



Cottonwood Valley Charter School

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Cottonwood Valley Charter School

Employee Policy Handbook

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INTRODUCTION

Welcome to Cottonwood Valley Charter School-a free public K-8 charter school in Socorro, New Mexico. Our employees are the cornerstone of the school's success and it is the school's intent to provide them with a pleasant, safe, and supportive environment in which to work. The employee handbook is provided to all employees so that they can become familiar with the policies and procedures that govern their employment at CVCS.

CVCS is interested in its personnel as individuals and recognizes its responsibility for promoting the general welfare of the staff.

Admission

Admission is by lottery except for those students who are already in attendance, then children of employees, and then their siblings. There are no registration fees or tuition and all New Mexico residents are eligible to apply for admission. CVCS does not discriminate in any way on the basis of race, disability, creed, gender, national origin, religion, ancestry, or need for special services.

Curriculum

The academic program at CVCS is based on the Core Knowledge Sequence, a set of content guidelines in language arts, history, mathematics, science, and the fine arts developed by the Core Knowledge Foundation. The Core Knowledge Sequence comprises about half of the school's curriculum, allowing teachers the time and flexibility to meet the state curriculum requirements as specified in the NM Standards and Benchmarks.

Governance

CVCS is governed by a Governing Council. In accordance with its Bylaws adopted on December 9th, 2020 the Governing Council comprises five parents, one member who is either parent or a community member, and one community member. The school administrator and a teacher representative (chosen by the teaching staff) serve as non-voting members of the council. Members serve staggered terms and are elected by the parents of students enrolled in the school and the registered voters of the City of Socorro. Governing Council meetings are held on the second Wednesday of each month at 5:15 pm and are conducted in compliance with the Open Meetings Act. The public is welcome to attend. Copies of the Governing Council by-laws and monthly minutes are filed in the school office and available on the school website.

Mission Statement

CVCS offers a rigorous academic program designed to meet the individual needs of each student while promoting community service, civic responsibility, and global awareness.

The School offers the community a public school choice in which parents, students, and teachers are partners in the education of our children.

Personal Learning Plans

Every student at CVCS has a Personal Learning Plan (PLP). This is a written document, developed and signed by the student, parent(s)/guardian(s) and teacher(s), specifying the student's academic goals for the year. A review of the PLP is conducted at least annually or more often if recommended by staff or requested by the student and/or parent(s)/guardians(s). Students with identified special needs will receive an Individual Education Plan (IEP) as required by state and federal regulations.

School History

In the spring of 1999 the New Mexico Legislature passed the Charter Schools Act and a group of parents began the process of establishing a new charter school in Socorro. It took two and a half years of hard work before CVCS opened in August 2001 with 112 students in grades K-6. CVCS now serves 170 students in grades K-8 on a campus on Neel Avenue near New Mexico Tech and several residential neighborhoods.

Volunteers

It is the school's philosophy that full parental participation in the education of their children is vital to the educational success of their children. Parents are encouraged to volunteer in the classroom and for other school-related activities. Teachers are expected to encourage and welcome parent participation in the school.

EMPLOYMENT POLICIES

Code of Ethics

CVCS employees are expected to abide by the “Code of Ethical Responsibility of the Education Profession,” and its provisions, as detailed in New Mexico Administrative Code, 6.60.9.

Personnel Selection

The goal of the personnel selection process for both licensed and non-licensed employees is to recruit and select that individual who will best fit an available position. In doing so, such criteria as educational background, training, preparation, experience, personal characteristics, references, interviews, and general background will be considered in making selection decisions.

In compliance with Section 22-8B-10 of the Charter Schools Act, the School shall not initially employ in any capacity a person who is the spouse, father, father-in-law, mother, mother-in-law, son, son-in-law, daughter or daughter-in-law of a member of the Governing Council or the School Administrator. This rule does not prohibit the continued employment of a person who was employed on or before 2008. The Governing Council may waive the nepotism rule for family members of the head school administrator.

The provisions of the School Personnel Act [Section 22-10A] shall apply to employees hired by the school.

Staff Hiring

The Administrator of the Cottonwood Valley Charter School shall employ, fix the salaries of, assign, terminate and discharge all employees of the charter school. The Administrator shall inform the Governing Council of any changes in employment, contracts, or assignments of charter school employees.

Hiring of the Administrator

The Governing Council is responsible for hiring, evaluating and dismissing the Administrator.

Performance Reviews

The School Administrator will follow Governing Council policies and New Mexico Public Education Department requirements when conducting performance reviews for all certified and classified personnel. The performance reviews will be conducted collaboratively between the School Administrator (and assistant designee) and CVCS employees. Nonexempt employees will be evaluated annually. Licensed personnel will be evaluated in a manner consistent with PED regulations.

The School Administrator will be evaluated no less frequently than once per year by CVCS’s Governing Council.

During a formal performance review the School Administrator may cover the following areas:

- The quality and quantity of an employee’s work.

- Strengths and areas for improvement.
- Initiative and teamwork.
- Attendance.
- Customer service orientation.
- Problem solving skills.
- Ongoing professional growth and development.
- All other competencies for an employee's position, level of licensure or certification.

Additional areas will also be reviewed as they relate to a specific job.

The evaluation provides an opportunity for collaborative, two-way communication between an employee and School Administrator. This is a good time to discuss interests and future goals. The School Administrator is interested in helping employees progress and grow in order to achieve personal and work-related goals. The School Administrator can answer questions concerning the performance review process.

The School Administrator uses the annual performance evaluation as a factor in determining future employment and assigned position. The performance evaluation may also be impacted by an employee's willingness to follow and cooperate with CVCS' employee conduct policies as described in this handbook or other directives or instructions given by the School Administrator or direct supervisor.

Work Schedule

CVCS generally operates from 7:30 am until 4:30 pm. Work schedules are determined by the School Administrator. For the 2023-24 school year, staff report hours will be from 7:30am to 3:30pm on days in which students are in attendance and 8:00am to 4:00pm on in-service days.

Classroom Coverage: Students must be supervised at all times and are never to be left unattended. If an employee needs to leave the classroom or work station, he/she must contact the School Administrator so adequate coverage can be arranged. If an employee needs to leave the campus for any reason, he/she is required to notify the School Administrator, sign out at the front desk, and sign back in upon returning.

Absence or Lateness: If an employee is unable to report to work, or if he/she will arrive late, he/she is required to contact the School Administrator and administrative assistant before 7:30 am. If an employee knows in advance that he/she will need to be absent, a leave request must be submitted on the Aptafund system and approved by the School Administrator. If an employee is absent because of an illness, the School Administrator may require the submission of a written statement from the employee's health care provider stating that he/she is able to resume employment responsibilities. Unauthorized absences, lateness, or leaving campus may lead to disciplinary action, up to and including possible discharge.

For teacher absences, in addition to the above, a substitute folder will need to be created and shared with the school administrator no later than the final Friday of August. At a minimum, the substitute folder must contain:

- Lesson plans/materials (for sub)

- Medical alerts for students, including discipline and special instruction for children with disabilities
- School map/fire exits
- Class rosters
- Seating charts
- Class schedules
- Duty schedules
- School calendar (includes special events/duties)
- Attendance procedures
- Office extension numbers
- Bell schedules
- Disciplinary referral forms
- Building handbook, including disciplinary procedures
- Names and numbers of neighboring “helpful teachers”
- Lunch count/procedures
- Bus numbers
- Student pick-up procedures
- Any additional materials school site related

Additional Materials:

- Lockdown, tornado, and fire drill procedures
- Buddy Teachers/Name, Location, Contact Number

In case of emergency absences, notify the school administrator immediately to arrange for lesson plan preparation. Please be sure to include details about which plan to use and where to find all materials (if not in the prepared sub folder at the main office).

Severe Weather and Emergency Conditions: In the event of severe weather conditions or other emergencies, CVCS will follow the Socorro Consolidated Schools’ closure.

Professionalism Expectations

Professionalism is a competency upon which your performance is evaluated. All CVCS colleagues are to maintain professionalism at all times, including, but not limited to:

- Using cell phones at appropriate times (not during meetings, during class, or professional learning, etc. unless there is an emergency).
- Directing all media inquiries to the school administrator.
- Upholding confidentiality and maintaining the dignity of all students, families, colleagues, and CVCS community members.
- Close doors to the office/classroom when privacy is required, (i.e. family conferences, meetings, and conversations about students).
- Maintain a professional demeanor with parents, students, and staff. If assistance is needed, contact the school administrator.
- Support, uphold, and communicate the expectations of the CVCS Parent/Student Handbook at all times.

Confidential Information

Staff members are expected to show professionalism at all times. Gossip and professionalism are incompatible. Under no circumstances should staff members discuss matters that have to do with students or other staff members inappropriately. There may be times when students voice their opinions to a staff member, but it is the staff member's responsibility to redirect or to provide the student information about confidentiality and who should be contacted to discuss the matter. It is imperative that each staff member show the ultimate respect for other staff, students, and families at all times. Confidentiality is extremely important and must be followed at all times.

The beauty and the beast in being an educator is that you must always remain cognizant of the power of your position. Please always remain hyper-aware of your environment. This applies not only to how carefully you drive through the neighborhood streets but the language you use at local restaurants, business, etc. or any off-site trip. Remember, you are a walking billboard for CVCS. Finally, fiercely protect the confidentiality of our students and families, our school's culture/reputation and your career as an educator. If there are any questions, you should speak to the school administrator. Staff members are expected to be role models for our school.

Professional Communication

A healthy school environment requires ample and appropriate communication between all members of the school community. Appropriate communication is respectful of the time, opinion and feelings of others. Any communication by employees via electronic e-mail or voice mail that may constitute verbal abuse, slander, or defamation, or may be considered offensive, harassing, vulgar, obscene, or threatening is strictly prohibited. Examples of offensive content might include, but not be limited to: sexual comments or images, racial slurs, gender specific comments, or any comments that would offend someone on the basis of his or her age, race, sex, color, religion, national origin, handicap, disability, or veteran status. The use of e-mail or voicemail by all employees shall comply with the federal and state laws and all school policies which seek to prevent unlawful workplace harassment or discrimination.

The school's network is a system supporting a public institution. The school will not monitor e-mail or voicemail messages on a routine basis, however, the school reserves the right to access an employee's e-mail or voicemail at any time without notice to the employee. No person using the school's computer system or voicemail should have any expectation of privacy in using these systems.

Email

- 48-business-hour Rule: Reply/ respond to all emails (families, leadership, staff, and community) within 48 business hours.
- Be mindful of all-staff emails..
- All emails are subject to the Open Records Act. They are public record and can be subpoenaed in a Court of Law.
- "Reply all" to big-list emails is rarely, if ever, a good idea.
- Be warm and succinct in your email communication. If you ever think you might be misunderstood, consider calling or finding the person instead. (Hint: USING ALL CAPS is usually considered shouting in an email.)
- Check yourself before you wreck yourself- if you think it might not be a good idea to send it- don't. Find another way to solve your problem- we are all here to support you in doing so.

Weekly Memo

- The school administrator will send a weekly memo with instructional and culture updates for the upcoming week to your email account with current announcements, shout-outs, action items, and best practices. Thoroughly read the memo in its entirety before the start of the new week to prepare and prioritize adequately.

Gmail Calendar

- Gmail is a tool used to maintain communication about upcoming deadlines, meetings, and action items.
- Upon receipt of a calendar invite, respond within 48 business-hours (yes, maybe, no). Also maintain any shared calendars to ensure collaboration and communication with teams and knowledge of school-specific events.

Social Media:

- CVCS faculty and staff should not be "friends" on Facebook with current students or follow current students on Instagram, Twitter, Snapchat, or any other social media.
- CVCS faculty and staff should not post any pictures of students, use names of students, etc. in social media posts.
- We strongly suggest that staff members not be "friends" on Facebook with current students' parents, or follow current students' parents on Instagram, Twitter, Snapchat, or any other social media
- We strongly suggest that staff members check the privacy settings on social media accounts to make sure your pictures and posts are not accessible to the public.
- CVCS faculty and staff can communicate with scholars on public or private group pages (ex, CVCS Class of 2015 Page, CVCS Cross Country Page, etc.). Posts should only be related to school activities, clubs, or sports. There should be no personal posts on these pages.

Sponsor/Coach/Chaperone Responsibilities:

At some point, almost every staff member will be approached and asked to sponsor an after-school club, coach a sport, or chaperone a field trip. You might be asked by an administrator, a fellow staff member, or a student. Being a club sponsor, coach, or chaperone has many rewards; however, it also comes with great responsibility; thus, your decision must be made with serious thought, as well as with basic information of its requirements:

- **At no time should students be unsupervised.**
- At no time should a coach, chaperone, and/or sponsor leave campus until all students involved with the activity have left the campus.
- Coaches, sponsors, tutors, etc. must supervise the students for the duration of the activity. Students should not be allowed to "cruise" the campus **before** or after the activity. If the game/performance/activity does not begin until well after dismissal time and students are on campus until the game/performance/activity, the coach/sponsor is responsible for supervising students until the game/performance/activity begins. Volunteer parents may take this role as long as the coach/sponsor is on site and they have been cleared to be on campus.
- If a coach, chaperone, and/or sponsor has a scheduled afternoon duty during the time of their activity with students, they must arrange no later than one day before coverage for his/her duty **or** coverage for the first portion of the activity so that he/she can complete his/her duty.

- Unless explicitly stated beforehand, no siblings or friends that are not current CVCS students are allowed to partake in activities. Any non-CVCS student should be directed to leave campus.
- If a practice/activity is canceled, the coach/sponsor still has supervisory responsibility for team members until they are picked up. The coach/sponsor must be prepared to wait with the students until at least the time communicated to families. They should not be left unattended on campus.
- The coach/sponsor/teacher of any club/activity is directly responsible for all monetary proceeds from dues, fees, and/or fundraisers and must follow the correct handling and deposit procedure set forth by CVCS. At no time should any student be in charge of or left alone with any money.
- Chaperones must adhere to all district policies- any time a chaperone is supervising students is considered “on campus” time, regardless of where the chaperoning is occurring (i.e. off-site volunteer event, out-of-state/-country travel, etc.), whether a student is physically present or not, or the age of the student. When chaperoning, you are fully responsible for the well-being and care of the student(s) charged to your care- please be sure to not take this lightly.

Guidelines for Staff with Children at CVCS

Staff members with children who attend CVCS should not approach their child(ren)’s teachers concerning their child’s progress or classroom concerns during class time or in common areas. Please email the teacher and set up a meeting. Reciprocally, teachers please do not share student progress or classroom concerns with staff parents during class time or in common areas. Please email the staff member and set up a meeting.

