. The Board reserves the right to offer these fringe benefits to administration during the hiring of the Head Administrator/Chief Executive Officer.

### **Holiday for Twelve Month Employees**

Independence Day = 1 Day

Labor Day = 1 Day

Columbus Day = 1 Day

Veterans Day = 1 Day

Thanksgiving = 2 Days



Christmas = 2 Days

New Years= 2 Days

Martin Luther King = 1 Day

Presidents Day = 1 Day

Easter = 2 Days

Memorial Day = 1 Day

Total of 15 Holidays

## **ANNUAL LEAVE**

### **ANNUAL LEAVE**

Annual leave will be granted to all twelve (12) month (260 day) contracted employees, excluding 9, 10, and 11 month employees.

Administrators/Non-licensed Administrators employed on a twelve (12) month (260 day) contract basis and who are exempt from being compensated for over time, shall be entitled to one and two-third ( $1 \frac{2}{3}$ ) days per each month worked as annual leave with pay for a total of twenty (20) days annually. Unused annual leave may be accumulated and carried from calendar year to the next for a total of not more than fifty (50) working days.

Therefore, upon cessation of a twelve (12) month (260 day) employee employment, no-payment shall be made for more than forty (40) days of unused annual leave at his/her current wage. The one and two-thirds ( $1 \frac{2}{3}$ ) days to be earned for each month worked will be written or adjusted in the twelve (12) month (260 day) employees contract. Annual leave is not transferable.

With the approval of the Chief Executive Officer, all twelve (12) month (260 day) contract employees, who are prevented from taking annual leave due to justifiable needs of the school district or uncontrollable or unforeseeable circumstances relevant to their jobs assignments, e.g., timelines/deadlines/projects, etc., may be permitted to carry over accrued annual leave in excess of the permitted 360 hours allowed to be carried over.

Request for Annual Leave must be submitted to the Chief Executive Officer in advance of the intended day(s) of leave.

Annual leave dates shall also be arranged and approved, by the Chief Executive Officer which will provide for the school's needs without disrupting the work or performance of others.

Annual leave may be taken on an hourly basis or  $\frac{1}{4}$ ,  $\frac{1}{2}$ ,  $\frac{3}{4}$  or full day basis. The bi-monthly certification form will account for annual leave and shall be submitted to the Chief Executive's Office five (5) work days prior to payday or in accordance to a time schedule/calendar provided by the Business Manager.

Twelve (12) month Administrative employees, who are not eligible for overtime, may request annually through the Chief Executive Officer and Board President to buy back no more than twenty (20) accrued days for payment in lieu of vacation days per school year or due to an emergency or hardship, at their daily rate of pay. Request will be considered and approved, if budget is available.

## **SICK LEAVE**

Leave will accumulate at the rate of one and one-quarter ( $1\frac{1}{4}$ ) day for every twenty (20) days worked. However, twelve month employees who work 8 hours per day will accumulate ( $1\frac{2}{3}$ ) day for every month worked. Sick leave is to be used during the work year only for sickness/illness of the employee or an immediate member of the family, as defined. A doctor's certificate is required after the 3<sup>rd</sup> consecutive day of absence explaining the nature of the illness. Sick leave may be taken on a  $\frac{1}{4}$ ,  $\frac{1}{2}$ ,  $\frac{3}{4}$  of full day basis.

Unused sick leave will be carried over to subsequent years, not to exceed five hundred (500) hours.

Illness associated with pregnancy, impending delivery and recovery are a maternity condition, which merits application of sick leave. Adjustment periods not associated with illness do not warrant application of sick leave. Medical statements from the attending physician shall be required.

In case of prolonged illness or disability the employee shall submit to the School Administrator for his/her approval a written request for leave without pay specifying the probable date of return.

Request for leave, without pay, relating to sickness shall be authorized through the Immediate Supervisor and shall involve one of the following:

1. Personal illness of the employee
2. Serious illness of a member of the immediate family.

Any employee who will be absent from his/her assignment due to personal or family illness shall notify or call the Administrator or designee at his/her home or office, the day of the employee is to be absent.

A bi-weekly certification form will account for all absences and shall be submitted to the School Business Office every two (2) weeks on payday.

At the close of each fiscal year each employee's accumulation of unused sick leave shall be calculated. Resignation or dismissal from the Cariños forfeits all accumulated sick leave.

Cariños will not accept any accrued leave for any employee from any other school district.

Sick Leave benefits shall not be paid during any period for which an employee is eligible for worker's compensation payments unless the employee has requested in writing for one-



third (1/3) of his/her accrued sick leave. In no event shall an employee be entitled to both sick leave benefits and worker's compensation payments during the same period. As used in this policy, "worker's compensation payments" refers only to wage replacement benefits under any Worker's Compensation Act. If no such selection is made by the employee, then the employee shall only be paid worker's compensation benefits and his/her sick leave day remains intact.

#### PERSONAL LEAVE

At the beginning of each school year all full time employees shall be credited with two (2) days of personal leave. Unused personal leave shall be credited to accumulated sick leave.

#### BEREAVEMENT LEAVE

For the purpose of this policy, immediate family shall be defined as legal (under the laws of New Mexico and as opposed to common law) spouse, children, step children, parents, grandparents, grandchildren, step grandchildren, brothers, sisters, step brothers, step sisters and those same relatives of the legal spouse of the fulltime/part-time employee.

Bereavement leave is applicable in the event of a death in the employee's immediate family. During the employee's approved work calendar, the employee will be allowed to leave with pay, upon written request, immediately following the death for a period of up to five (5) days total per year for full time employees. In making his/her decision, the Head Administrator/ Chief Executive Officer shall take into account any non-work days prior to or following the death. In addition, two (2) additional days from personal or sick leave may be granted upon request to the Chief Administrator for bereavement. In the absence of any earned sick leave or personal leave the Head Administrator / Chief Executive Officer may approve and unpaid leave of absence for each of the two days extended Bereavement leave used.

If an immediate family member dies on the day before or during the long-term winter recess, spring recess, or approved vacation, and or approved annual leave the employee will not be granted Bereavement Leave then or after the fact. If two (2) family members die in a common accident, the bereavement periods begin and end on the same day.

The employee shall submit a leave request form indicating bereavement leave to the immediate supervisor and forwarded to the Administrator or his/her designee. Details regarding immediate family relationship and funeral arrangements must be included in the written request for bereavement leave.

Bereavement leave is not cumulative or subject to compensation upon resignation or termination. Bereavement leave does not apply to employees who apply for summer



enrichment programs due to the fact that they are not working within the approved regular school working calendar.

### PROFESSIONAL LEAVE

Requests for professional leave with pay must be submitted using the Cariños Leave Request Form to the Administrator or designee after approval by the employee's immediate supervisor. This leave is acted upon by the unit supervisor and approved or rejected by the Administrator or designee.

Professional leave is available for those representing the school system in a particular instructional area, or co-curricular activity and extra curricular activities.

Out of state professional leave involving out of state attendance is subject to Board approval and shall be submitted at least two (2) weeks prior to the date of the proposed leave. Board approval must be obtained prior to confirming travel arrangements.

If leave is approved, the staff member may be entitled to travel and per diem reimbursement subject to the discretion and approval of the School Administrator or designee.

### UNPAID PUBLIC SERVICE LEAVE

Unpaid public service leave must be approved in advance by the Administrator or his/her designee.

### JURY DUTY / SUBPOENA LEAVE

An employee who is summoned for jury duty or subpoenaed to testify as a witness (other than as a plaintiff, defendant, or as a witness in a case involving the employee or his/her immediate family) in court will be granted leave with pay subject to the following conditions:

1. The court's order or subpoena requiring the employee's presence is provided to the Director as soon as possible, but no later than five (5) days prior to the date he/she is required to appear, unless the subpoena/court order requires a shorter time in which case the employee will immediately notify the Chief Executive officer by providing a copy of the subpoena or court order.
2. The school will deduct from the employee's wages, paid juror stipends for the entire period for which the employee has been summoned to serve on a jury panel, or witness fees for the entire period reflected in the subpoena to serve as a witness (by statute this is the highest, prevailing state minimum wage rate per day) unless the employee endorses to the school all juror/witness fees paid to the employee, other than mileage fees.

## MILITARY LEAVE

1. Cariños de los Niños will abide by all the provisions of the Uniformed Services Employment and Re-Employment Rights Act (USERRA) and will grant military leave to all eligible full-time and part-time employees who are absent from work because they are serving in the United States uniformed services. Employees who perform duty, voluntarily or involuntarily, in the "uniformed services," which include the Army, Navy, Marine Corps, Air Force, Coast Guard, as well as the reserve components of each of these services, Army National Guard, Air Force National Guard, Commissioned Corps of the Public Health Service, and any other category of persons designated by the President in time of war or emergency, will be eligible for re-employment after completing duty, provided:
  - a. They provide written or verbal notice of their orders to their administrator or designee as soon as received (unless precluded by military necessity or otherwise impossible/unreasonable);
  - b. They satisfactorily complete duty of five (5) years or less;
  - c. They begin duty directly from employment with NAS-NM; and
  - d. They apply for and are available for re-employment as follows:
    - i. Less than 31 days service: By the beginning of the first regularly scheduled work period after the end of the calendar day of duty, plus time required to return home safely and an eight hour rest period. If this is impossible or unreasonable, then as soon as possible.
    - ii. 31 to 180 days: No later than 14 days after completion of duty. If this is impossible or unreasonable through no fault of the employee, then as soon as possible.
    - iii. 181 days or more: No later than 90 days after completion of duty.
    - iv. Service-connected injury/illness: Reporting or application deadlines are extended for up to two (2) years for persons who are hospitalized or recovering.
2. Performing duty, voluntarily or involuntarily, includes: active duty, active duty for training, and initial active duty for training; inactive duty training; full-time National Guard duty; absence from work for an examination to determine a person's fitness for any of the above types of duty; funeral honors duty performed by National Guard or reserve members; and duty performed by intermittent disaster response personnel for the Public Health Service, and approved training to prepare for such service.
3. Employees who serve in "uniformed services" will be paid for up to 15 days per fiscal year, for active duty, active duty training, and inactive duty training. Employees may apply accrued personal days and unused earned vacation time to the leave if they



wish; however, they are not obliged to do so. Employees on military leave shall be granted any improvement in salary or other terms and conditions of employment which would have accrued to them had they remained in active service with the School, provided such employees seek reinstatement with the School within thirty (30) days following discharge from the military service. Military leave shall be granted to full-time and part-time employees for a period of up to four years plus a one-year voluntary extension of active duty (five years total) if this is at the request and for the convenience of the United States government.

4. An employee's salary will not continue during a military leave unless required by law. However, employees may request to use any vacation or personal leave time accrued during military leave. Benefit coverage will continue for 31 days as long as employees pay their normal portion of the cost of benefits. For leaves lasting longer than 31 days, employees will be eligible to continue health benefits under COBRA and will be required to pay 100 percent of the total cost of their health benefits if they wish to continue benefits.
5. Employees who fail to report for work within the prescribed time after completion of military service will be considered to have voluntarily terminated their employment.
6. Upon return from military leave, employees will be permitted to make additional contributions to the retirement plan. Employees may initiate these additional payments as of their reemployment date and continue them for the period of time permitted by law.

#### **VOTING TIME LEAVE**

On election days, school employees shall be given two hours of leave to vote. The two-hour leave shall be on a schedule determined by the Chief Executive Officer. Employees whose workday begins after 10:00 a.m. or employees whose workday ends no later than 4:00 p.m. shall not be eligible for such leave.

#### **LEAVE WITHOUT PAY**

If circumstances necessitating an employee taking leave without pay, the employee must complete a leave request form and schedule a meeting with the Chief Executive Officer to discuss the specifics. The Chief Executive Officer will review the leave request and notify the employee of his/her decision.

#### **Transfers, Assignments, Re-assignments, Discharge, Termination of Employees**

The Board under New Mexico House Bill 212 delegates to the Head Administrator/Chief Executive Officer the authority and responsibility for transferring/reassigning, discharge or terminate employees based on programmatic, budgetary, or school need and/or in the best interests of the students.



### **Duty Day**

The Board delegates scheduling authority and responsibility to the Head Administrator/Chief Executive Officer. The normal duty day shall not exceed 7 hours and 5 minutes, exclusive of lunch. Cariños de los Niños teaching staff hours begin at 7:55am and end at 3:30p.m. or 4:00 p.m. as determined by Chief Executive Officer, Monday through Friday, unless teacher are assigned morning supervision with they must clock in at 7:40 a.m. to be at their post by 7:45 a.m. Certified Teachers are required to attend after school activities without expectation of monetary compensation or time for time.

### **Staff Development**

The Board delegates to the Head Administrator/Chief Executive Officer the authority and responsibility to provide employees with staff development opportunities. The Board encourages the use of professional, contracted, staff developers from areas outside of the traditional school setting to ensure continued growth and diverse learning that challenges traditional school models.

### **Personnel Evaluations**

The Head Administrator/Chief Executive Officer shall maintain a system of evaluation for all personnel in compliance with the laws of New Mexico and the standards and procedures adopted by the Public Education Department. The Head Administrator/Chief Executive Officer may employ the services of an internal qualified administrator or outside organization for the purpose of completing personnel evaluations.

### **Background Investigations**

All school personnel must submit to a background investigation prior to employment at the school. The potential employee may be asked to pay for any costs associated with the background check. The Board directs the administration to utilize the services of state-recognized providers (including the PED) for the purpose of performing such checks.

A negative report on a background check will not necessarily disqualify a prospective employee from being offered a position with the school. However, the Board directs the administration to notify the full Board prior to offering a position to any person failing to maintain a "clean" background investigation. The Head Administrator/Chief Executive Officer may use information obtained in the course of the background check to make an informed decision as to the suitability for employment – subject to State and Federal laws and regulations.