Teacher-Specific Expectations

Each faculty member is vital to the success of our students. At CVCS we invite staff members to share knowledge, offer suggestions, or express concerns. Likewise, we ask our colleagues to listen to concerns and receive feedback from one another, which will improve our professional learning community. Open and positive communication is valued throughout CVCS. To this end, we encourage faculty members to contribute to our open communication policy while keeping the following in mind.

In general, every second counts. To put time in perspective, 3 minutes per day equals one full nine-hour school day per year. Using those three minutes per day to learn equals a full day of preparation for career readiness. Wasting those three minutes by allowing students to stare off into space, be off-task, or engage in social banter while you’re getting “set up” to start your class equates to a full day of wasted time; students could have had the same gain not coming to school. Each expectation below is created with maximizing time in mind.

Classroom Expectations

In accordance with the attainment of the learning outcomes for the scholars of CVCS, the following is a description of the tenets that will exist as common elements of all classrooms in our community.

Classroom Rules

- Classroom rules should be prominently displayed and referenced in your room

Setting Up Your Room

- a) Student materials, such as writing utensils, dictionaries, paper, etc. must be located in safe and accessible areas of your room. Be sure to have a clear and consistent procedure available for scholars to access them.
- b) Bookshelves must be neatly organized
- c) Your room should remain free of clutter and trash

LESSON AND UNIT PLANNING

- Lesson Planning
 - All faculty will be responsible for delivering coherent daily lesson plans that:
 - Align to New Mexico state standards and (where applicable) CVCS instructional scope and sequence
 - Plan for all minutes in the class period
 - Include NM state standard(s), a specific objective(s), and relevant activities
 - Accommodate for all learners
 - **Lesson Plan Submission Deadlines**
 - **Submitted to the CVCS lesson plan email (lessonplans@cottonwoodvalley.org) by 8:00am each Monday (or following business day) for the current week**
- Meeting Lesson/Unit Planning Expectations
 - It is imperative to meet expectations for instructional planning. The school administrator will work to support all staff in meeting these expectations but chronic failure to do so will result in disciplinary action.

PROFESSIONAL LEARNING

CVCS Core Team

- CVCS Core team meetings occur once a month after-school with the school administrator (days will be communicated ahead of time).

Professional Learning Communities (PLCs)

- PLCs will take place during each scheduled staff in-service day and at other times designated by the administrator
- PLCs will be led by an agenda that includes action items and owners for next steps.
- Comprehensive notes are to be kept for all PLCs and shared with the school administrator by the EOD of the day they were held.
- During PLCs, teachers will meet with their grade-level colleagues to discuss the following:
 - Lesson and unit planning
 - Instructional strategies and student interventions
 - Analysis of student assessments
 - Learning walks
 - Lesson studies
 - Student behaviors
 - Aggregate student achievement and attendance data
 - MLSS intervention process and outcomes

- o Family conferences (either via phone or face-to-face)
- o Interdisciplinary connections

Instructional Coaching

- Every teacher at CVCS will meet with the school administrator regularly (in most cases bi-weekly, no fewer than three times per quarter) to discuss the following:
 - o Current unit plans/lesson plans
 - o Exit ticket mastery data
 - o Observation / feedback debrief
 - o Student data
 - o Personal concerns
- A debrief protocol guides each meeting. Teachers must meet the expectations communicated regarding this protocol
- Teachers are expected to make an honest attempt for any action steps provided by any coach
- Teachers receive the observation form email from the observation tool once the observer submits it. Teachers are responsible for executing any action steps by the specified due dates in the email. All teachers will have a series of observations throughout the year.
- All teaching staff will additionally receive the minimum support, evaluations, etc. outlined in NMPED

Professional Learning Workshops

- The CVCS contract day does not currently allow for regular, formal whole-staff PD time outside of in-service days. However, throughout the year, there may be sessions required of the team that will either take place during the school day with coordinated substitute coverage or arranged outside of the contract day with advance notice and appropriate compensation. Please carefully review CVCS communications for these learning opportunities.

Individual Professional Development

- Evaluation of a faculty member's job performance should be a continuous process that focuses on improvement.
- Performance evaluation is based on a faculty member's assigned job duties and other job-related criteria.
- All faculty members will participate in the formal evaluation process with the school administrator in accordance with NMPED expectations.
- All faculty members will receive a copy of their written evaluation, participate in a performance conference with their supervisor, and have the opportunity to respond to the evaluation.
- Along with the formal observations, teachers will also have several informal coaching observations conducted by the school administrator and/or a designated internal/external coach.

No teacher shall have more than two (2) official prep periods with a scheduled meeting in it per work week (Monday-Friday). If a third meeting during a prep period is scheduled within the designated work week, the teaching staff member should contact the meeting organizer of the third meeting and share that he/she is over his/her meeting load for the week and ask to reschedule no later than 48 hours prior to the meeting (less if the third meeting request is sent less than 48 hours prior to the meeting time). If the meeting organizer is unable or unwilling to accommodate the request, the teaching staff member should reach out to the school administrator for additional support. The school administrator reserves the right to

modify this policy as needed (i.e. emergency meeting, performance-mandated debriefs, disciplinary investigations, etc.).

Instruction Policy

It is an expectation that all staff ensure that 100% of their students are engaged with meaningful instruction for 100% of the minutes made available to them.

As a minimum, K-5 teachers must allot for the following:

- 85 minutes **daily** for ELA
- 75 minutes **daily** for Math

Grading Policy

Grading Scale

K-5 will follow the specific policies for standards-based grading

All 6-8 teachers must grade according to the following grading scale:

Grade	Percentage	Achievement
A	90 - 100	Excellent
B	80 - 89.9	Good
C	70 - 79.9	Satisfactory
D	60-69.9	Poor
F	59.9 or below	Unsatisfactory

Homework Expectations

- Assignments must be ready for submission at the beginning of class and meet the following expectations:
 - **Neat:** Assignment is legible
 - **Complete:** All that was assigned has been completed
 - **Accurate:** Students followed directions on the assignment
 - **On-Time:** Assignment is ready at the start of class. Assignments that are complete but left in lockers or other rooms are **not** on-time.
- In general, every homework assignment should have a particular learning objective, and homework should be considered the shortest distance necessary to (1) fluency build (2) apply (3) spiral or (4) extend a particular learning objective.

- As a guideline, each grade level equals 10 minutes of homework per night across all subjects. For instance, a student in grade 9 should receive a maximum total of 90 minutes of homework a day **across all classes**.

What Homework is not

- Introducing new skills.
 - Students may pre-read for homework because “reading” is a skill they presumably already know.
- Practicing skills that were introduced but not practiced in class.
- “Go Home and Study” is not acceptable homework. Parameters that teachers can assess for understanding and meeting HW expectations are “homework”.
 - Reading can be assigned as “homework” because completion can be assessed through annotations or journal entry.

Homework Resource

Purpose	Characteristics	Reflective Questions to Ask
<i>Fluency Building</i>	<ul style="list-style-type: none"> • Gives multiple opportunities for practice • Focuses on 1-2 skills <u>only</u> • Serves as an access point for other skills or knowledge 	<ul style="list-style-type: none"> • Are there ways to ensure that students are practicing the task multiple times? • Is the number of skills required limited so that students can build fluency? • Is the difficulty low enough so that students can focus on speed/rate/fluency instead of how the skill is performed?
<i>Application</i>	<ul style="list-style-type: none"> • Allows a skill to be used to solve a problem or apply a rule or principle • Uses previously learned skill in a new situation 	<ul style="list-style-type: none"> • What rule or principle are the students being asked to use to solve this problem? • Do the student’s possess background knowledge necessary to understand the new situation?
<i>Spiral Review</i>	<ul style="list-style-type: none"> • Allows students to use previously used skills or knowledge (including previous years) • Allows students to confirm their understanding and access their own learning • Relates concepts conceptually to current learning 	<ul style="list-style-type: none"> • What previous skills or knowledge are important for future learning and assessment • In what ways will this strength students’ metacognitive awareness of how well they use skills and knowledge? • What previously taught skills or knowledge serve as the basis for current classroom instruction
<i>Extension</i>	<ul style="list-style-type: none"> • Has potential for developing new understandings • Results in a new product or innovation • Requires the use of a variety of previous learned skills or knowledge. 	<ul style="list-style-type: none"> • Does the assignment lead to a new knowledge base or set of concepts? • Will the student create a new product or innovation that they have not done before? • What skills are knowledge will students need to complete the assignment?

Source: Fisher, D., & Frey, N. (2008b), p. 43. Literacy 2.0.

Extension Policy

- Extensions are not automatic; each teacher may use his/her discretion to grant or not to grant an extension.
- ***Extensions are not designed to excuse poor self-management (leaving books at school, poor planning, or misuse of time management, etc.). Under these conditions, the student should contact the teacher to try to find a solution to the situation.***

Grade Books

- For every 4.5-week cycle, grade 6-8 teachers must enter a minimum of nine grades in each class
- For each unit, there must be at least one End of Unit Assessment grade (Exam, Essay, Performance Assessment, or Individual Project) entered.

Gradebook Expectations (6-8 only)

Grading and reporting should focus on student growth and learning in a climate of high expectations. Instructional emphasis should be placed on the accomplishment of defined school goals. Student progress will be assessed quarterly

A minimum of **2 summative assessments** should be given per each grading period for each subject area (ELA, math, science, and social studies). For elective teachers, this will apply only to their designated subject area. A minimum of **2 formative assessments** should be taken each week for math and ELA (1 in weeks where there is a summative assessment given) and one for each of the other subject areas (including specials). Formative assessments may consist of written assignments, oral assignments, notebooks, compositions, laboratory projects, homework, class participation, independent practice completed in class, special projects, and group work. The formative assessments should be an appropriately balanced representation of the work done during the grading period. For all 6-8 classes and for ELA and Math in K-5, no teacher should have less than **18 grades** in their gradebook for any 9-week grading period; for all other courses, no teacher should have less than **9 grades** in their gradebook. Academic performance and grading should be kept distinct from behavior/conduct.

All PowerSchool gradebooks should be updated by 8:00am Monday, inclusive of outstanding assignments that were submitted late (i.e. late work received from the previous week should also be entered into the gradebook by the 8:00am Monday deadline). It is expected that all student work be graded and returned promptly. Feedback on returned assignments is expected. Major assignments should be returned to students within a two (2) week time period. Whenever practical, they should be returned earlier, particularly for assessments that do not consist of mainly written responses.

Visual Media

Videos, DVD's, and other forms of visual media when used properly can be excellent instructional tools. All visual media should only be used if it has direct instructional purposes. Teachers should use the procedures when using visual media:

- **Any video shown that is more than 15 minutes requires approval from the school administrator.**
- Prepare the students. Tell them what to watch for and what will be assessed.

- Ensure the students have a clear, observable activity to engage in for the entirety of the viewing time (e.g. graphic organizer) and circulate to ensure they are engaged with it throughout the viewing time.
- Pause to explain the important information and remember that this is a learning opportunity not an entertainment experience.
- Use appropriate judgment and knowledge of human development.
- Debrief with the students at the conclusion of the visual media. Do not end the class without a concluding discussion.
- If you need to show visual media not rated for a students' age or grade level, you must obtain prior permission from the school administrator. Your request must include the reason the video is being shown, justification that there is no better media for the purpose, explanation of the rating for the movie, what will be done to overcome objectionable material, and alternate assignments for students not permitted to view the movie.
- For "PG-13" rated visual media, regardless of the grade level, the teacher must obtain prior permission from the school administrator. Teachers must notify families and students must be given the option of an alternative project if their family doesn't permit viewing.

Student Discipline

In order to create and sustain a focus on achievement, we must make learning the focus in every classroom every day. We cannot assume that our students know what good listening behavior looks like; how to write an academic paper; how to respectfully disagree with a person in a position of authority; how to navigate a conflict with a peer; how to engage in delayed gratification. If we are to follow through on the promises we have made to all of our students, we must invest significant time and energy in teaching our students how to engage in these behaviors and sweating the small things. With a focus on learning- as opposed to routine correcting of inappropriate behavior- we will provide our students with an excellent, career-readiness education that equips them for quality adulthood.

We must never lose sight of who our students are and the obstacles facing them. At the same time, we must never make excuses for behavior that will not help them succeed at CVCS and in life. Some of our students have difficulties learning, listening, and following directions, and they will push us hard to see if we will give up on them- probably like some adult they have known. Some of our students have never been in environments when they have been expected to achieve or to meet expectations. Some of them don't believe in themselves and they will do any number of inappropriate things to keep from looking at their potential. As CVCS staff members, we must accept responsibility for all of our students' learning and achievement, even if we're the only ones who ever have.

We must believe that the content we teach is diversely rich and critical. We must expect our students to have the same level of focus and attention when we are teaching about nouns, cells, or the Civil War as they would if we were teaching them how to exit a burning building. What we teach our students must be important and we must communicate the importance of it by having the highest expectations for their behavior, level of focus, and attention.

You can always loosen up; you can never tighten up- there are no "little things"- even on the first day with the first encounter with our students. It is unfair to our students if we decide in October- or even on the second day of school- that we are going to "get tough" and crack down on behaviors about which we are not happy. Whatever behaviors we "allow" on the first day from one student, we must be willing to

accept from all students on the following days. Our students will not take us seriously if we are not clear and consistent from the very beginning and always hold them to the CVCS standard of behavior.

Faculty and Staff must always ensure that behavior interventions (1) preserve a student's dignity and (2) protect instructional time. There is never any reason to lose composure and engage in the following behavior:

- (1) use profanity or personal insults;
- (2) label students;
- (3) engage in physical contact

Staff members must ensure that the behavior choices they take in response to students focus on the consequences of the choice, **not** the student

CVCS Discipline Policies

The entire Student Code of Conduct can be found in the Student/Family Handbook. The following serves as a brief outline of staff and student expectations surrounding particular disciplinary infractions.

General Expectations

Each student is expected to behave in a responsible manner by:

- 1. Demonstrating courtesy and respect for others;
- 2. Attending all classes, regularly and on time;
- 3. Preparing for each class by taking the appropriate materials and assignments to class;
- 4. Being well-groomed and dressing appropriately as defined by the school's code for dress and grooming standards;
- 5. Obeying all campus, classroom and extracurricular rules;
- 6. Respecting the rights and privileges of other students, school staff, and other adults on campus or at school-related activities on or off campus;
- 7. Respecting the property of others, including school property and facilities;
- 8. Cooperating or assisting the school staff in maintaining safety, order, and discipline;
- 9. Adhering to the Academic Honesty Policy; and
- 10. Adhering to the Code of Conduct.