### **Employee Standards of Conduct**

Employees of the school shall serve as positive role models for students and set good examples in conduct, manners, dress, and grooming. The Board confers upon the administration the authority and responsibility to interpret this policy in the best interest of the school and students.

### Employee Relations

Nothing in this policy manual shall be construed to limit or affect the right of any employee to express a view or opinion on any matter related to the condition or terms of employment, so long as the same does not interfere with the full, faithful, and proper performance of the employee's duties or interrupt the educational process for the students.

### Instructional Program

Instruction in the school will aim to provide maximum opportunity for learning for all students. Learning activities shall be appropriate to the individual needs and developmental levels of the students. Programs of study made available to the students will be consistent with the policies of the Secretary of Education and the Public Education Department. The Head Administrator/Chief Executive Officer will make recommendations for improvement in the educational program, including revising, dropping, or adding courses or subjects of instruction.

### School Year and Work Year

Annually, as part of the budget approval process, the Governance Board will adopt an official calendar outlining the instructional school year. The Board reserves the right and authority to change the calendar as circumstances warrant.

### Treatment of Religious Issues

The Governing Board adopts a neutral stance in matters involving religion. Students and parents who object to a specific assignment on religious grounds shall make their concerns known to the teacher and the Head Administrator/ Chief Executive Officer within 24 hours after the lesson. The teacher and Head Administrator/ Chief Executive Officer shall design a lesson of equal difficulty and educational relevance to substitute for the original lesson. No student's grade shall be penalized for objecting to a specific lesson on religious grounds.

### Instructional Materials

The board directs the Head Administrator/ Chief Executive Officer to secure and purchase instructional materials and textbooks that support the instructional program. These purchases will be based on projections for the upcoming year. Instructional material and textbook adoption will be completed in a manner to accomplish timely implementation for optimum student learning and financial efficiency. Each student will have access to instructional materials and textbooks for school and home use that conform to curriculum requirements and state standards.

### School Volunteers

Volunteer services augment resources and effect stronger linkages among the school, parents, and other members of the community. The Board recognizes the need to identify and utilize volunteers. The Board directs the Head Administrator / Chief Executive Officer to conduct background checks and drug testing on all persons wishing to serve as a Regular Volunteer at the school. Sporadic Volunteers do not need back ground checks and drug testing.



### **Student Travel: Field Trips**

The Governing Board authorizes the Head Administrator/ Chief Executive Officer to approve field trips for students. A field trip is defined as a school-sponsored educational experience. Students who participate in field trips must have approval from the and prior written consent from the parent or guardian.

### **Reports to Parents on Student Progress**

A periodic system of grading and reporting student progress to parents will be maintained by the school as reflected on school calendar. Teachers are encouraged to experiment in an effort to discover more satisfactory methods for communicating student progress. The school shall operate on a semester basis. A minimum of two (2) official reports shall be made available to parents each year as reflected on Calendar.

### **Teaching Controversial/Sensitive issues**

The Governance Board encourages the objective study of controversial issues. Provisions will be made for review of student or parent objections to presentations or to print or multi-media instructional materials. Parents objecting to a sensitive or controversial issue may request an alternative assignment for their child.

### **Student Internet Acceptable Use Policy**

All students and parents must agree in writing to follow the school's acceptable use policy Acceptable Use Policy (AUP) prior to using one of the school's computer systems. Once signed, the AUP remains in effect throughout the student's enrollment at the school.

The Board hereby adopts the school's Acceptable Use Policy and the terms and conditions outlined within the Acceptable Use Policy (AUP).

### **Pledge of Allegiance**

It is the policy of the Cariños de los Niños for all students to stand and recite the pledge of allegiance daily. Students may be excused from reciting the pledge for religious reasons by providing a note from a parent/guardian in advance of the school year requesting the excusal. The letter from the parent shall be retained in the student's file and made part of the official school record.

### **PROFESSIONAL DRESS CODE**

Wearing appropriate professional dress will be required of faculty, staff, volunteers and or contractors during the scheduled workday. Note: Also, please review the student dress code and model these expectations.

Clothing should reflect the professional atmosphere of Cariños Charter School. Tight, ripped, torn, low cut or otherwise inappropriate clothing is not permitted. Clothing that advertises or promotes illicit drug, alcohol, or other inappropriate behaviors or suggestive language is also



prohibited. Chief Executive Officer will send employee home to change to appropriate attire. Employee or contractor will take personal leave to change to appropriate professional attire.

◆ **Men** may wear a tie with dress shirts, dress shirts, sweaters, polo shirts, vests, or suit jackets, dress slacks, khakis or jeans. School spirit polo shirts or school spirit sweatshirts may also be worn.

◆ Items not permitted include, leisure t-shirts, shorts, sleeveless shirts, sweat suits and sagging pants.

◆ Exceptions will be noted by the Chief Executive Officer prior to a special event or activity.

◆ **Women** are required to wear dresses, suits, jumpers, skirts, vests, sweaters, dress shirts, Capri pants, dress slacks or jeans.

◆ School spirit polo shirts or school spirit sweatshirts may also be worn.

◆ Items not permitted include leggings worn without an accompanying dress or skirt, spandex pants, shorts, leisure t-shirts, sweat suits and sagging pants.

◆ Exceptions will be noted by the Chief Executive Officer prior to a special event or activity.

◆ **Tattoos:** That promote illicit or lewd acts, gang symbols, drugs alcohol, suggestive language or behavior must not be visible.

◆ **Teachers** are required to enforce the dress code with students. Students must be in dress code while on campus and during the scheduled educational day or at any sanctioned field trip.

Approved By the Cariños Governance Board on - August 25, 2010

## EXPERIENCE AND CHANGE IN PAY STATUS

### Experiences:

All years of verified experience of bonafide contracted service, reflecting experience either for out of district and or out of country teaching, counseling, administrative or nursing experience in a re-school, elementary or secondary setting with the required proper license by the State Department of Education and /or post secondary experience, may be allowed for incoming certified personnel teachers, counselors and administrators. Experience must be with an accredited educational institution (State/Federal/Private). Verified half years may also be transferred providing there are a minimum of 90 full time consecutive days of contracted service within a semester during the school year. Verified experience and transcripts shall also be in the Head Administrator/Chief Executive Officer's office or post marked no later than September 30<sup>th</sup>.

Experience for Teacher Assistants, Para-professionals, Secretaries, bookkeepers, Cooks and custodians will be determined by the Head Administrator / Chief Executive Officer. Verified experience and transcripts shall also be in the Head Administrator/Chief Executive Officer's office or post marked no later than September 30<sup>th</sup>. Adopted May 9, 2007

### Change in Pay Status:

Change in pay status will be effected whenever warranted by change in assignment, training or added years of experience granted.

All added graduate semester hours and /or under-graduate semester hours taken beyond a Bachelor of Arts or a Master of Arts for salary purposes shall be considered for approval by the Head Administrator/Chief Executive Officer, if the course of work is within a teaching subject field, undergraduate program or graduate program in the field of education from an accredited college or university. ALL OFFICIAL TRANSCRIPTS shall be in the Head Administrator/Chief Executive Officer's office or post marked no later than September 30<sup>th</sup>, therefore, salary adjustments will be made during the last pay period of October.

Adopted May 9, 2007

## CARIÑOS GOVERNANCE BOARD GRIEVANCE POLICY

### Staff Grievance

Effective communication between Cariños Charter School employees, the administrative staff, and the Board is essential for proper operation of the schools. The Board, therefore, authorizes the Chief Executive Officer to establish a grievance procedure for employees as the prescribed means of resolving grievances at the earliest date and the lowest possible administrative level.



Such procedure shall provide for Board review of any grievance that cannot be resolved at the administrative level. In such instances, the affected individual may request that the Board review the situation. Such request shall be in writing and shall contain the basis for the appeal, including the act or acts out of which the grievance arose, identification of the Board policies and/or administrative regulations involved, and the remedy sought. Within five (5) working days following notification of the Chief Executive Officer's decision, any written request for appeal shall be submitted to the Chief Executive Officer's for transmittal to the Board. The Board, at a time of its choosing, shall review the grievance and issue a response within fifteen (15) working days following such review.

**Limitations:** The following situations are not covered by the 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 Chief Executive Officer including, but not limited to, a termination or discharge, a demotion, or Board action directly and adversely affecting an employee's employment that may be subject to redress through provisions of State law and regulation.
- Situations in which the Chief Executive Officer 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 remedy has been provided by the Board, or where Cariños Charter School procedure is prescribed by State or Federal authority.

The Decision of the Board is final.

ADOPTED: April 28, 2010

## STAFF GRIEVANCES

**Definitions:** A *grievance* is a complaint by a Cariños Charter School employee alleging a violation or misinterpretation, as to the employee, of any Cariños Charter School policy or regulation that directly and specifically governs the employee's terms and conditions of employment.

A *grievant* shall be any employee of the Cariños Charter School filing a grievance

*Terms and conditions of employment* mean the hours of employment, the compensation therefore, 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 Cariños Charter School. A *day* is any day during which the Cariños Charter School



conducts business. The *immediate supervisor* is the lowest-level administrator having line supervisory authority over the grievant.

## INFORMAL LEVEL

Before 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 of these informal conferences 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.

## FORMAL LEVEL

**Level I.** Within fifteen (15) days after the employee knew, or should have known, of the act or omission giving rise to the grievance, the grievant must present the grievance in writing to the immediate supervisor

The grievance shall be a clear, concise statement of the circumstances giving rise to the grievance, a citation of the specific article, section, and paragraph of the policy or regulation that directly and specifically governs the employee's terms and conditions of employment that are alleged to have been violated, the decision rendered at the informal conference, and the specific remedy sought

The immediate supervisor shall communicate a decision to the employee in writing within five (5) days after receiving the grievance.

Within the above time limits either party may request a personal conference to attempt to resolve the matter.

**Level II.** In the event the grievant is not satisfied with the decision at Level I, the decision may be appealed to the Head Administrator/Chief Executive Officer within five (5) days after receipt of the decision.

The appeal shall include a copy of the original grievance, the decision rendered, and a clear, concise statement of the reasons for the appeal. The Head Administrator/Chief Executive Officer shall communicate a decision within five (5) days after receiving the appeal. Either the grievant or the Head Administrator/Chief Executive Officer may request a personal conference within the above time limits.

**Level III.** If the grievant is not satisfied with the decision at Level II, the grievant may, within five (5) days, submit an appeal in writing to the Head Administrator/Chief Executive Officer for consideration by the Board.

## GENERAL PROVISIONS

Failure at any step of this procedure to appeal a grievance to the next step within the specified time limits shall be deemed an acceptance of the decision rendered at that step, and there shall be no further right of appeal. Failure to file a grievance within fifteen (15) days after the employee knew, or should have known, of the circumstances upon which the grievance is based shall constitute a waiver of that grievance. The filing or pendency of any grievance under the provisions of this policy shall in no way operate to impede, delay, or interfere with the jurisdiction of the Board or the Head Administrator/Chief Executive Officer

- No person(s) shall suffer retaliation, recrimination, discrimination, harassment, or be otherwise adversely affected because of the use of the grievance procedure.
- Whenever possible, a grievance conference or hearing, at any level, shall be scheduled during a mutually convenient time that does not conflict with the regularly scheduled school program.
- A grievant requiring the attendance and testimony of other employees shall have the right to bring such witnesses as are willing to testify on behalf of the employee. When hearings must be scheduled during the work day, any necessary substitutes or released time shall be provided at Cariños Charter School expense.
- A separate file shall be maintained by the Cariños Charter School for all grievances. All documents produced during the processing of a grievance shall be filed therein. All parties shall maintain confidentiality with regard to the proceedings and the resolution of the grievance shall not be made public unless agreed to by the grievant and the Head Administrator/Chief Executive Officer, or unless the grievant pursues the matter beyond this policy.
- Nothing contained herein shall be construed to limit, in any way, the ability of the Cariños Charter School and the grievant to resolve any grievance by informal means, and nothing herein shall be construed as requiring resorting to the formal procedures when grievable problems arise.
- A grievant may terminate the process at any level if he/she indicates, in writing, a desire to do so, accepts the resolution at that level, or fails to pursue the grievance by filing at the next level within the specified time limit.
- All grievances shall be filed and processed on grievance forms provided by the Cariños Charter School and made available at the building site.
- The time limits at any level may be extended by mutual agreement between the grievant and the appropriate respondent or hearing authority
- The grievant may be represented by legal counsel or a representative, if applicable, in conferences or hearings, except the informal conference. Any representative who

intends to represent a grievant at a conference or hearing shall notify the Head Administrator/Chief Executive Officer of that intention within a reasonable time before the conference or hearing. Failure to do so may justify postponement of the conference or hearing or suspension of the deadline while the Head Administrator/Chief Executive Officer arranges for or consults with Cariños Charter School legal counsel.

- The grievance proceedings shall focus only on the issues raised by the written grievance as filed and any related issues as the parties in interest may agree to have considered.



STAFF GRIEVANCES

LEVEL I GRIEVANCE FORM A

FORMAL GRIEVANCE PRESENTATION

To be completed by grievant within five (5) days after the last informal conference but no later than fifteen (15) days after the employee knew or should have known of the act or omission giving rise to the grievance.

Date of last informal presentation \_\_\_\_\_

Immediate Supervisor \_\_\_\_\_

Assignment \_\_\_\_\_

Policy or regulation alleged to have been violated

\_\_\_\_\_  
Statement of grievance:

\_\_\_\_\_  
Action requested:

\_\_\_\_\_  
Signature of Grievant

STAFF GRIEVANCES

LEVEL I GRIEVANCE FORM B

FORMAL GRIEVANCE PRESENTATION

To be completed by immediate supervisor within five (5) days after formal filing.