CVCS: Escalation Ladder

Almost everyone has had an experience where they know they made a poor choice, but they were able to get away with it. Maybe your mother was cooking dinner and you ate a cookie, and your mother caught you, but all she said to you was, "Please don't do that again." You did it the next dinner and the dinner after that and she said the same thing. Are you really going to stop? Did you learn anything from the situations? Are you more likely to do it again since you got away with it three times? This is where tenacity of discipline comes in; we are responsible for monitoring and addressing the choices of every student at CVCS. We "sweat the small stuff" not because we are overzealous, but because sweating the small stuff prevents the larger issues from happening almost every time. We send a positive and corrective message to our students when they make a poor choice by calmly and objectively issuing them the consequence they earned, not being afraid, timid, or scared to escalate to a more invasive consequence if the behavior repeats itself.

- Most students will meet our school policies and culture expectations. Also, most students will respond to a simple redirection as needed. If inappropriate or unwanted behavior continues, there is generally a reason, so it is up to the staff/faculty to address the student in a respectful and calm manner to identify the reason and work with the student to make a better choice, and/or issue an appropriate consequence.
- Please see the complete Student/Family Handbook for interventions, consequences, tracking, and follow-up.
- Staff members will follow the steps outlined in the Student/Family Handbook in the case a student does not meet behavior expectations, provided that expectations have been clearly set and reinforced by the staff member.

Drug-Free Workplace

Employees who work while under the influence of alcohol or drugs present a safety hazard to themselves, their co-workers and students. In addition, employees who work under the influence of alcohol or drugs threaten CVCS, reputation and integrity. CVCS policy is to create a drug-free workplace in accordance with the Drug Free Workplace Act of 1988. The unlawful manufacture, distribution, dispensation, possession, sale or use of a controlled substance in the workplace or while engaged in business off premises, such as at a parents' home, are strictly prohibited.

No employee or student will unlawfully possess, use, distribute, dispense, manufacture or be under the influence of alcohol or drugs while on CVCS school grounds; at CVCS sponsored or supervised activities (e.g., field trips); in any CVCS owned, leased or used vehicle; while engaged in or going to or from CVCS activities; or, while attending a school-related activity (e.g., workshop).

For purposes of this policy, the term "drug" will include any "illicit drug," "controlled substance," "intoxicating substance," "inhalant," "counterfeit substance," "look-alike substance," "marijuana," "cannabis," "opiate," "hallucinogen," "narcotic," or other unlawful drug for purposes of federal or state law including, but not necessarily limited to the Drug-Free Workplace Act, the Drug-Free Schools and Communities Act Amendments, the U.S. Controlled Substances Act and the New Mexico Controlled Substances Act. NMSA 1978 §§30-31-1 et seq.

As a condition of employment, each employee will sign a Drug-Free Workplace Agreement upon hire, a copy of which will be kept in the employee's personnel file. Every employee is required to notify the Administrator of any criminal drug conviction or plea of no contest for a violation occurring in the workplace no later than five (5) days after such conviction.

Where an employee violates the terms of this policy or is convicted of violating a criminal drug statute for an offense occurring in the workplace, the employee will be subject to sanctions, consistent with law and policy, which may include either appropriate personnel action against the employee, up to and including termination; or, a requirement that such employee satisfactorily participate in a drug-abuse assistance or rehabilitation program approved for such purpose by a federal, state or local health agency, law enforcement or another appropriate agency. The employee will be responsible for all uninsured costs associated with any such program.

This policy is not intended to prevent possession of a controlled substance if it was obtained directly

pursuant to a valid prescription or order, from a physician, dentist or other person duly licensed, registered, or otherwise permitted under federal and state law to distribute or dispense the substance in the course of professional practice. If an employee is taking prescribed or over-the-counter medication that may affect work performance, this information should be immediately reported to the direct supervisor.

Smoke-Free Workplace

The Governing Council recognizes that tobacco use is particularly addictive to children and youth and has been shown to be linked to illnesses and disability. CVCS, therefore, does not allow the use of any tobacco products on campus at any time or at off-campus school-sponsored activities or in school authorized vehicles. This policy applies to: students, employees, parents, and all visitors.

"Tobacco products" are defined as cigarettes, cigars, pipe tobacco, snuff, chewing tobacco and all other kinds and forms of tobacco prepared in such a manner to be suitable for chewing, smoking or both. Within this policy "Use" is defined as lighting, chewing, inhaling or smoking any tobacco product.

Equal Employment Opportunity Policy

CVCS will adhere to federal and state regulations regarding equal employment opportunity and will not discriminate on the basis of race, color, religion, sex, national origin, age, physical or mental handicap, sexual orientation, or status as a disabled veteran or veteran.

Equal opportunity at CVCS is not restricted to the employment procedure but applies to all actions such as assignments, compensation, benefits, promotions, demotions, transfers, termination, lay-offs, return from lay-off, opportunity for training and development, and for social and recreational programs. The School complies with the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973.

If an employee believes that he/she has been denied an employment opportunity based on race, religion, sex, national origin, age, physical or mental handicap, sexual orientation or status as a veteran, he/she should notify the School Administrator immediately and follow the procedures set forth in the section entitled No Tolerance Harassment/Discrimination Policy.

Employees with Disabilities

In 1990, Congress passed the Americans with Disabilities Act (ADA), a civil rights law prohibiting discrimination on the basis of disability in private and public organizations employing 15 or more employees. ADA gives protections to individuals similar to those provided by law on the basis of race, color, sex, national origin, age and religion. It guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, state and local government services and telecommunications.

A person has a "disability" if he/she has a physical or mental impairment that substantially limits a major life activity. One may also be protected if he/she has a record of having a substantial (as opposed to a minor) impairment, or is perceived to have a substantial impairment. A substantial impairment is one that significantly limits or restricts a major life activity including: hearing, seeing, speaking, breathing,

performing manual tasks, walking, learning, working, or caring for oneself. An employer may not discriminate against an applicant or employee, whether disabled or not, because of an individual's relationship or association with an individual with a disability.

CVCS, whenever possible, will provide reasonable accommodation to persons with a disability. Disabled employees should make a written request for an accommodation where their physical or mental disability would prevent them from performing an essential function of their job. Written requests must be accompanied by documentation of the claimed disability and must be submitted to the Administrator (or designee).

CVCS may request additional documentation to evaluate a claimed disability, including medical and psychological and/or psychiatric records. Every accommodation request will be documented by the Administrator. A copy of a request will be filed as a confidential record and will be kept separate from the employee personnel file. No disability records will be kept in personnel files. The Administrator and Governing Council will make a timely formal response to a complete accommodation request. The employee making the request will, on one or more occasions, be asked to meet with the Administrator to discuss what accommodations may or should be considered. Medical certification of the disability may also be requested. Whatever is decided during this interactive process will be documented.

CVCS cannot and will not retaliate against a job applicant or employee for asserting his/her rights under the Americans with Disabilities Act or other applicable laws protecting individuals with disabilities.

Employees with Serious Diseases

CVCS will not discriminate in employment decisions against individuals with infectious, long-term, life-threatening or other serious diseases as long as they are physically and mentally able to perform the duties of their job without undue risk to their own health or that of other employees or students.

Serious diseases for the purposes of this policy include, but are not limited to, cancer, heart disease, multiple sclerosis, hepatitis, tuberculosis, human immunodeficiency virus ("HIV") and acquired immune deficiency syndrome ("AIDS"). Employees afflicted with a serious disease are to be treated no differently than any other employee. If the serious disease affects their ability to perform assigned duties, such employees are to be treated like other employees who have disabilities that limit their job performance. Reasonable accommodations will be considered as described in the previous section regarding accommodations for employees with disabilities. To the extent required by law, CVCS will maintain the confidentiality of the diagnosis and medical records of employees with serious diseases.

Background Checks

All CVCS personnel and volunteers who have direct unsupervised contact with CVCS students will be subject to a criminal background investigation, including mandatory fingerprinting, at the candidate's expense, as a condition of employment at CVCS.

Conviction of a crime shall not automatically bar an applicant from obtaining employment with CVCS, but pursuant to the Criminal Offender Employment Act, 28-2-1 through 28-2-6 NMSA 1978, may be the

basis for refusing employment.

Criminal background checks, as described above, shall also be conducted upon each contractor or contractor's employee, at the expense of the contractor or contractor's employee, if the contractor or contractor's employee has unsupervised access to students. In such cases, contracts shall be subject to the satisfactory completion of background checks.

Immigration Information

CVCS will not hire or continue to employ an individual who is not legally authorized to work in the United States. However, CVCS does not discriminate on the basis of citizenship status or national origin in recruiting, hiring, discharging or in any other employment action. New employees must complete the employee section of USCIS Form I-9. All offers of employment are conditional upon the receipt of satisfactory evidence of an applicant's authorization to work in the United States. This evidence of the right to work must be provided within three (3) days of the employee's hire date. Failure to provide the appropriate documentation will be grounds for termination. CVCS will keep a copy of the I-9 in a file separate from the personnel file.

Mid-Year Salary Increases for Instructors

The Public Education Department has implemented a tiered licensure system which requires certified instructors to move progressively from Level 1 to Level 2 licensure.

Additionally, Level 2 instructors may, at their option, move to a Level 3 license endorsement, provided the educational and leadership requirements are met.

Because Cottonwood Valley Charter School has typically issued teacher contracts prior to May 31 for the following academic year, there will be instances in which instructors are able to increase their licensure status after contracts for the following academic year have been signed. There also may be situations where a teacher can receive a salary increase upon completion of additional education credits.

In order for compensation to fairly reflect an instructor's license status, Cottonwood Valley Charter School will implement the following policy:

1. Instructors providing evidence of an increased licensure status or completion of additional educational credits prior to September 15 will receive the appropriate salary increase, per the approved salary schedules, effective with the 1st day of their contract.
2. Instructors providing evidence of an increased licensure status or completion of additional educational credits after September 15, but prior to February 15 will receive the appropriate prorated salary increase for ½ of the academic year.
3. No salary increases will be granted for the current academic year for increased licensure status or completion of additional educational credits that is received after February 15.

Salary increases as described above are subject to budgetary constraints and approval by the Public

Education Department, and will be prospective, not retroactive.

Personnel Files

CVCS strives to balance its need to obtain, use, and retain employment information with each individual's right to privacy. To this end, it attempts to restrict the personnel information maintained to that which is necessary for the conduct of its business or which is required by federal, state, or local law. The School Administrator (or designee) is responsible for overseeing the record keeping for all personnel information. Employees have a responsibility to ensure their personnel records are up to date and should notify the Administrator (or designee) in writing of any changes in name; address; contact phone numbers; marital status (for benefits and tax withholding purposes only); number of dependents (for benefits and tax withholding purposes only); addresses and telephone numbers of dependents and spouse or former spouse (for insurance purposes only); beneficiary designations if applicable; and emergency contact information.

In addition to the documents described in the previous paragraph, an employee's personnel file may contain the following information:

1. Complete application for employment along with verification of qualifications for the position as outlined in job description
2. Professional license
3. Official transcript
4. Employee's contract
5. Pre-employment references
6. Signed acknowledgment that the employee has received the Employee Policies Handbook
7. Performance appraisals
8. Documented attendance at educational and training programs, including in-service courses and orientation
9. Any complaints, allegations, inquiries or findings of student abuse or neglect; warnings or disciplinary actions
10. Documentation of equipment issued to employees: keys, pagers, cell phones, etc.

For each employee, the following records will be maintained in a separate file, apart from the personnel file:

1. Employment medical records
2. Workers' compensation records
3. Health records
4. Drug testing records
5. USCIS I-9 Form

Employees may inspect their own personnel records in the presence of the Administrator (or designee). Such an inspection must be requested in advance to the Administrator (or designee) and will be scheduled at a mutually convenient time. Employees are entitled to receive a copy of any documents contained therein with the employee paying the cost of reproduction.

Employees who feel that any file material is incomplete, inaccurate, or irrelevant may submit a written request to the Administrator (or designee) that documentation to correct such materials be added to personnel files. Only supervisors and others in management who have an employment related need-to-know about another employee may inspect the personnel files of a particular employee.

Material that may adversely affect a teacher's employment status may not be placed in the teacher's official file until the teacher has had the opportunity to read the material and to sign and date the actual copy to be filed. The teacher shall receive a copy of said material, at no cost to the teacher, at the time of filing. The teacher shall have the right within ten (10) working days to affix a written response to said material. Documentation must be made a part of the official file in order for it to be used in an action that adversely affects a teacher's employment status.

Payroll and Salaries

Contracts for licensed employees of CVCS will specify the annual salary to be paid. Salaries for academic year employees (teachers, educational assistants) will be paid semi-monthly in either 20 or 24 equal payments. Employees on twelve month contracts will be paid in 24 equal payments. Teachers who are hired to work during school vacations will be paid on a separate contract.

Since contracts are usually offered before the end of the school year for continuing employees there may be situations where a salary adjustment is warranted at a later date. In order for licensed personnel to receive a salary increase upon completion of additional education credits, the licensed person must submit an official transcript from the accredited higher education institute to the School Administrator. Transcripts must be received prior to September 15th in order for an employee to receive a salary increase for the entire year or by February 15th to receive a salary increase for the remaining half of the year. Salary increases due to changes in licensure level will be subject to the same deadlines.

Contracts for licensed ancillary providers who work on an hourly basis (such as occupational therapists, speech pathologists, physical therapists, diagnosticians, etc.) shall be paid monthly based on the documented hours. Ancillary providers are not considered to be employees of CVCS.

Overtime Compensation

Employees classified as nonexempt under the Fair Labor Standards Act are eligible for overtime pay or compensatory time off for all authorized time worked over 40 hours in a workweek. Overtime work must be approved in advance- and in writing- by the School Administrator. Overtime pay is one and one-half times the basic hourly rate of pay. An employee may elect to receive compensatory time off rather than overtime pay if approved by the School Administrator. Compensatory time off is earned at the rate of one and one-half hours for each overtime hour worked.

Cafeteria Plan, Insurance, Retirement, and Workman's Compensation Policies

The School offers a Section 125 Cafeteria Plan to allow employees to pay for Medical, Dental, Vision,

Accident, and Cancer Insurance with pre-tax dollars. Employees may also elect to participate in the following plans:

1. Permanent Life Insurance
2. Long and Short Term Disability
3. Other insurance plans as they may become available

Health Insurance

CVCS will provide Medical, Dental, Vision and Long-Term Disability Insurance benefit packages through the New Mexico Public School Insurance Authority's (NMPSIA) providers, following all administrative guidelines established by NMPSIA. Employees must work a minimum of 20 hours per week to participate in the various insurance plans. Premiums are allocated between the employee and CVCS based on NMPSIA's monthly cost sharing table.