Grievant \_\_\_\_\_

Date of formal grievance presentation \_\_\_\_\_

Immediate Supervisor \_\_\_\_\_

Policy or regulation alleged to have been violated

Decision of immediate supervisor and reason therefore:

\_\_\_\_\_

Date of decision

\_\_\_\_\_

Signature of Immediate supervisor

Grievant's response [to be completed by the grievant within five (5) days after the decision]

[ ] I accept the above decision of the immediate supervisor.

[ ] I hereby refer the above decision to the Head Administrator/Chief Executive Officer, with reasons detailing non-acceptance at Level I and any relief sought (Level II).

\_\_\_\_\_

Date of Response

\_\_\_\_\_

Signature of grievant



STAFF GRIEVANCES

LEVEL II GRIEVANCE FORM C

REFERRAL TO HEAD ADMINISTRATOR/CHIEF EXECUTIVE OFFICER

To be completed by grievant within five (5) days of immediate supervisor's response.

Grievant \_\_\_\_\_

Date of formal grievance presentation \_\_\_\_\_

Detail reasons for non acceptance of grievance decisions and any relief sought:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ The attached grievance is hereby referred to the Head Administrator/Chief Executive Officer.

\_\_\_\_\_  
Date of Response

\_\_\_\_\_  
Signature of grievant

STAFF GRIEVANCES

LEVEL II GRIEVANCE FORM D

FORMAL GRIEVANCE PRESENTATION

To be completed by immediate supervisor within five (5) days after formal filing.

Grievant \_\_\_\_\_

Date of formal grievance presentation \_\_\_\_\_

Date appeal received by Head Administrator/Chief Executive Officer-  
\_\_\_\_\_

Date hearing held by Head Administrator/Chief Executive Officer (optional)  
\_\_\_\_\_

Decision of Head Administrator/Chief Executive Officer and reasons therefore:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date of decision

Signature of Head Administrator/Chief Executive Officer

Grievant's response [to be completed by the grievant within five (5) days after the decision]  
\_\_\_\_\_

[ ] I accept the above decision of the Head Administrator/Chief Executive Officer.

[ ] I hereby refer the above decision to the Board for a review of this grievance (Level III),  
\_\_\_\_\_

Date of Response

Signature of Grievant

STAFF GRIEVANCES

LEVEL III

GRIEVANCE FORM E

REVIEW BY BOARD

Grievant \_\_\_\_\_

Date of formal grievance presentation \_\_\_\_\_

Attached grievance is hereby appealed to the Board for a review.

Immediate Supervisor \_\_\_\_\_

Detail reasons for non- acceptance of grievance decision at Level II and any relief sought:

---

---

---

Date appeal received by Board

BOARD RESPONSE

☐ The Board affirms the Head Administrator/Chief Executive Officer's response.

☐ The Board rejects the Head Administrator/Chief Executive Officer's response.

☐ The Board modifies the Head Administrator/Chief Executive Officer's response as follows:

---

---

---

[TO BE COMPLETED WITHIN FIFTEEN (15) DAY OF REVIEW]



## Students

### Selection of Students

Students will be selected to attend the Cariños de los Niños First Come First Serve and by lottery. If more students apply to the school than the school has seats available, remaining students will be placed onto a waiting list. Cariños will comply with New Mexico State Laws, especially Charter School Law.

Siblings of students enrolled at the school will receive "priority placement" for the following school year. Priority placement shall occur prior to the lottery.

### Enrollment Requirements

Upon enrolling at the Cariños de los Niños, a student/parent must present satisfactory evidence of age, evidence that they are in compliance with all immunization requirements under New Mexico State Statutes and Administrative Code, complete the Code of Conduct, the federal program eligibility form, and sign and return the school's "Acceptable Use Policy."

Each year the administration shall identify the maximum number of openings the school shall have for the following school year. This shall be accomplished by identifying the number of openings the school expects; querying students/parents on their intent to re-enroll for the following school year; and setting the maximum number of students who shall be admitted via the lottery process. Parents who fail to respond to the query shall be deemed "not returning" and the student's position shall be made available to a new student.

### Student Attendance, Absence, and Excuses

In accordance with New Mexico State law, all children over the age of five (5) and students under the age of eighteen (18) and who have not yet graduated from high school are required to attend school unless they are officially excused. Compliance is the responsibility of the parent.

Daily school attendance is necessary for students to benefit from the instructional program. The school does recognize that there are situations that dictate a student's absence. However, students and their families must recognize that excessive absenteeism, regardless of the reason, will negatively affect the student's achievement.

The Board authorizes the Head Administrator /Chief Executive Officer to develop a strict attendance policy and procedures to follow that utilize all available means and resources within the community.

### Release of Students

No class may be dismissed before the regular hour for dismissal except with the approval of the Head Administrator/Chief Executive Officer, or the assigned designee.

Except in appropriate circumstances, custody of a student shall not be relinquished by school personnel to any person without the approval of the parent having legal custody.

### Hazing and Bullying

Hazing will not be permitted as a condition of membership in any group or organization connected with the school. Hazing and bullying are not permitted. The Governing Board hereby adopts the school's Bully Prevention Policy as outlined in the school's Student Behavior Handbook.

### Student Interrogations

School authorities have a responsibility to cooperate with law enforcement agencies and/or child abuse investigators who are seeking to interview students at the school. Individual students should not be interrogated on campus without the knowledge of the Head Administrator/Chief Executive Officer.

There is no requirement to notify the parents of the student prior to questioning by school personnel. Every attempt shall be made by the school's administration to notify parents prior to a student being questioned by law enforcement personnel. A commissioned law enforcement official must place a student under arrest or into protective custody before the student may be removed from the campus for either further questioning or to be held at a detention facility. School authorities must immediately make a good faith effort to notify the parents of a student if the student has been removed from campus by law enforcement authorities.

### Student Discipline

The primary goal of discipline at the Cariños de los Niños is to provide and maintain a safe, just, affirmative, and appropriately challenging environment that promotes learning and positive personal growth. Disciplinary measures will be aimed toward assisting each student in the development of self-control, social responsibility, and the acceptance of appropriate consequences for his/her actions. Head Administrator / Chief Executive Officer will utilize the progressive discipline procedures and options specified in the Student Behavior Handbook and outlined in the Student Code of Conduct.

The Governance Board hereby adopts the Student Behavior Handbook, the Student Code of Conduct, the Acceptable Use Policy, and all consequences and procedures outlined within these documents.

Corporal punishment, which is defined as "any disciplinary action taken by school personnel with the intention of producing pain" is strictly forbidden.

### Extracurricular Activities

Extracurricular activities are an integral part of the educational process, providing students with opportunities beyond the classroom to further develop their unique capabilities, interests, and



needs. Participation in these activities is a privilege offered to and earned by students. Participation is not a right.

### Student records

Student records kept by the school shall be open to review by parents and/or students and will be treated as prescribed by the Family Educational Rights and Privacy Act of 1974 (FERPA) as amended, New Mexico Public Education Department regulations, and other existing law. If there are apparent conflicts among the statutes and guidelines, the provisions of FERPA shall prevail.

The Board authorizes the Head Administrator/Chief Executive Officer to make provisions to store student records of students no longer attending the school in electronic format.

### Student Grade Change

It is the policy of the Governance Board for the Cariños de los Niños to provide students and parents with an accurate assessment of the student's work at the completion of the grading term. Parents and students who disagree with a reported grade shall first attempt to meet with the teacher to discuss the situation. Following this meeting, parents and students who still disagree with the grade assigned by the instructor may ask for a formal administrative review of the earned grade. The process to initiate a review of the grade is as follows:

1. Within 10 days of receipt of the report card a parent may ask for a review by writing a letter to the school's Head Administrator /Chief Executive Officer stating the reason the parent believes the grade to be in error.
2. Within 14 days of receipt of the parent's letter, the Head Administrator/Chief Executive Officer shall conduct an investigation into the reported earned grade, specifically focused on the reason stated in the parent's letter. The investigation may include looking at the grade book, re-computing the grade based upon the teacher's syllabus, and speaking to the teacher.
3. If the Head Administrator/Chief Executive Officer believes that there is sufficient evidence to support the parent's claim, the Head Administrator/Chief Executive Officer shall convene a committee of no less than three people (one of whom shall be a licensed teacher) to review the findings.
4. The committee shall then issue a written response to the parent and affected teacher notifying them of the decision to change or leave the grade as reported.

### Lost or Damaged Textbook

It shall be the policy of the Cariños de los Niños ' Governance Board that parents or guardians reimburse the school for their child's lost or damaged text books.



### Release of Student Lists or Directories

The Board, in compliance with FERPA, will allow the release of directory information about students only to those persons or organizations having a legal right to know.

### Student Possession of a Firearm

Any student found to be in possession of a firearm while at school, at any school-related event, or at any time when the Student Behavior Handbook is in force, shall be expelled from the school for a minimum of one calendar year and the offender shall be referred to law enforcement.

The definition of "firearm" from 18 U.S.C.92 is summarized as "...any weapon which will propel a projectile by the action of an explosive."

### Release Time for Religious Instruction

Any student may be excused for religious instruction with the written consent of the parent. The Cariños de los Niños assumes no responsibility for the student from the time he/she leaves the campus until after they have returned.

### Do Not Resuscitate Orders

The policy of the Governing Board for the Cariños de los Niños is to provide all students with immediate first aid and emergency rescue services when a medical crisis or life-threatening episode occurs at school. However, if the attending physician of a student has a written Do Not Resuscitate Order (DNR) on the authorization of the child's parent(s)/guardian(s), school personnel must act in accordance with the order and refrain from medical interventions that are not consistent with the order.

### Students and Off-Campus Violent Acts

Any student identified to the school as having been formally charged with committing a violent act or having illegally possessed a firearm in the community, may be assessed by the Head Administrator /Chief Executive Officer as to whether the student: 1) may reasonably present a danger to him or herself or others, and/or: 2) would likely significantly disrupt the school environment by returning to the school campus. As a result of such an assessment process, the Head Administrator /Chief Executive Officer may require the student to be placed into an alternative program for the safety of the student and others. The Head Administrator/Chief Executive Officer may also require that the student be placed into an alternative program during the assessment process.

### School Relations

#### Community and Parental Involvement

The Board recognizes that constructive study, discussion, and active participation by citizens are necessary to promote the best program of education in the community.

Parents are encouraged to visit the school throughout the school year. Parents are encouraged to attend the once a month "Parent Advisory Committee" meeting.

Conferences between such visitors and employees should not interfere with the employee's assigned duties. Visitors should verify their identity and the purpose of their visit.

### **Use of Community Resources**

The Board approves of and encourages the use of community resources to assist in making learning experiences more realistic.

### **Community Use of Buildings, Grounds, and Equipment**

The Board assigns to the Head Administrator/Chief Executive Officer the authority to allow or disallow community groups the use of the school's facilities. The use of a school facility does not constitute an endorsement of any project, service, or organization by the Board.

### **Advertising in School**

The Board supports advertising initiatives that enhance the school's goals and objectives. The Head Administrator/Chief Executive Officer shall approve agreements on behalf of the school.

Advertising requests that promote alcohol, tobacco, gaming, firearms, controversial products or services shall not be permitted. The school will maintain compliance with all federal and state statutes, rules, and regulations.

### **Political Solicitations in School**

The school has a primary mission focused in the proper education of its' young people; all else must be secondary. For this reason, appearances of candidates or their representatives will be limited to time outside of the standard school hours except in those instances where teachers invite candidates to visit classes as part of the educational program.

### **Relations with Community Organizations/Partnerships**

The Head Administrator/Chief Executive Officer may cooperate in furthering the work of non-profit, community-wide service, civic, or governmental agencies or organizations that support the mission, goals, and policies of the school.

### **Custodian of Public Records**

The official custodian of public records for the school will be the Head Administrator. As required in the Inspection of Public Records Act, this office will be responsible for (1) receiving and responding to requests to inspect public records; (2) providing proper and reasonable opportunities to inspect the records; and (3) providing reasonable facilities to make or furnish copies of the public records during usual business hours – any costs associated with the providing of public records shall be born by the individual making the request.

It is the policy of the Board to make available personnel to photocopy record requests at the rate of \$1.00 per page. This rate covers the cost of supplies and materials and employee time. This fee may be waived by the Head Administrator if deemed appropriate.

### **Restaurant Liquor License Waivers**

City ordinance F/S R-121, Enactment 115-1998 requires that the Governing Board be consulted during the consideration of any distance waiver requests from the prohibition of alcoholic beverage sales within 300 feet of a church or school as set forth in 60-6B-10 NMSA 1978.

It is the policy of the Board to oppose in all cases the granting of any waiver to a restaurant or other establishment for the purpose of allowing the serving of alcoholic beverages within 300 feet of the school's campus. The granting of such a waiver would increase the risk to students and staff of encountering intoxicated persons who may potentially interfere with or negatively impact the instructional process; and, would increase the danger of vehicular accidents within the walk zones surrounding the school.



## Cariños Charter School

### Governing Board Policy on Head Administrator /CEO Evaluation and Process

Approved April 6, 2010

#### Policy Intent

This policy adopted by the Cariños de los Niño's Governance Board affirms that the Head Administrator / Chief Executive Officer (CEO) shall be evaluated annually using the process described in this policy. The intent of this policy is to provide the Head Administrator / CEO clear direction by the Governance Board in the form of ongoing process requirements, annual goals, feedback from the Governance Board on the Governing Board's perceptions of the Head Administrator / CEO's performance as the leader of the charter school, to serve as the basis for contract renewal and reemployment decisions regarding the Head Administrator / CEO by the Governance Board, and to provide the Head Administrator / CEO an opportunity to be a full participant in this process for clarity.