A newly eligible employee is required to enroll within thirty-one (31) calendar days of being hired or within thirty-one (31) calendar days of being upgraded to that of an eligible employee. An eligible employee who has a change in status is required to complete the appropriate NMPSIA Employee Record Change Card within thirty-one (31) calendar days from the qualifying event.

Pursuant to federal law and NMPSIA rules, an eligible employee may enroll in medical coverage for the occurrence of "special events" as defined by NMPSIA rules. Annual enrollments are available for dental and vision coverage.

Per NMPSIA regulations, insurance premiums are to be withheld from an employee's payroll check in advance of the month of coverage. For employees who have resigned or have otherwise been terminated or discharged, during the school year, insurance coverage will be extended no longer than the end of the month following their final day of employment, provided that the appropriate premiums have been withheld from the employee's final payroll check. The terminating employee can request an earlier date to end coverage. For licensed instructors or educational assistants who choose not to return for the following school year, insurance coverage will not be extended past August 31.

Retirement and Retiree Health Care Benefits

For eligible employees, the School shall pay, as part of the Compensation Schedule, the employer's share of the retirement contribution to the New Mexico Educational Retirement and the New Mexico Retiree Health Care Benefits programs. The school also offers employees the opportunity to participate in a 403 (b) Retirement Savings Plan and/or a 457 Deferred Compensation Plan.

Social Security & Medicare

In accordance with the applicable federal law, all employees are required to participate in and contribute

to Social Security. CVCS also makes a mandatory matching contribution on behalf of employees. Contribution levels are established by law, and are subject to change. To obtain information about Social Security and related programs, you may contact the local Social Security office.

Worker's Compensation and Benefits

CVCS provides its employees with Workers' Compensation benefits as required by law. Any employee injured while in the course of employment must notify the School Administrator within twenty-four (24) hours of the incident and submit a Notice of Accident Report as soon as possible. The employer must submit the accident report to the Worker's Compensation Administrator within days (10) days of receiving the report from the school employee.

It is in the best interests of the employee to report any work-related injury no matter how minor it may initially appear as it may turn into a more severe problem at a later date. Failure of the employee to report the incident to the school could result in denial or delay of compensation. When medical attention is necessary, the employee may seek treatment from a medical care provider of his or her choosing.

Unemployment Compensation

CVCS employees are covered in accordance with applicable unemployment compensation laws and regulations that also govern eligibility for unemployment benefits. All forms or contacts related to unemployment compensation claims should be delivered or referred to the CVCS School Administrator or Business Manager

- Vision Care Coverage
- Retirement Savings

Upon enrolling, you will obtain summary plan descriptions describing your benefits in detail.

Should you select coverage, you will pay a percentage of coverage yourself and your dependent(s) coverage based on the coverage you select. CVCS will pay a portion of the insurance premium. According to the federal Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985, in the event of your termination of employment with CVCS or loss of eligibility to remain covered under our group health insurance program, you and your eligible dependents may have the right to continued coverage under our health insurance program for a limited period of time at your own expense.

Charter Schools shall comply with all state laws and regulations pertaining to employee health and basic life insurance coverage. The requirements of the New Mexico Public Schools Insurance Authority (NMPSIA) Employee Benefits Group Plan shall apply at all times to Charter Schools in the administration of benefits. The Charter School is required to provide newly hired employees with the appropriate applications, information and instructions relating to the enrollment process.

Eligibility and Enrollment

A newly eligible employee is required to enroll within thirty-one (31) calendar days of being hired or

within thirty-one (31) calendar days of being upgraded to that of an eligible employee.

An eligible employee who has a change in status is required to complete the appropriate NMPSIA Employee Record Change Card within thirty-one (31) calendar days from the qualifying event.

Pursuant to federal law and NMPSIA rules, an eligible employee may enroll in medical coverage for the occurrence of “special events” as defined by NMPSIA rules. These enrollments do not apply to dental or vision coverage.

Coverage Continuation

The Charter School shall comply with the 1985 Consolidated Omnibus Budget Reconciliation Act (COBRA) in notifying employees of their right to continue health and life insurance coverage upon resignation, termination, or retirement.

Dependents that are also losing coverage upon becoming ineligible shall also be informed of their COBRA rights.

Life and Disability Insurance

The Charter School shall provide the following Basic Life/Accidental Death and Dismemberment coverage to all employees who work a minimum of fifteen (15) hours per week, regardless if the employee participates or is eligible to participate in any other line of NMPSIA coverage: \$20,000 Life/AD&D.

Charter School employees have the option to select Voluntary Life through The Standard for themselves, spouse or children, which is a 100% employee deduction.

CVCS shall provide employees, on a matching basis, long-term disability coverage. The waiting period for coverage shall be thirty (30) days.

New Mexico Retirement Plan

The New Mexico Educators Retirement Plan is provided to eligible employees (those who have completed sufficient service) with a monthly pension benefit upon retirement. All employees who work more than 25% of the time (.25 FTE) are mandated by the New Mexico Educational Retirement Act to participate in the retirement plan. Participation in the Plan begins on ***your date of hire***. CVCS and the employee are required by State law to contribute to this retirement plan operated by the New Mexico Educators Retirement Board. The details regarding CVCS and employee contributions, vesting, administration, and investments are provided in the Summary Plan Description, made available through the Education Retirement Board.

Leave Policies

Annual Leave

Licensed personnel on twelve month contracts will qualify for 20 days of paid vacation. Employees on ten

or eleven month contracts will not qualify for annual leave. All annual leave shall be taken during the school vacation months except by special arrangement with the School Administrator (or with the Governing Council if the vacationer is the Administrator). Employees will be allowed to work a flexible schedule during school breaks subject to the prior approval of the Administrator.

The year for calculating vacation leave will begin July 1 and all vacation leave must be taken by December 31st of the following year. If an employee terminates employment prior to the end of his or her contract, annual leave used and not earned will result in an appropriate deduction from the final paycheck. A person on leave-of absence, suspension, lay-off, etc., will not accrue annual leave. Vacation leave is neither accumulative nor reimbursable.

Full-time non-licensed personnel such as the school custodian will accrue one (1) day of annual leave per month for a total of twelve (12) per year. Hourly employees working more than 20 hours per week, but fewer than 40 hours will receive a prorated share of the 12 days.

Bereavement Leave

All CVCS employees will be provided with up to 5 days of leave for a death in their immediate family without loss of salary. For purposes of bereavement leave only, the immediate family will include a spouse, child, child's spouse, parents, brothers, sisters, grandparents, grandchildren, and corresponding relatives of the spouse. One day of bereavement leave may be granted for the death of a non-relative or non-immediate family member such as aunt, uncle, niece, or nephew without loss of salary.

Domestic Violence Leave:

Under the Promoting Financial Independence for Victims of Domestic Abuse Act, NMSA 1978, §§ 50---4A--1 to 50---4A---8 Act, Employers are required to give eligible staff members "domestic abuse leave," which is defined as "intermittent paid or unpaid leave time for up to fourteen days in any calendar year to obtain or attempt to obtain an order of protection or other judicial relief from domestic abuse or to meet with law enforcement officials, to consult with attorneys or district attorneys' victim advocates or to attend court proceedings related to the domestic abuse of an employee or a employees family member." It is prohibited under the Act to retaliate against a staff member who uses domestic abuse leave.

Notice. When domestic abuse leave is taken in an emergency, the staff member or the staff member's designee shall give notice to the employer within twenty-four hours of commencing the domestic abuse leave. All information provided to the employer under this provision shall remain confidential and the employer may not disclose staff member's information unless staff consents in writing, or pursuant to a court or administrative agency order or as otherwise required by state or federal law. Cottonwood Valley Charter School will require verification of the need for domestic abuse leave, and, if so, a staff member shall provide one of the following forms of verification through furnishing in a timely fashion:

1. a police report indicating that the staff member or a family member was a victim of domestic abuse;
2. a copy of an order of protection or other court evidence produced in connection with an incident of domestic abuse, but the document does not constitute a waiver of confidentiality or privilege

- between the staff member and the staff members advocate or attorney; or
3. the written statement of an attorney representing the staff member, a district attorney's victim advocate, a law enforcement official or a prosecuting attorney that the staff member or staff member's family member appeared or is scheduled to appear in court in connection with an incident of domestic abuse.

Benefits and Leave Accrual: Staff members shall be required to use any unused leave during periods of domestic abuse leave, and thereafter any remaining leave shall be designated unpaid leave. Staff member's health coverage and other benefits shall continue during domestic leave.

CVCS shall not include time taken for domestic abuse leave in calculating eligibility for benefits.

Family and Medical Leave

This policy complies with the federal Family and Medical Leave Act of 1993 (FMLA) pursuant to the terms, conditions, and limitations of the Act. In the event of any conflict between the provisions of any other leave policy of CVCS and the provisions of the FMLA the latter shall prevail. Pursuant to the Family and Medical Leave Act, employees are permitted up to 12 workweeks of unpaid leave per year during any 12-month period. The 12-month period within which each employee may take 12 weeks of leave under the FMLA shall be a "rolling" 12-month period, measured backward for each employee from the first time each such employee uses leave under the FMLA.

- A. To be eligible for Family and Medical Leave, an employee must have worked for CVCS for a total of 12 months and must have worked a total of 1,250 hours during the immediately-preceding twelve (12)-month period.
- B. Family and Medical Leave can be requested for the following reasons:
 - 1) The inability of the employee to perform his or her job duties due to his or her own "serious health condition" or the necessary absence from work of an employee to receive medically necessary treatment.
 - 2) For the care of the employee's spouse (as defined under New Mexico law for purposes of marriage), child (under 18) or parent with a "serious health condition".
 - 3) For the birth of a child and to care for such child, or placement of a child with the employee for adoption or foster care.
- C. A "serious health condition" is an illness, injury, impairment, or physical or mental condition that (a) requires in-patient care in a hospital, hospice, or residential medical care facility, or (b) requires continuing treatment by a health care provider and which, if left untreated, would likely result in an absence from work of more than three days, or (c) involves prenatal care.
- D. An employee requesting leave shall submit a "Request for Leave" form to the Administrator.
- E. If an employee requests leave for treatment of an employee's serious medical condition or for that

of a child, parent, or spouse, the employee must make a reasonable effort to schedule the treatment at a time that is not unduly disruptive to CVCS.

- F. An employee seeking leave for a foreseeable reason such as the birth or placement of a child or for planned medical treatment shall provide CVCS with at least 30 days advance notice of the leave. If 30 days advance notice is not possible under the circumstances, e.g. in the case of a premature birth, the employee shall give such notice as is practicable, e.g., within one or two business days of the day the employee learns of the need for leave. If an employee's reason for seeking leave was unforeseeable, such employee shall give such notice as is practicable. An employee who fails to give notice of leave as required herein may be denied such leave until the notice requirements are met. If less than 30 days' notice of leave is provided, the employee must schedule an appointment with the Governing Council for approval.
- G. An employee seeking leave on the basis of the serious medical condition of the employee or the employee's spouse, son or daughter, or parent, must provide certification issued by the health care provider of the employee or of the employee's spouse, son or daughter, or parent, stating:
 - 1. The date the condition began,
 - 2. Its probable duration,
 - 3. Appropriate medical facts, and that, for a specified time, either:
 - a. the employee is unable to perform his or her job functions or will be unavailable to do so medical treatment, or
 - b. the employee will be needed to care for the sick family member.

If the adequacy of medical certification is questioned by CVCS, CVCS may require the employee to seek the opinion of a second health care provider, who is not regularly employed by CVCS, at the expense of CVCS. If the opinions of the first and second health care providers differ, CVCS may require the employee to obtain a third opinion at the expense of CVCS, from a health care provider agreed upon by the employee and CVCS. The third opinion shall be final and binding.

- H. Spouses employed by CVCS are limited to a combined total of 12 workweeks per year for the birth or placement of a child, or to care for a parent. However, for other covered leaves, such as to care for a spouse or child, or for treatment of the employee's own serious health condition, each spouse may take up to 12 weeks a year.
- I. Intermittent leave and reduced work schedules are allowed when such are medically necessary; however, employees may not take intermittent leaves or go on reduced work schedules that reduce the number of hours worked per week or per day for childbirth/infant care or adoption leave.
- J. If an eligible "instructional employee" seeks intermittent leave or reduced schedule leave for the

care of a spouse, son or daughter, or parent, or for the employee's own serious health condition, and the leave is foreseeable on the basis of planned medical treatment, and the employee would be on leave for more than 20 percent of the work days during the period, the employee must choose either to:

- 1) Take leave for a period or periods of a particular length, not greater than the length of the planned medical treatment; or
- 2) Transfer temporarily to an equivalent position, which better accommodates recurring periods of leave.

"Instructional employees" include teachers, instructional assistants or aides, coaches, and other employees whose duties involve the direct provision of instructional services to students. In the event an employee involuntarily takes additional leave time under subparagraph 1, above, the entire leave time shall be counted against the employee's available leave under the FMLA and any CVCS leave policy.

- K. If any employee requests intermittent leave or leave on a reduced work schedule to care for a seriously-ill family member or for the employee's own serious health condition, and the need for leave is foreseeable based upon planned medical treatment, the employee may temporarily be transferred to an available alternative position with equivalent pay and benefits if the employee is qualified for the position and the position better accommodates recurring periods of leave than the employee's regular job.
- L. The responsibilities of instructional employees near the end of academic terms - examinations, grading, etc. - requires that CVCS be able to limit leave taking by instructional employees at such times as follows:
 - 1) Leaves beginning more than five weeks before the end of a semester: If an instructional employee starts a leave more than five weeks before the end of a semester CVCS may require the employee to continue the leave until the end of the semester if:
 - a) The leave is of at least three weeks' duration; and
 - b) The employee would return from leave during the three week preceding the semester's end.
 - 2) Leaves beginning five weeks or less before the end of a semester: If an instructional employee begins a leave five weeks or less before the end of a semester, CVCS may require the employee to continue the leave until the end of the semester if:
 - a) The leave will last more than two weeks; and
 - b) The employee would return from leave during the two-week period before the term's end.

- 3) Leaves beginning three weeks or less before the end of a semester: If an instructional employee starts a leave three weeks or less before the end of a semester, CVCS may require the employee to continue the leave until the end of the term if the leave will last more than five working days.
- M. All requests for family and medical leave must be approved by the School Administrator or by the Governing Council if the employee requesting the leave is the School Administrator.
- N. Employees who take FMLA leave must first utilize any available paid leave they have accrued under other CVCS leave policies. Accrued sick leave, personal leave, or annual leave shall be substituted for any FMLA-qualifying leave. If the requested leave period extends beyond the employee's accrued number of paid leave days, the remaining leave days will be unpaid.
- Example A: An employee, who sought leave due to his or her own serious medical condition and inability to perform his or her job duties, CVCS accrued six weeks sick leave. The employee must use the six weeks of paid sick leave and may thereafter use the remaining six weeks of unpaid leave available under this policy.
- Any employee seeking leave shall explain the reasons for the needed leave on forms provided by CVCS. It shall be the responsibility of CVCS to identify the requested leave as covered by the FMLA and as paid or unpaid on the basis of leave time accrued under other CVCS leave policies. Such identification shall be made at the time leave is requested or during such leave, on the basis of information provided by the employee.
- O. During the period of leave, CVCS will maintain the employee under the CVCS group health plan coverage if enrolled; however, the employee is responsible for continuing to pay the employee's monthly portion of the premium. If an employee fails to make payment of the employee's share of health insurance premiums for 30 days after such payment is due, coverage of such employee for benefits shall be discontinued. If the employee fails to return to work following leave under the FMLA for any reasons (1) other than the continuation of the FMLA-qualifying circumstances upon which the need for leave was originally based, or (2) circumstances beyond the control of the employee, the employee shall be required to reimburse CVCS for the cost of health insurance premiums CVCS paid to maintain coverage for the employee during the leave period.
- P. Employees will not accrue leave or other benefits during the family and medical leave period.
- Q. An employee, other than a "key employee," who has taken family and medical leave will be restored to his or her previous position or to a position of equivalent pay, benefit, and other terms and conditions of employment. Equivalency of positions shall be determined on the basis of CVCS policy. A "key employee" may be denied reinstatement if it would create a substantial and grievous economic injury for CVCS. A "key employee" is one whose compensation is within the highest 10 percent of the work force of CVCS.

- R. Before returning to work from Family and Medical Leave for a serious health condition of their own, an employee will provide the School with a "fitness for duty" or similar document from his/her medical provider.

Holiday Leave

All CVCS employees shall have the following holidays:

New Year's Day
Martin Luther King Day
Presidents' Day
Good Friday
Memorial Day
Independence Day
Labor Day
Thanksgiving Day
Day after Thanksgiving
Christmas Eve Day
Christmas Day
New Year's Eve Day

Jury Duty Leave

CVCS shall grant an employee leave for jury duty or to serve as a witness subpoenaed in a criminal, civil, or juvenile proceeding. The school shall pay the employee's full contract salary less the daily rate paid to the employee for serving as a juror or witness. For practical purposes, employees on jury duty will be paid their regular rate of pay and will reimburse the school the daily rate received from the courts. Leave for jury service may not be used when the employee is a plaintiff or defendant.

Military Leave

Military leave will be granted for Active Military Service and Reserve or National Guard Service as required by law. An employee requesting military leave must present appropriate orders. An employee on military leave will receive no pay. An employee on a military leave of absence may keep the group benefit program for six (6) months of leave, provided the employee pays the full amount of the premium(s) during this period.

Payment for all premiums will be made prior to the beginning of the month for which coverage is being provided. Payment is to be made within thirty (30) days of the due date or coverage will be cancelled. Upon reinstatement to employment, benefits prior to leave will be reinstated. An employee on a military

leave of absence may elect benefits under the COBRA regulations if the leave of absence extends beyond six (6) months.

Upon return from military leave, an employee will be reinstated to the employee's former position or a similar position at CVCS with no loss in benefit status provided the employee:

1. Applies for reinstatement within ninety (90) days of release from service or training, or from hospitalization following discharge but continuing for no longer than one (1) year.
2. Provides a certificate of satisfactory release from military service that is "honorable", "general", or "under honorable conditions."
3. Remains qualified to perform the essential job functions of the former position.

Personal Leave

The school will provide three (3) days of personal leave per year for all employees for personal business or emergencies. Employees are expected to not use Personal Leave on the first or last day of the school year or on a day preceding or following a vacation period or holiday. Any unused Personal Leave will be carried over as Sick Leave for the following year. Personal Leave in excess of three (3) days will be considered Leave without Pay and will result in a day's pay being deducted for each day of absence.

Professional Leave

CVCS recognizes that staff members should continue to grow professionally during their years of employment. Professional Leave may be granted if it is felt that the employee and CVCS will profit from the attendance of the employee at conferences, workshops, professional meetings, and in-service training sessions. Requests for Professional Leave must have the approval of the School Administrator as far in advance as is feasible and are subject to budgetary and scheduling considerations. Approved Professional Leave will not be subject to salary deductions.

Voting Leave

Voting leave will be granted to employees who are eligible voters and whose workday begins less than two hours after the polls open and ends less than three hours before the polls close. If you qualify, you will be granted for a maximum of two (2) hours with pay in order to vote in an election recognized under the law. Written requests for this leave must be submitted prior to the day of the election. Employees utilizing this benefit must vote in the election for which they are granted leave. The School Administrator will schedule voting leave to ensure department work is covered.

Leave of Absence

Employees may be granted leave of absence by the Governing Council for up to one year without pay for the following reasons:

- 1) Professional study

- 2) Family responsibilities
- 3) Prolonged illness
- 4) Other circumstances as determined by the Governing Council

Governing Council approval is required for leave of absence. Employees must have been employed by the school for six consecutive school years.

All requests for leave of absence shall be in writing to the Governing Council on or before April 15 of the school year preceding the leave. The Administrator shall review the request with the applicant and appropriate staff. The Governing Council may grant exception to the April 15 deadline if it feels there are extenuating circumstances which justify an exception.

Employees on leave must notify the Administrator of their decision to return or not to return to a position at CVCS by February 1 of the year of the leave. The decision shall be in writing.

Employees on leave of absence are not guaranteed the same assignment they held when granted leave, but will be re-assigned to the best position which fits the needs of CVCS.

The employee on leave can choose to continue insurance coverage with NMPSIA during the year of leave, but will be required to pay the entire monthly premium in order to maintain coverage. The NMPSIA life insurance benefit shall continue during the leave of absence.

Sick Leave

Employees will be credited with the sick leave shown in the table below on the first day of their contract. An employee may use sick leave for personal accidental injury, illness or pregnancy, or an accidental injury, or illness in the immediate family. Immediate family for sick leave purposes shall include spouse, father, mother, children, brother, sister, grandfather, grandmother, or grandchild. Sick leave used in excess of the allowed days will be treated as "leave without pay". Employees who are absent for more than three (3) consecutive work days must submit a written statement from a medical doctor before a request for sick leave can be approved.

Teachers and educational assistants with academic year contracts	9 days
Employees with 10 month contracts	9 days
Employees with 12 month contracts and full-time hourly employees	12 days
Hourly employees working less than full-time, but more than 20 hours/week	12 days

Note: Sick leave for employees who do not fulfill a full academic or contract year by starting late or leaving early will be prorated from the above table.

Unused sick leave may be accumulated to a maximum of 120 days. Employees who have accumulated certain levels of sick leave at the end of a school year (June 30th) and return for the following school year will receive additional compensation (net of taxes) on December 15th of the following year in exchange

for voluntarily forfeiting part of their accrued sick leave as described below:

30 days accrued sick leave	\$ 125 additional compensation	1 day of sick leave forfeited
60 days accrued sick leave	\$ 250 additional compensation	2 days of sick leave forfeited
120 days accrued sick leave	\$ 500 additional compensation	4 days of sick leave forfeited

Employees will be required to return a signed form stating if they choose to accept the additional compensation by forfeiting accrued sick days or if they prefer to retain all of their accrued leave and decline the additional compensation. Employees terminating employment receive no further compensation for unused sick leave.

Sick Leave Bank Guidelines

1. Sick leave bank days are available for eligible employees to draw upon when an unusual or catastrophic illness, disability, or injury occurs that requires extended hospitalization or home confinement for the employee or immediate family. Immediate family is defined as the spouse, children or parent of the employee. All employees are eligible to contribute.
2. Employees will be asked to voluntarily fund the Sick Leave Bank (Bank), during an annual enrollment period, up to a minimum Bank balance of 40 days. To be eligible in the Bank, employees must voluntarily contribute a minimum of one day of accrued sick leave to the Bank. After an employee has contributed at least 1 day to the Bank, there is no further requirement to contribute additional days and the employee will remain eligible to participate in the Bank. Employees cannot contribute more than one day during any enrollment period. After the Bank reaches the minimum balance of 40 days, only employees who have not previously contributed, including new employees, will have an annual opportunity to contribute to the Bank. When the Bank balance goes below 40 days, all employees will be asked to voluntarily contribute one day in order to bring the Bank balance back up to 40 days. Employees will still remain eligible if they choose not to contribute.
3. All accrued sick leave, personal, and vacation leave must be used before the eligible employee will be considered for withdrawal of sick leave days from the Bank. The Bank is not intended to be used for routine illness.
4. Application for use of the Bank shall be submitted to the Sick Leave Bank Committee (Committee) for their recommendation. Sick Leave Bank days will be available to eligible employees upon recommendation of the Committee. The Committee shall review the request and determine the eligibility of the employee. A statement from the attending physician verifying the reason for application must be attached to the application.
5. The Committee will consist of three (3) staff members and two (2) parent governing council members.
6. A minimum of five (5) days and up to twenty (20) days will be granted to the employee during one school year. The Committee may request additional verification of illness.
7. Employees that are compensated for work-related injury or illness are not eligible to draw on the

Bank. Employees drawing on Workers Compensation disability benefits will not be eligible to receive days from the Bank.

8. Sick leave bank days can only be granted to cover the gap between when all an employee's accrued leave has been fully used and when Long Term Disability benefits begin, if available.
9. Employees will be eligible to receive a maximum of 40 days during the time of employment.
10. The number of sick leave days granted shall not exceed the number of days absent from work due to illness or accident.
11. Sick leave contributions by employees may be made only to the Bank and not to individuals, and are not refundable to a contributing employee's account.
12. Emergency provisions may be considered when the sick leave bank balance has less than the number of requested days; employees may be allowed to donate additional sick leave days voluntarily.
13. Days contributed to the Bank by employees who are no longer employed by CVCS will remain in the Bank.

Travel Policy

It is recognized by the Governing Council that travel by school employees is necessary for the effective functioning of the school. The Council members wish to encourage the continued professional development of its employees and to provide for the expenses of those who are conducting official business of the School. The following policies apply:

1. Requests for transportation and other personal reimbursement related to travel expenses shall be submitted to the School Administrator for his/her approval prior to the actual expenditure. (Request for Professional or Educational Leave).
2. Claims for reimbursement shall include itemized expenses and actual receipts. Credit card receipts and canceled checks are insufficient. Travel expenses claims must be submitted as soon as possible and before thirty (30) days from the date of travel.
3. Air travel reimbursement shall be for standard or economy rates. All other expenses shall be limited to State approved Mileage and Per Diem rates. (See 2.42.2 NMAC.)

TERMINATION / DISCHARGE / REEMPLOYMENT OF EMPLOYEES

Definitions

Termination: In the case of a licensed employee, "termination" means nonrenewal of a contract at the end of its term. For all other employees, "termination" means severing or ending the employment relationship.

Discharge: Discharge means to sever the employment relationship of licensed personnel or employees under contract before the end of the existing contract.

Just Cause: Just cause refers to a reason for termination or discharge that is rationally related to an employee's competence or moral turpitude or the proper performance of his/her duties and that is not in violation of the employee's civil or constitutional rights.

Termination of Employee with Fewer than Three (3) Consecutive Years of Service

CVCS may terminate an employee (licensed or non-licensed) with fewer than three (3) years of consecutive service for any reason it deems sufficient.

Non-contract Employees: Employees with fewer than three (3) consecutive years of service and who are not employed pursuant to a contract are considered at-will employees. A written notice of termination will be provided to the employee. No grounds for termination need be stated.

Contract Employees: Contract employees with fewer than three (3) years of consecutive service; i.e., who have not been reemployed under a third consecutive contract, may be terminated without cause by the non-renewal of their contracts.

For an employee with fewer than three (3) consecutive years who was terminated or whose contract was not renewed, there is no protest procedure because such an employee may be terminated or not renewed without just cause. However, an employee with fewer than three (3) years of consecutive service may request a written explanation from the School Administrator that details the rationale for his/her termination or non-renewal. Requests for an explanation must be made in writing and delivered to the Administrator no later than five (5) working days after receipt of the notice of termination or notice of non-renewal. Reasons for the determination will be provided to the employee within ten (10) days of receiving his/her request. The decision of the Administrator to terminate, as approved by the Governing Council, is final and not subject to appeal.

Termination of Employees with Three (3) or More Years of Consecutive Service

No employee (non-contract and contract) who has been employed by CVCS for three (3) years or more of consecutive service may not be discharged without "just cause".

Protest Procedure for Terminated Employees

CVCS provides the following procedures for challenges to termination or discharge decisions for employees with three (3) or more years of consecutive service:

An employee who has been employed by CVCS for three (3) consecutive years and who receives a notice of termination or notice of non-renewal may request a written statement of the reasons for non-renewal. The Administrator will provide a written statement of the rationale within five (5) working days from the date she receives the request.

If after receiving the Administrator's written reasons for termination, the employee contends that the reasons do not constitute "just cause", the employee will be granted permission to address his/her objections to termination to the Governing Council.

The employee must submit a written request for a hearing before the Governing Council within ten (10) days after receiving the written rationale for termination from the Administrator. The request for hearing must include a statement explaining why the employee believes that he/she was terminated for reasons that do not constitute just cause. In addition, the statement must include facts, supporting documentation and potential witnesses who will support the employee's position.

The Governing Council will meet to hear the employee present the statement in no less than five (5) and no more than fifteen (15) working days after receipt of the employee's written statement of contentions. At the hearing, both the employee and the Governing Council may have representation of their choice, but at their own expense.

The hearing will be conducted in accordance with the provisions of the Open Meetings Act. A designee of the Governing Council will first state the reasons for termination and present the factual support for those reasons. The reasons will be limited to those first provided to the employee after his/her request for an opportunity to address the Governing Council. The employee will next state his/her reasons and factual support for contending that the termination was not for just cause. Those reasons and factual support must be the same as those provided in the employee's written response to the statement provided by the Administrator. The Administrator may offer such rebuttal testimony that he/she deems appropriate. Each party may question all witnesses. Only evidence presented at the hearing will be considered and the Governing Council is only required to consider that testimony it considers reliable.