#### Governance Board Goals for the Head Administrator / Chief Executive Officer (CEO)

The Head Administrator / CEO's evaluation process shall provide the Governance Board an opportunity to approve broad general goals annually that the Head Administrator / CEO shall respond to in the form of a professional development plan (PDP). In this PDP the Head Administrator / CEO shall outline the measurable results the Head Administrator / CEO anticipates achieving in relation to each of the goals set by the Governance Board.

#### Annual Evaluation Cycle

The process shall have as a minimum the following components.

**January:** At the January Governance Board meeting of each year in executive session, the Head Administrator / CEO shall be provided feedback by the Governance Board that will either provide for the renewal of the Head Administrator / CEO's contract or the Governance Board shall serve notice that the Head Administrator / CEO will not be reemployed. The Governance Board shall provide the Head Administrator / CEO written feedback which shall consist of the completion of a formal written evaluation using the form that is adopted as an addendum to this policy (Appendix B). The Head Administrator / CEO will be allowed to respond to the feedback provided by the Governance Board. Also, during this executive session, the Governance Board shall identify for the Head Administrator / CEO the goals it wishes to have the Head Administrator / CEO address during the year.

**February:** The Head Administrator / CEO at the February Governance Board meeting shall provide the Governance Board a copy of the Head Administrator / CEO's PDP, indicating the obtainable results the Head Administrator / CEO anticipates accomplishing during the year in response to the goals approved by the Governance Board in January.

**March:** The Governing Board at the March Governance Board meeting shall conduct an informal first quarter review of the Head Administrator / CEO's PDP. This meeting shall be an executive session.

**June:** The Governing Board at the June Governance Board meeting shall conduct an informal second quarter review of the Head Administrator / CEO's PDP. This meeting shall be an executive session.

**September:** The Governing Board at the September meeting shall conduct an informal third quarter review of the Head Administrator / CEO's PDP. This meeting shall be an executive session.

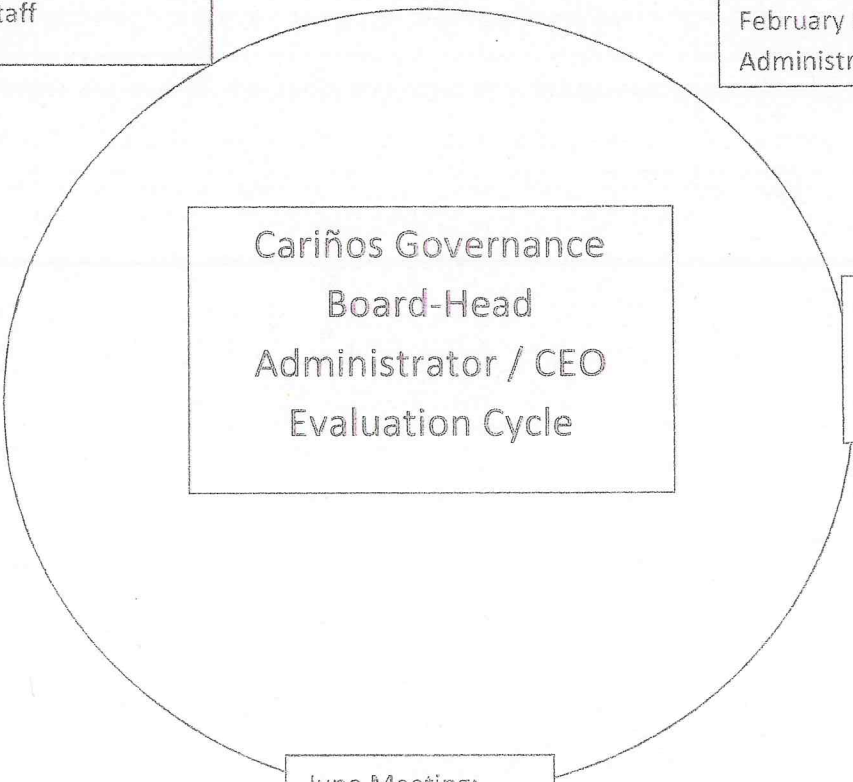
**December:** In December, the President of the Governance Board shall distribute to all Governance Board members a copy of the Head Administrator / CEO's evaluation form for each Governing Board member to individually complete and return to the Governance Board President. At the same time, feedback may be solicited from staff members of Cariños. The President of the Governance Board shall have these materials compiled, and these shall form the basis for the Head Administrator / CEO's formal evaluation in January, where they shall be reviewed in executive session with the Head Administrator / CEO and where the goals for the coming year are developed and reemployment decisions are determined. The cycle is represented graphically below in Figure 1.

December: Governance Board  
President distributes  
evaluation form to all  
Governance Board members,  
360 Feedback obtained from  
students and staff

January Meeting: formal evaluation;  
contract renewal or release; set  
Head Administrator / CEO 's goals

February Meeting: Head  
Administrator / CEO's

September  
Meeting:  
3<sup>rd</sup> quarter



Cariños Governance  
Board-Head  
Administrator / CEO  
Evaluation Cycle

March  
Meeting:  
1<sup>st</sup> quarter

June Meeting:  
2<sup>nd</sup> quarter review



**Cariños Charter School**  
**Head Administrator / Chief Executive Officer's Evaluation Form**

**PART I Job Responsibilities**

The job responsibilities are the broad, general categories of job performance which the Cariños Board expects of the Head Administrator / Chief Executive Officer.

**Instructions:** Select and circle **two (2) items** from the following performance indicators that the Head Administrator / Chief Executive Officer **performs well**. Also, select and circle **one (1) item** from the performance indicator that you as a member feel that the Head Administrator / Chief Executive Officer **needs to improvement** and **explain the expectations** of the board for clarity purposes.

**Category 1: Board Relations**

The Head Administrator / Chief Executive Officer provides leadership to accomplish the Board's goals and actively communicates progress on those goals to all members of the Board. The Head Administrator / Chief Executive Officer works effectively with the Board to formulate policy, defining mutual expectations of performance with the Board and demonstrates good school governance to the Board. The Head Administrator / Chief Executive Officer works effectively with the Board to administer all policies established by the Board.

**Performance Indicators:**

- 1.1 Effectively communicates with all members of the Board
- 1.2 Anticipates events which may require Board awareness and attention
- 1.3 Effectively works with the Board at all Board meetings
- 1.4 Recommends appropriate policy issues to the Board for their consideration

Supporting Evidence: _____	<b>Summary Rating</b>  Satisfactory and or  Needs Improvement
_____	
_____	
_____	
_____	
_____	

The Head Administrator / Chief Executive Officer demonstrates and utilizes the skills necessary to establish effective two-way communications not only with students, staff and parents, but the community as a whole including beneficial relationships with the media. The Head Administrator/ Chief Executive Officer responds appropriately and encourages partnership to build community support for the school.

**Performance indicators:**

- 2.1 Develops formal and informal techniques to gain external expectation of the school.
- 2.2 Demonstrates effective communication skills (written, verbal and non-verbal contexts, formal and informal settings, large and small group and one-on-one environments)
- 2.3 Promotes and invites involvement of parents and staff to fully participate in the process of schooling
- 2.4 Understands the role of media in shaping and forming opinions as well as how to work with the media
- 2.5 Seeks and values input from a wide range of sources

Supporting Evidence: _____	<p style="text-align: center;"><b>Summary Rating</b></p> <p>Satisfactory and or Needs Improvement</p>
_____	
_____	
_____	
_____	
_____	

The Head Administrator/ Chief Executive Officer is an educational leader who promotes the success of all students by collaborating with staff, students, families and community partnerships to respond to diverse community interests and needs. The Head Administrator/ Chief Executive Officer promotes the success of all students by understanding, responding to, and influencing the larger political, social, economic, legal, and cultural context.

Performance Indicators:

- 3.1 Provides leadership for improving parent/student/community involvement in the schools
- 3.2 Establishes effective school/community relations, school/business partnerships and public service
- 3.3 Formulates and implements plans for external communication, including communication of the school's priorities to the community and media.
- 3.4 Provides community service and leadership for developing a positive rapport between the school and the community.
- 3.5 Demonstrates respect for the diversity in the community

Supporting Evidence: _____	<b>Summary Rating</b>  Satisfactory and or Needs Improvement
_____	
_____	
_____	
_____	



The Head Administrator/ Chief Executive Officer promotes the success of all students by facilitating the development, articulation, implementation, and stewardship of a vision of learning that is shared and supported by all members of the school community through the media or newsletters.

The Head Administrator/ Chief Executive Officer supports the success of all students by advocating, nurturing and sustaining a school culture and instructional program conducive to student learning and staff professional development.

**Performance Indicators:**

- 4.1 Sets priorities and expectations for improving student achievement
- 4.2 Articulates and promotes high expectations for teaching and student learning
- 4.3 Develops, communicates, and implements a collective vision of the need of school improvement through the Educational Plan for Student Success (EPSS) process
- 4.4 Formulates procedures for gathering, analyzing and using district data for decision-making through staff.
- 4.5 Encourages various staffing patterns, student grouping plans, class scheduling plans, school organizational structures, and facilities design processes to support various teaching strategies and desired student outcomes
- 4.6 Collaboratively develops, implements, and monitors change process to improve student and adult learning

Supporting Evidence: _____	<b>Summary Rating</b>  Satisfactory and or  Needs Improvement
_____	
_____	
_____	
_____	
_____	

The Head Administrator/ Chief Executive Officer gathers and analyzes data through the staff for decision making and for making recommendations to the board on the operations of the school. The Head Administrator/ Chief Executive Officer demonstrates the skills necessary to meet internal and external customer expectations and to effectively allocate resources to maintain a clean, safe, and healthy working environment for staff and students.

**Performance Indicators:**

- 5.1 Used the business manager to demonstrates budget management including financial forecasting, planning, cash flow management, account auditing and monitoring, purchasing, and budget development
- 5.2 Uses the business manager to develop and monitor long range plans for school needs, technology and information systems making informed decisions about computer hardware and software and staff development and training needs
- 5.3 Demonstrates knowledge of school facility needs and develops a process that builds internal and public support for facility needs and repairs.
- 5.4 Establishes procedures and practices for dealing with emergencies such as weather, threats to the school, student violence and crisis.

Supporting Evidence: _____	<p>Summary Rating</p> <p>Satisfactory and or</p> <p>Needs Improvement</p>
_____	
_____	
_____	
_____	
_____	

The Head Administrator/ Chief Executive Officer is an educational leader who promotes the success of all students by acting consistently with integrity and fairness. The Head Administrator/ Chief Executive Officer understand and models an appropriate value system, ethical behavior, and moral leadership. Head Administrator/ Chief Executive Officer exhibits multi-cultural and ethnic understanding and coordinates with social agencies and human services to help all students grow and develop as caring, informed citizens.

**Performance Indicators:**

- 6.1 Demonstrates a high standard of moral and ethical behavior in all interactions
- 6.2 Demonstrates fairness and integrity in all actions
- 6.3 Demonstrates professional code of ethics
- 6.4 Explores and develops ways to find common ground in dealing with difficult and divisive issues
- 6.5 Encourages the value that morale and ethical practices are established and practiced in every classroom and throughout the school

Supporting Evidence: _____	<p>Summary Rating</p> <p>Satisfactory and or</p> <p>Needs Improvement</p>
_____	
_____	
_____	
_____	



## PART II – Annual Goals

The annual goals developed jointly by the Board and Head Administrator/ Chief Executive Officer in April of 2010 are listed below. These are updated annually and are the basis for the Head Administrator/ Chief Executive Officer's PDP, which shall be submitted to the Board in December 2010.

---

### Head Administrator/ Chief Executive Officer's set Goals for 2010-2011.

Goal 1: Organize teams to address three (3) school functions and tasks to increase students and parent participation up to 70%. (1. Beans and Jeans, 2. Fundraising, 3. Hooked on Books; and 4. Book It-Home Reading Programs)

Goal 2: Develop a policy to address staff, students and parents complaints with a format and time line to include the Governance Board, if concerns are not resolved at the Head Administrator / Chief Executive Officer's level.

Goal 3: Establish an After School Program using partnerships to include local agencies and organizations so as to achieve diversity of programs at low or no cost to the school. (Boys and Girls Club, Hands Across Cultures and Family Learning Center, inclusive of parents paying for after - school program).

Goal 4: Hire high qualified teachers and continue staff professional development through a needs assessment survey and include one board member in one training session per year; and develop a Teacher Mentorship Plan.

Goal 5: Include Students and Staff participation to provide updates and activities at Cariños at Board Meeting two times a year. (By Semester)

Goal 6: Completed charter renewal application for submittal by October 1.

Goal 7: Develop and Implement a RIF Policy by beginning of the School Year.

**Goal 8:** Develop Job Descriptions for staff with specific duties needed to perform to do the job adequately and timely.

**Goal 9:** Develop a contract with parents for the school year requiring a number of volunteers hours per year. Reflecting various tasks and or functions expected to be performed in the classroom or school for parental involvement. The Board suggested twelve (12) hours of parental involvement in the classroom, where parents volunteer and engage in activities with the teacher and their children.

**Goal 10:** Attend conferences offered by organizations, inclusive of PED training sessions. Mandatory Training - two (2) per year of professional development.

---

**PART III – Overall Summary by listing enumerated Performance Indicators for tally, so that Head Administrator / Chief Executive Officer has knowledge of the Board members observations and for discussion purposes in setting expectations.**

Job Responsibilities:	Satisfactory	Needs Improvement
Category 1		
Category 2		
Category 3		
Category 4		
Category 5		
Category 6		
Job Target Comments:		
Summative Rating:		

Significant Achievements:

Areas for Growth:

Head Administrator /CEO Comments:

Board Comments:

---

---

Head Administrator / CEO's Signature \_\_\_\_\_

Evaluation Period: \_\_\_\_\_, 2010 to \_\_\_\_\_, 2011

Board President's Signature: \_\_\_\_\_