No record will be kept of the hearing. The Governing Council will notify the employee and the Administrator of its decision in writing within five (5) working days from the conclusion of the meeting. [Reference, NMSA 1978 §22-IOA-24.]

Appeal Procedures for Terminated Employees

The terminated employee or other representatives of CVCS may appeal the decision of the Governing Council. The matter will be appealed to an independent arbitrator who will hear all evidence as if presented for the first time. The arbitration process takes place as follows:

The employee must submit a request for appeal in writing that states his/her reasons for the appeal to the

President of the Governing Council within five (5) working days from the receipt of the Governing Council's written decision. The request for appeal must include a statement of facts supporting the basis for appeal. Failure to submit a timely appeal will bar the employee's objection to the decision of the Governing Council and will render the Governing Council's decision final.

The Governing Council and the employee will meet within ten (10) working days from the receipt of the employee's request for appeal to select an independent arbitrator. If they cannot make a choice, they will ask the presiding judge of the Socorro Judicial District Court to select an individual to hear the matter. The judge will make the selection within five (5) days of the request. The arbitrator selected must be experienced in school employment matters and must have no financial, personal or other direct interest in the outcome of the proceeding.

The arbitrator will hear all of the evidence presented and not be limited to a review of the Governing Council's decision. The issue before the arbitrator will be limited to whether the evidence presented demonstrates just cause for termination. The arbitration will be held within thirty (30) working days from the date the arbitrator is selected. Notice of the hearing will be provided by the arbitrator, which will include the date, time and location of the hearing.

The following rules of arbitration will apply:

1. CVCS and the employee may have representation of their choosing, but at their own expense.
2. Discovery will be limited to depositions and requests for production of documents on a time schedule to be determined by the arbitrator.
3. The arbitrator has the power to issue subpoenas for witnesses and documents and to administer oaths.
4. The New Mexico Rules of Civil procedure will not be strictly enforced, however, the rules will apply to the extent that both contentions and responses are amply and fairly presented.
5. The Rules of Evidence will not strictly apply, but the arbitrator will permit either party to call and examine witnesses, to cross-examine witnesses and to introduce evidence. The arbitrator will require reasonable substantiation of statements and authentication of records where the accuracy or truth is in reasonable doubt.
6. The Governing Council will have the burden to show by a preponderance of evidence that the employee was terminated for reasons that constitute just cause.
7. If the Governing Council cannot show just cause, or the employee sufficiently rebuts the Governing Council's reasons, then the arbitrator will reverse the decision to terminate and order reinstatement of the employee.
8. Either the employee or CVCS may record the proceeding at their own expense, but it will not constitute an official record for purposes of further appeal.
9. Departures from these procedures are considered harmless unless the party can demonstrate prejudice.

10. The employee and CVCS will pay their own fees, expenses and costs. The arbitrator can assign to either party or both parties the fees and costs of the independent arbitrator

The arbitrator will issue a written decision within thirty (30) working days of the hearing, which will contain findings of fact and conclusions of law. The only remedies available to an employee who CVCS been reinstated by the decision of an arbitrator are: reinstatement; back pay, but subject to any scheduled salary increase to which the employee may be entitled; or, both, less an offset for any compensation received by the employee during the period the compensation was terminated; e.g., unemployment benefits.

Decisions by the arbitrator are final and binding on both CVCS and the employee. The decision may not be appealed unless the decision was procured by corruption, fraud, deception or collusion, in which case it will be appealed to the Socorro District Court for the State of New Mexico.

Termination of Personnel Exempt From Due Process Procedures

In addition to employees who have fewer than three (3) consecutive years of employment, the rights to due process protests upon termination do not apply to the following CVCS personnel:

1. Certified school instructors employed to fill the position of certified school instructor entering military service;
2. Persons employed as licensed school administrators;
3. Non-certified school employees employed to perform primarily school-wide management functions. [Reference, NMSA 1978 §22-IOA-26 (2003)]

Discharge Policies for Contract Employees

A contract employee may be discharged prior to the end of his/her contract term for just cause according to the following procedures:

The Administrator will serve written notice (certified mail return receipt requested) or will arrange personal delivery retaining a receipt signed and dated by the employee, of intent to recommend to the Governing Council that the employee be discharged. Service otherwise consistent with the rule of civil procedure will be sufficient to complete service as meant by these provisions. The notice will include the reasons for the Administrator's recommendation that the employee be discharged along with a written description of the employee's right to a hearing before the Governing Council.

In the event that the Administrator determines that it is necessary to immediately remove the employee from the school premises, the employee will be placed on paid administrative leave pending the outcome of a hearing on the recommended discharge. The hearing will take place prior to discharge unless the employee presents a risk of harm to self, students, employees or the continued operations of CVCS.

Employee Protest of Discharge

A contract employee who receives a notice of intent to recommend discharge may request a hearing

before the Governing Council by giving the School Administrator a written notice of his/her decision to request a hearing within five (5) working days of receipt of the notice to recommend discharge. If the employee timely notifies the Administrator that he/she is requesting a hearing on the recommendation for discharge, a hearing will be scheduled by no fewer than twenty (20) and no more than forty (40) working days after the Administrator receives the written election from the employee. The employee will have at least ten (10) working days prior notice of the hearing date.

The hearing procedures are as follows:

1. CVCS and the employee may have representation of their choosing and at their own expense.
2. Discovery will be limited to depositions and requests for production of documents, which will be completed prior to the hearing.
3. The Governing Council will have the authority to issue subpoenas for the attendance of witnesses and to produce documents and other evidence at the request of either party and will have the power to administer oaths.
4. CVCS will have the burden of proving the just cause for discharge by a preponderance of the evidence. The evidence at hearing will be limited to the reasons as stated in the notice to the employee recommending the discharge.
5. CVCS will present its evidence first; the employee will present second; either party may present witnesses and introduce documents to prove their respective case.
6. An official record must be kept of the preceding and the employee is entitled to one copy at the expense of CVCS.
7. The Governing Council will render its written decision within twenty (20) calendar days of the conclusion of the hearing and deliver its decision to the employee by certified mail return receipt requested or by personal delivery.

Appeal of Discharge Decision

Either the discharged contract employee or a representative(s) of CVCS may appeal the decision of the Governing Council. The matter will be appealed to an independent arbitrator who will hear all evidence as if presented for the first time. To request an appeal the employee must state his reasons for the appeal in writing ("request for appeal") and submit it to the President of the Governing Council within five (5) working days from the receipt of the Governing Council's written decision. The appeal must contain a statement of the particular reasons the employee believes the Governing Council's decision was incorrect and include a statement of facts supporting his/her decision. Failure to submit a timely appeal will bar the employee's right to object to the decision of the Governing Council and will render the Governing Council's decision final.

The Governing Council and the employee will meet within ten (10) working days from the receipt of the employee's request for appeal to select an independent arbitrator. If they cannot decide they will request

the presiding judge of the Socorro Judicial District Court to select an individual to hear the matter. The judge will make the selection within five (5) days of the request. The arbitrator selected will be experienced in school employment matters. He/she will have no financial, personal or other direct interest in the outcome of the proceeding.

The arbitrator will hear all of the evidence presented and not be limited to a review of the Governing Council's decision. The issue before the arbitrator will be limited to whether the evidence presented demonstrates just cause for discharge.

The arbitration will be held within thirty (30) working days from the date the arbitrator is selected. Notice of the hearing will be provided by the arbitrator, which will include the date, time and location of the hearing.

The rules of arbitration are as follows:

1. CVCS and the employee may have representation of their choosing, but at their own expense.
2. Discovery is limited to depositions and requests for production of documents on a time schedule to be determined by the arbitrator.
3. The arbitrator has the power to issue subpoenas for witnesses and documents and to administer oaths.
4. The New Mexico Rules of Civil procedure will not be strictly enforced, however, the rules will apply to the extent that both contentions and responses are amply and fairly presented.
5. The Rules of Evidence will not strictly apply, but the arbitrator will permit either party to call and examine witnesses, to cross-examine witnesses, and to introduce evidence. The arbitrator will require reasonable substantiation of statements and authentication of records where the accuracy or truth is in reasonable doubt.
6. The Governing Council will have the burden to show by a preponderance of the evidence that the reasons provided for recommending the employee's discharge constitute just cause.
7. If the Governing Council cannot show just cause, or the employee sufficiently rebuts the Governing Council's reasons, then the arbitrator will find in favor of the employee;
8. Either the employee or CVCS may record the proceeding at their own expense, but it will not constitute an official record for purposes of appeal; only the official record prepared by a certified court reporter will constitute the official record.

Re-employment of Licensed Employees

On or before the fourteenth calendar day prior to the last day of the school year, the Governing Council or School Administrator shall serve written notice of re-employment or termination to each licensed school instructor employed by the school. A notice of re-employment shall be an offer of employment for the ensuing school year. A notice of termination shall be a notice of intention not to re-employ for the ensuing

school year.

Failure of the Governing Council or Administrator to serve a written notice of re-employment or termination on a licensed school instructor shall be construed to mean that notice of reemployment by CVCS has been served upon the person for the ensuing school year according to the terms of the existing employment contract but subject to any additional compensation allowed other licensed school instructors of like qualifications and experience employed by CVCS. Nothing in this section shall be construed to mean that failure of the Governing Council or Administrator to serve a written notice of re-employment or termination shall automatically extend a licensed school instructor's employment contract for a period in excess of one (1) school year.

Each licensed school instructor offered re-employment for the following school year shall deliver to the Governing Council a written acceptance or rejection of re-employment within fifteen (15) days from the date written notice of re-employment is served upon the person. Delivery of the written acceptance of re-employment by a licensed school instructor creates a binding employment contract between the licensed school instructor and the Governing Council until the parties enter into a written employment contract, which shall be executed by the parties not later than ten (10) days before the first day of a school year.

Reduction in Force

When the decision to reduce the number of licensed staff CVCS been made, reductions will be made as follows:

1. All reductions will be made in accordance with "applicable law".
 2. Normal attrition resulting from retirements and resignations will be first considered when reduction in licensed staff is necessary.
 3. Probationary teachers will be released before career teachers who are legally licensed.
- Probationary/Intern teachers will be released according to the following terms:

- a. Seniority in the school.
 - b. Length of service in current assignment.
 - c. Recommendation of the School Administrator.
5. If normal attrition and the release of probationary teachers do not sufficiently reduce the licensed staff, the following items will be implemented in the reduction process in the order they are listed:
- a. Seniority in the school.
 - b. Length of service in current assignment.
 - c. Recommendation of the School Administrator.

6. If a teacher whose position at CVCS has been eliminated refuses the offer of a position for which he/she qualifies, he/she will be laid off.

OTHER POLICIES

Administrator's Support of Teachers

If a parent approaches the School Administrator directly with concerns about a teacher, the administrator must communicate these concerns to the teacher in question within a few days and provide the appropriate support to arrive at a resolution.

Discipline Process

A number of tools are utilized to motivate, correct, and/or discipline employees, including, but not limited to: verbal and written warnings, suspensions, and discharge or termination as determined to be appropriate in each individual circumstance.

If your work performance is unsatisfactory or if your conduct on the job becomes a problem, your supervisor may counsel you and work with you to help resolve the issues. You may initiate this counseling as well. Your supervisor may also use a progressive, corrective process. This progressive disciplinary process may involve, but is not limited to, oral or written warnings, probation for poor work performance/habits, disciplinary suspension, and termination.

If progressive discipline is not considered appropriate, however, the sequence described above will not be followed. Decisions about whether discipline is necessary and what type of discipline is to be imposed are at the sole discretion of the School Administrator.

In the case of serious misconduct, it may be necessary to protect the safety and security of the workplace by suspending or placing the involved employees on administrative leave in order to remove them from the workplace.

In addition, in some instances, while your supervisor is investigating and considering appropriate action, you may be relieved from duty pending a full investigation of the circumstances. The investigation may have one of the following results:

- a. If the circumstances do not justify suspension, you will be allowed to return to work, although other disciplinary action may be taken;
- b. If the circumstances do justify suspension you will be notified of the suspension and dates and conditions for returning to work. You will not be paid or accrue sick leave for the period suspension occurs; or
- c. If the circumstances justify termination, and you are not a “tenured” employee within the meaning of the New Mexico School Personnel Act, you will be dismissed and a final paycheck will be issued excluding time of unpaid suspension. If you are a “tenured” employee and the circumstances justify termination or discharge, the process outlined in this handbook will be followed.

Employee Grievance / Dispute Policy

The process for discussing concerns or issues with the administrator consists of the following two steps.

However, concerns or issues may be resolved at any step in the process. All discussions are to remain confidential as required.

Step 1. The teacher or staff member and the administrator shall meet to discuss and address any issues, concerns or questions. A good-faith effort must be made by both the teacher or staff member and the administrator to resolve the concerns at this step.

Step 2. If the administrator and the teacher or staff member cannot come to a resolution, then the teacher/staff member shall submit a written description of the concern to the Governing Council President. The written concern must include all details, a full explanation of why the teacher or staff member believes the situation is of concern, and the remedy that he or she seeks. The concern will be discussed during the Governing Council meeting's Executive Session, meaning the issue will not be a part of the public meeting minutes. The Governing Council shall issue a written decision within five working days after the meeting. The Governing Council's decision is final. Staff should be aware that final decisions regarding issues and complaints will not be precedent-setting or binding on future complaints, unless they are officially stated in the Employee Policy Manual.

The grievance/dispute policy does not apply for complaints about the following situations:

1. The contents of an evaluation or the discretionary act(s) of professional judgment relating to the evaluation of the work performance of any employee by his/her immediate supervisor;
2. Discharge or termination decisions (See policy);
3. Situations in which the remedy for the alleged violation resides exclusively in some person, agency, or authority other than CVCS, its School Administrator or Governing Council;
4. A former employee cannot file a grievance after the effective date of separation from employment.

No Tolerance Harassment / Discrimination Policy

CVCS is committed to creating a workplace free of discrimination and harassment for any reason, but in particular for reasons based on race, color, religion, age, sex, national origin, sexual orientation, physical or mental disability, status as a veteran, or any other basis protected by federal, state or local law. This prohibition applies in your relationships with all other employees, students, parents and guardians, visitors and guests. All employees of CVCS are responsible for taking appropriate action to prevent and eliminate harassment and discrimination at CVCS pursuant to the procedures set forth in this handbook. Likewise, CVCS will not tolerate retaliation or reprisals of any type against any employee who complains of harassment or provides information in connection with any such complaint. Harassment is considered to be misconduct and grounds for disciplinary action, up to and including discharge.

Sexual Harassment

As sexual harassment raises issues about human interaction that are to some extent unique, the subject of sexual harassment is treated separately here. CVCS prohibits sexual harassment at any time of any employee, student, parent or guardian, visitor, guest, candidate for employment or other person visiting the School's premises. Sexual harassment is a form of sex discrimination in violation of federal and state law.

It includes:

1. Requests for sexual favors,
2. Sexually motivated physical contact,
3. Other verbal or physical conduct when submission to such conduct is either explicitly or implicitly made a term or condition of employment, or submission to or rejection of such conduct is used as the basis for employment decisions,
4. Conduct that CVCS the purpose or effect of unreasonably interfering with an individual's work environment,
5. Intimidation and hostility directed to an individual because of sex or sexual orientation,
6. Explicit or degrading verbal, written or electronic comments of a sexual nature, or
7. Persistent or unwelcome flirtation or requests for dates, especially if the behavior continues after a clear objection has been made.

This list is not exhaustive and applies to conduct by coworkers, supervisors, volunteers and others invited to the school premises. Sexual harassment can apply to conduct in any work-related setting outside the work place as well. It is not permissible for any CVCS employee to engage in any form of sexual harassment. CVCS will do its best to keep its workplace free of any conduct which creates an intimidating, hostile, or offensive work environment.

Consensual sexual behavior between adults, outside the workplace and welcome by both parties is not considered sexual harassment; however, those who engage in such relationships should be aware that questions regarding the actual freedom of choice of one of the parties may be raised later, especially when a superior/subordinate relationship exists between them. If an employee has asked the alleged harasser to stop to no avail, then he/she should report the incident to his/her supervisor.

Other Harassment

Other prohibited harassment includes verbal or physical conduct which degrades or shows hostility or aversion toward an individual even partly because of race, color, religion/creed, gender, national origin, age, disability, citizenship, marital status, sexual orientation or other prohibited basis. Any such behavior that interferes with the individual's work performance, or creates an intimidating, hostile or offensive work environment, does not belong in our workplace or in any work-related setting outside the workplace. The same prohibition applies in relationships to students, parents or guardians, visitors and guests. CVCS

will not tolerate such behavior. If you believe that you are the subject of harassment, please follow the process outlined below.

Harassment: Procedures for Complaints, Investigation, and Response

Retaliation against any employee raising a complaint or providing information concerning an alleged violation of this policy is strictly prohibited. Any employee who violates this policy by engaging in conduct defined throughout this policy that directly or indirectly causes intimidation, harassment or physical harm to another employee will be subject to disciplinary action. The following procedure should be followed by any employee wishing to file a complaint of discrimination and/or harassment.

Complaint: Any person who sees or hears about conduct that may constitute harassment or discrimination under this policy should immediately contact the School Administrator. If the Administrator is involved in the reported conduct, or for some reason the employee feels uncomfortable about making a report to the Administrator, the employee should report directly to the President of the CVCS Governing Council. Complaints may initially be made verbally: However, CVCS requires that a "Harassment Complaint Form" be completed by the complainant as a first step in the investigation process. See the appendices for the form.

Investigation: CVCS will investigate any report of harassment or discrimination. All employees have a duty to cooperate in CVCS, investigation of alleged harassment or discrimination. Failure to cooperate or deliberately providing false information during an investigation will be grounds for disciplinary action, including termination. In conducting an investigation, CVCS will respect the privacy of all concerned, however, complete confidentiality may not always be possible because of the need to conduct an investigation and take the steps necessary to eliminate harassment.

Response: CVCS will take whatever corrective action deemed necessary. Disciplinary action, up to and including termination, may be taken. CVCS will discuss with the complainant the outcome of the investigation and where appropriate may ask for feedback regarding the complainant's preferred resolution. CVCS will also discuss the outcome of the investigation and any disciplinary actions with the alleged offender. The date of the discussion shall constitute the "determination date." Bad faith complaints will be grounds for disciplinary action, including termination. The Administrator will notify the Governing Council of the outcome of the complaint and an official opinion as to whether there is sufficient evidence to support that there was a violation of CVCS policies.

In cases involving allegations against the Administrator, the President of the Governing Council will advise the Council of the outcome and issue an official opinion.

Appeals of Harassment/Discrimination Decisions

If the complainant or alleged offender is not satisfied with the outcome of a discrimination complaint, either employee may appeal that decision to the Governing Council. The employee appealing the Administrator's decision must submit a written appeal to the Governing Council with copies to the other party and the Administrator within ten (10) working days of the employee's notification of the Administrator's determination. The non-appealing party and the Administrator have the option of

submitting written materials in support of their respective positions within five (5) working days from the date they receive the appealing parties' appeal.

The Governing Council will inform the complainant/respondent of the appeal decision in writing within twenty (20) working days from the date the appeal was submitted. After the Governing Council's review, the internal complaint process CVCS is concluded. The timelines set forth in this policy may be waived or extended by the Governing Council.

Computer Network and Internet Regulations

The following section provides employees and other computer users with general requirements for utilizing Cottonwood Valley computers, networks and Internet services. These rules provide general guidelines and examples of prohibited uses for illustrative purposes but do not attempt to state all required or prohibited activities. Employees who have questions regarding whether a particular activity or use is acceptable should seek further guidance from the School Administrator. Failure to comply with the CVCS School policy and/or other established regulations governing computer use may result in disciplinary action, up to and including discharge. Illegal uses of computers may also result in referral to law enforcement authorities.

Acceptable Use

Employee access to Cottonwood Valley computers, networks and Internet services is provided for administrative, educational, communication and research purposes consistent with the educational mission, curriculum and instructional goals of the school. General rules and expectations for professional behavior and communication apply to use of Cottonwood Valley computers, networks and Internet services.

The level of access that employees have to school computers, networks and internet services is based upon specific employee job requirements and needs.

Employees are to utilize school computers, networks and Internet services for school related purposes and performance of job duties. Incidental personal use of school computers is permitted as long as such use does not interfere with the employee's job duties and performance, with system operations or other system users. "Incidental personal use" is defined as use by an individual employee for occasional personal communications. Employees are reminded that such personal use must comply with this policy and all other applicable policies, procedures and rules.

Prohibited Use

The employee is responsible for his/her actions and activities involving school computers, networks and Internet services and for his/her computer files, passwords and accounts. General examples of unacceptable uses, which are expressly prohibited, include but are not limited to the following:

1. Any deliberate use that is illegal or in violation of other Board policies, including harassing, discriminatory or threatening communications and behavior, violating of copyright laws, etc.;

2. Any deliberate use involving materials that are obscene, pornographic, sexually explicit or sexually suggestive;
3. Any inappropriate communications with students or minors;
4. Any use for private financial gain, or commercial, advertising or solicitation purposes;
5. Any use as a forum for communicating by e-mail or any other medium with other users or outside parties to solicit, proselytize, advocate or communicate the views of an individual or non-school-sponsored organization; to solicit membership in or support of any non-educational related organization, whether for-profit or not-for-profit. No employee shall knowingly provide school email addresses to outside parties whose intent is to communicate with school employees, students, and/or their families for non-school purposes. Employees who are uncertain as to whether particular activities are acceptable should seek further guidance from the School Administrator;
6. Any communication that represents personal views as those of Cottonwood Valley or that could be misinterpreted as such;
7. Downloading or loading software or applications without permission from the system administrator;
8. Opening or forwarding any email attachments (executable files) from unknown sources and/or that may contain viruses;
9. Sending masse-mails to school users or outside parties for school or non-school purposes without the permission of the system administrator or School Administrator;
10. Any malicious use or disruption of computer, networks and Internet services or breach of security features;
11. Any misuse or damage to computer equipment;
12. Misuse of the computer passwords or accounts (employee or other user);
13. Any communications that are in violation of generally accepted rules of network etiquette and/or professional conduct;
14. Any attempt to access unauthorized sites;
15. Failing to report a known breach of computer security to the system administrator;
16. Using school computers, networks, and internet services after such access had been denied or revoked;
17. Any attempt to delete, erase or otherwise conceal any information stored on a computer that violates these rules.
18. Using the Cottonwood Valley web pages to provide personal information or provide access to

personal pages on school servers.

No Expectation of Privacy

Cottonwood Valley retains control, custody, and supervision of all computers, networks and Internet services owned or leased by the school. Cottonwood Valley reserves the right to monitor all computer and Internet activity by employees and other system users. Employees have no expectation of privacy regarding their use of school computers, including e-mail messages, web pages and stored files.

Confidentiality of Information

Employees are expected to use appropriate judgment and caution in communications concerning students and staff to ensure that personally identifiable information remains confidential.

Staff Responsibility for Student Use of Computers

Teachers, staff members and volunteers who utilize school computers for instructional purposes with students have the responsibility to monitor and supervise such use. Teachers, staff members and volunteers are expected to be familiar with CVCS policies and rules concerning student computer and Internet use and to enforce them. When, in the course of their duties, employees/volunteers become aware of student violations, they are expected to stop the activity and inform the School Administrator.

Compensation for Losses, Costs and/or Damages

Employees shall be responsible for any losses, costs or damages incurred by Cottonwood Valley related to violations of policy and/or these rules.

Unauthorized Charges, Costs, or Illegal Use

CVCS assumes no responsibility for any unauthorized charges made by employees including but not limited to credit card charges, subscriptions, long distance telephone charges, equipment and line costs, or for any illegal use of its computers such as copyright violations.

Fundraising

All fund raising activities conducted in the name of, or for the benefit of, the Cottonwood Valley Charter School must be approved in advance by vote of the Governing Council. Such fund raising activities include those conducted on the school grounds at any time for the school's benefit or for other organizations or charities. School fundraising off campus must also be approved by the Governing Council.

Fundraising plans or activities that are not part of the GC FundRaising Committee's plans or activities should be made known to the FundRaising Committee Chairperson.

The FundRaising Committee may wish to assist or monitor independent fund raising activities.

Door to door sales/solicitations in residential neighborhoods by CVCS students or anyone identifying

themselves with CVCS or claiming that they are selling items for the benefit of CVCS are not allowed. Posters announcing CVCS Fund Raising activities may be placed in any public location with the proper permission.

The financial management of any fund raising activity must be coordinated with, and approved by, the CVCS Business Manager. Purchasing Procedures, as approved by the Governing Council, will be followed at all times. Purchases of supplies, materials, or services needed for an approved fund raising activity will be made using the requisition and purchase order process. Purchases made directly from a vendor by any individual involved with a fund raising activity that do not follow the requisition and purchase order procedures are not allowed, and could be used only in emergency situations, if a pre-approval has been obtained from the Administrator or Business Manager. Individuals not following the proper procedures cannot be assured of being reimbursed for out-of-pocket expenses. Fundraising receipts and proceeds are to be turned in to the Business Office at the end of the day, or no later than the following morning, after the fund raising activity, in order to comply with the 24-hour deposit requirement. The Governing Council may allow exemptions to all or parts of this Policy on an individual basis, as long as the exemptions do not violate state statutes.

Open Communications Policy

It is the belief of the licensed staff of Cottonwood Valley that open and clear communications are essential for the optimum performance of the organization. As a result, each licensed staff member is encouraged to communicate concerns over policy management to the School Administrator. If the situation is not reconciled, then the individual should communicate that concern to the Governing Council.

Purchasing Procedures

Requisitions

All Employees shall utilize the Requisition / Purchase Order process prior to obligating school funds. Items purchased without prior approval will be the responsibility of the employee.

Employees shall submit a Requisition in the Aptafund portal for the School Administrator to approve. If approved, the Requisition will be forwarded to the Business Manager for further processing. The Business Manager will issue a Purchase Order only after ensuring that both the funds and the budget approval are in place to support the purchase.

Purchases Greater Than \$2,500 and \$10,000

Proposed purchases of goods and services with a value greater than \$2,500 will be discussed at the monthly meetings of the Budget Committee, which is authorized by the Governing Council to oversee the financial activities of Cottonwood Valley Charter School (CVCS).

Purchases for services, construction, or items of tangible personal property with a value in excess of \$10,000 must also have approval from the Governing Council, in addition to approval from the Budget Committee.

Procurements

All procurement, regardless of the dollar amount, will be conducted so as to provide "maximum open free competition".

Every effort will be made to obtain goods and services at the best possible prices. This will be accomplished by comparing catalog prices, obtaining phone or written price quotes from vendors, or requesting competitive bids as applicable in accordance with NMAC regulations. CVCS is a member of Cooperative Educational Services (CES) and can participate in their approved vendor program and can also participate in other state-approved purchasing programs.

CVCS is authorized to issue Type 9 Nontaxable Transaction Certificates by the State of New Mexico. Type 9 certificates may be used for the purchase of tangible personal property only and may not be used for the purchase of services, for the lease of property or to purchase construction materials for the use in construction projects, except as allowed for 501(c) (3) organizations organized for the purpose of providing home-ownership opportunities to low-income families. The Business Manager will make every possible effort to issue nontaxable certificates as allowed to vendors to take advantage of the cost savings.

The following levels of purchasing authorization are approved by the Cottonwood Valley Charter School Governing Council:

- a) Direct_Procurement: Goods and Services with a value up to \$2,500 can be procured using any reasonable criteria for selection. Documentation of prices checked is recommended, but not required.
- b) Phone_Quotations: Purchases for services, construction, or items of tangible personal property with a value in excess of \$2,500, but not exceeding \$5,000, shall be made at the best obtainable price by soliciting and documenting at least 3 telephone quotations. Pricing information from vendor websites or catalogs is acceptable in lieu of a telephone quote.
- c) Written Quotations: Purchases of tangible personal property with a value in excess of \$5,000 but not exceeding \$10,000, or for services with a value in excess of \$5,000 but not exceeding \$20,000 shall be made at the best obtainable price by soliciting and documenting at least three (3) written quotations from vendors. Quotations used should be on the letterhead of the vendor.
- d) Competitive Sealed Bids: Competitive sealed bids must be obtained for services or construction exceeding \$20,000 and tangible personal property exceeding \$10,000. Services, construction projects, or acquisition of tangible personal property cannot be artificially divided into smaller increments to avoid the above purchasing requirements.

Advertisements for competitive sealed bids will be published at least twice in the ten-day period prior to the proposed deadline for receipt of bids.

Advertisements will be published in local newspapers, and also in state-wide newspapers if deemed necessary to attract qualified bidders.

- e) Requests for proposals: RFP's for services in excess of \$20,000 will be published in local or state-wide newspapers as described above for competitive bids. Requests for proposals for

services of less than \$20,000 may also be published in local or state-wide newspapers at the discretion of the Administrator or Governing Council to ensure that there is no evidence of favoritism in the awarding of a contract for services.

Purchasing Card

While every effort is made to establish vendor accounts as needed, some companies will not accept purchase orders, or may otherwise require prepayment, preferably with a credit card. A credit card is also generally needed in order to make travel arrangements. CVCS has one purchasing card that is kept secured by the Administrator or Business Manager at all times. No additional cards will be obtained and issued to individual staff. The purchasing card can only be used after all other purchasing procedures are followed (i.e., the requisition and purchase order procedures detailed above).

Employee Reimbursements

With prior approval only, and if all other applicable purchasing procedures are followed, CVCS will reimburse employees for authorized school purchases that are paid by an employee. This type of reimbursement is to be the rare exception, not a common occurrence, and will generally be eliminated by approved use of the purchasing card. Employee reimbursements will generally be for travel expenses that have not been prepaid by CVCS. Reimbursements to employees are limited to the actual or allowable amount of the expenditure, and will not include payment for interest, late fees, or other penalties incurred by the employee. Purchases made directly by employees for school purposes will not be eligible for any gross receipts tax exemption that would otherwise be available if the purchase had been made directly by CVCS.

Policy Updates

All dollar amounts included in this purchasing policy are for costs prior to the inclusion of any applicable gross receipts tax.

This policy will be reviewed periodically to ensure that dollar amounts are in compliance with current state laws and guidelines.

Release of Information to the Public

The School Administrator, as a representative of the school, is given the sole responsibility of informing the public as to the purpose, goals, methods, progress and needs of the school, the instructional program and financial status of the school. Accuracy, reliability and leadership in this area will develop confidence and understanding, thereby creating better relationships between the school and the community.

Therefore, all written notices or verbal statements intended for public information on behalf of CVCS are to be submitted to the School Administrator for approval prior to release. Care must be exercised by the Administrator to ensure that the legal requirements pertaining to the Family Education Rights and Privacy Act and the New Mexico Inspection of Public Records Act are followed.

Non-school originated material of commercial, political or religious nature shall not be disseminated.

With the approval of the School Administrator, notices from community organizations that directly affect the students of the school may be forwarded to parents via the students.

Reporting of Assault and Battery on School Employee

Any school employee upon whom an assault, battery, assault and battery, or aggravated battery or aggravated assault and battery is committed while in the performance of any duties as a school employee shall notify the School Administrator, who will refer the incident to the appropriate law enforcement authority. The School Administrator shall notify the Public Education Department of all incidents of assault and battery and final disposition of each incident for the previous year in the annual School Report Card.

CVCS will post in a prominent place a notice having the following language, "Felony Charges may be filed against any person(s) committing an aggravated assault or battery upon any school employee."

Reporting of Child Abuse or Neglect

Teachers and school officials have a duty under New Mexico law to report suspected child abuse or neglect to the police or to the Children Youth and Families Department. Abuse includes physical, emotional, psychological, or sexual abuse. Neglect includes lack of proper parental care and control, subsistence, education and health care necessary for the child's well-being. Any person reporting suspected child abuse or neglect in good faith is immune from liability. Any person required to report, but failing to do so, is subject to criminal prosecution.

Where there is a reasonable suspicion of child abuse or neglect, employees and officials must call in a report to the Children, Youth and Families Department 24-hour report line at 1-855-333-SAFE (7233) and notify the School Administrator.

Reporting of Inappropriate Contact with Students

Persons who have reason to believe that any one of CVCS' employees has engaged in inappropriate contact with any student, whether on or off school property, including sexual touching, romantic or sexual relations, must immediately report that information to the School Administrator.

Reporting of Students under the Influence

Any employee who has reasonable suspicion to suspect that a student may be under the influence of, or in the possession of, alcoholic beverages, intoxicating substances, or illegal substances shall immediately notify the School Administrator or his/her designee. The School Administrator will take whatever further action he/she deems appropriate.

School-Community Relations

Good public relations are the responsibility of the entire licensed and non-licensed staff. Every employee is expected to feel a responsibility for the development of good relations with the public. Public

confidence and good will can be gained when employees are considerate, courteous, friendly, and understanding. Groups such as the CVCS Parent Association, Friends of Socorro Charter Schools, and school-business partnerships are valuable allies in the functioning of the School. The Governing Council fully supports and encourages close cooperation with these groups.

School Safety

CVCS believes that the safety of its employees, students, and public must be one of the major considerations in all operations. The Schools will endeavor to provide a safe working and learning environment, to abide by applicable safety rules and regulations, to communicate the commitment to safety, and insist upon a commitment to safety from employees, students, and visitors to the schools.

The Administrator or designee will be responsible for the supervision of a safety program for CVCS. . General areas of emphasis shall include but not be limited to:

1. In-service training
2. Fire prevention
3. Accident record keeping
4. Emergency procedures and drills
5. Traffic safety problems relevant to students, employees, and the community
6. Prevention/correction activities

It is the policy of CVCS to establish and maintain a respiratory protection program consistent with OSHA Respirator Standard 29 CFR 1910.134 and OSHA Construction Industry Standard 29 CFR 1926.58. The goal is to minimize employee exposure to potentially harmful levels of gasses, vapors, fumes, dusts, mists, and airborne particles. The respiratory protection program will be provided at no cost to employees.

CVCS School Administrator or Designee will establish procedures to implement this safety policy. All personnel have the responsibility to be aware of any hazardous chemical or physical hazards that they may encounter and to take appropriate protective measures.

General safety rules shall be made known to students through the student handbook and school staff. CVCS Coordinator will inform the staff of special regulations. The local police and fire departments are willing to supply films and to give lectures. Please report safety hazards to the School Administrator.

Employee Safety

CVCS is committed to the safety and health of all employees and recognizes the need to comply with regulations governing injury and accident prevention and employee safety. Maintaining a safe work environment, however, requires the continuous cooperation of all employees. CVCS will maintain safety and health practices consistent with the needs of our profession. If you are ever in doubt about how to safely perform a job, it is your responsibility to ask the School Administrator for assistance. Any suspected unsafe conditions and all injuries that occur on the job must be reported immediately. Compliance with these safety rules is considered a condition of employment. We strongly encourage

employee participation and your input on health and safety matters

Working Safely

Employees shall follow these requirements for working safely

Lifting: Ask for assistance when lifting heavy objects or moving heavy furniture. Bend your knees, get a firm grip on the object, hold it close to your body and space your feet for good balance. Lift using your stronger leg muscles, not your weaker back muscles.

Materials Handling: Do not throw objects. Always carry or pass them. Use flammable items, such as cleaning fluids, with caution. Also, stack materials only to safe heights.

Trash Disposal: Keep sharp objects and dangerous substances out of the trash can. Items that require special handling should be disposed of in approved containers.

Cleaning Up: To prevent slips and tripping, clean up spills and pick up debris immediately.

Preventing Falls: Keep aisles, workplaces and stairways clean, clear and well lighted.

Walk, don't run. Watch your step.

Handling Tools: Exercise caution when handling objects and tools. Do not use broken, defective or greasy tools. Use tools for their intended purpose only. Wear safety glasses or goggles whenever using a power tool.

Falling Objects: Store objects and tools where they won't fall. Do not store heavy objects or glass on high shelves.

Work Areas: Keep cabinet doors and file and desk drawers closed when not in use.

Remove or pad torn, sharp corners and edges. Keep drawers closed. Open only one drawer at a time.

Using Ladders: Place ladders securely. Do not stand on boxes, chairs or other devices not intended to be used as ladders.

Machines: Do not clean machinery while it is running. Lock all disconnect switches while making repairs or cleaning.

Electrical Hazards: Do not stand on a wet floor while using any electrical apparatus. Keep extension cords in good repair. Don't make unauthorized connections or repairs. Do not overload outlets.

Fire Prevention: Know the location of the fire extinguisher(s) in your area and make sure they are kept clear at all times. Notify your supervisor if an extinguisher is used or if the seal is broken. Make sure all flammable liquids, such as alcohol, are stored in approved and appropriately labeled safety cans and are not exposed to any ignition source.

Evacuation exits should be posted. Be familiar with fire drill procedures and plans for evacuating

students.

Reporting Safety Issues

All accidents, injuries, potential safety hazards, safety suggestions and health and safety related issues must be reported immediately to the School Administrator or his/her designee. If you or another employee is injured, you should contact outside emergency response agencies, if needed. The Employee's Claim for Worker's Compensation Benefits Form must be completed for any instance of employee injury, even if no medical attention is sought at the time of injury. If you fail to report your injury timely, you may jeopardize your right to collect workers' compensation benefits.

Accidents and Other Medical Emergencies

1. In case of injury to a student or staff member, first aid should be administered to the level of expertise.
2. A sick or injured student shall not be sent home alone nor be allowed to go home at all, unless it is known that a responsible person will be there when the student arrives.
3. If the student must go to the hospital, transportation shall be by parent or guardian or by ambulance. School personnel shall not transport a student to the hospital or to the student's home except in a life or death emergency.

Emergency Drills

The School Administrator is charged with the responsibility of conducting emergency drills in accordance with state law. Emergency drills shall be conducted weekly during the first four weeks of the school year and at least monthly thereafter throughout the school year. Two drills during the year shall be shelter-in-place drills and one shall be an evacuation drill. The remainder of the drills shall be fire drills. The office shall maintain a time log of conducted fire drills for official inspection. The School Administrator in staff meetings will discuss exact procedures.

Teachers are required to see that room doors are closed after the Cottonwood Valley Charter School students exit and are required to take attendance registers out of the classroom in order to take attendance.

Bomb Threats

All bomb threats must be treated seriously, even those that are suspected hoaxes or pranks. Upon receiving a bomb threat, an employee shall immediately contact the School Administrator. If evacuation of the building is necessary, the normal emergency drill procedure will usually be followed. Do not turn off lights in the event of a bomb threat.

Emergency Shelter-in-Place and Evacuation Procedures

In case of an emergency on campus, the Administrator, or designee, shall communicate the situation and describe the level of response. Staff shall respond as explained during the provided emergency drill

training.

During any event, the following items need to be made available and accessible:

1. Keys for all buildings
2. Power megaphones.
3. Hand held radios.

During any situation, backpacks will remain in the student's respective classroom. If a student carries a backpack when exiting the building, the backpack will need to be removed by staff members prior to the student entering the containment areas for all students. Backpacks that are collected at this point, will remain on the school grounds until searched by proper authorities.

During evacuations all vehicles that are on the school campus whether staff, student or visitor will be impounded until authorities release them.

In the event of any emergency situation, the Administrator is the only spokesperson for the school.

Emergency Response Assignment

In the event of an emergency situation, the following stations are to be manned by the school site emergency team. The Administrator and/or designee will: 1) Secure the area, 2) Check for injuries/damage, 3) Call 911 if appropriate, 4) Notify the school district

Emergency School Site Administrative Stations

POSITION	PHYSICAL LOCATION	PRIMARY RESPONSIBILITY	SECONDARY RESPONSIBILITY
Administrator	Office	Incident Command	Administration
School Social Worker	Red B	Administration	Incident Command
Administrative Assistant	Office	Liaison	Operations
Available Safety Committee Member	Office	Operations	Liaison

Each person listed above has primary and secondary responsibilities. For instance, if the person with the primary responsibility of Incident Command is not at the school when a critical incident occurs, then the person assigned Incident Command as a secondary responsibility will take the duty in addition to their primary responsibility.

If several of the members are not present, it may be necessary for further delegation of duties by the

person in charge.

Medical and First-Aid System

It is every employee's responsibility to know the location for first-aid kits. The school will designate first-aid providers as needed to administer first aid. All first-aid providers will receive training and be responsible for the coordination of the school's first-aid system. In the event of an emergency, contact the School Administrator, the Safety Officer, or other individual designated by the School Safety Committee.

Blood Borne Pathogens Control Plan

CVCS shall have a Blood Borne Pathogens Control Plan to protect employees from the health hazards of blood borne pathogens and to provide appropriate treatment and counseling should an employee be exposed to these pathogens. Through this plan, employees will be made aware of the risk of exposure to blood borne pathogens and the methods that can be used to protect themselves from such exposure. This plan meets the requirements of OSHA Blood Borne Pathogens Standard (29 CFR 1910, 1030).

In the event of a crisis the School Administrator will have the overall responsibility for coordinating the response.

Identification and Elimination of Hazards

The identification and elimination of hazards is an ongoing process. Hazards will be identified and eliminated through regular safety inspections by the School Administrator and the Safety Officer. Safety rules will be reviewed periodically and changed to meet current safety requirements. New materials and equipment may call for new safety rules or procedures. Input from the employees doing the actual work will be solicited when reviewing safety rules or procedures.

Record Keeping

A record of all safety inspections will be kept at the school site and be maintained by the Safety Officer. Records will be maintained on each accident, injury or occupational-related illness requiring medical treatment in accordance with the requirements of the Occupational Safety and Health Act (OSHA).

Safety Officer and Safety Committee

The School Administrator shall appoint a staff member to serve as Safety Officer for the school and to coordinate the safety program. In addition, a Safety Committee composed of the Safety Officer, a student representative, a parent, School Administrator, and local safety professionals, such as police or fire department officers, will be invited as needed to assist in the coordination of the safety program.

While the Safety Officer is responsible for the coordination of the school system's safety program, the School Administrator is responsible for the general safety and well-being of employees, students, visitors, and the general public when at the school site or when off- campus on school business. This responsibility includes an on-going program to identify and eliminate hazards at the site. The School Administrator

should appoint specific employees from different areas or departments to report hazards and dangerous practices that could lead to accidental injury. Cooperation in detecting hazards, reporting dangerous conditions, and controlling workplace hazards is incumbent on every employee. The School Administrator should be informed immediately of any situation beyond the ability or authority of the employee to correct.

To the greatest degree possible, the School Administrator will provide all mechanical and physical protection required for personal safety and health, but each employee is responsible for conducting their work in a safe manner. Each employee is obligated to protect him or her and others from accidents in the course of their employment. It is important that safety rules be followed, that safeguards and safety equipment are used, and that safety be made a part of the job.

Employees are expected to report hazards and dangerous practices to the Safety Officer and/or the School Administrator.

Student Discipline & Bullying Policy Awareness

Staff shall review and follow the Discipline and Bullying Policy requirements in the Student/Parent Handbook. Reporting intimidation, harassment, or bullying behavior and assisting in the investigation any related claims that involve the staff is required.

Supplemental Occupations

Supplemental occupations, if engaged in by school employees, must not encroach upon the time the employee is expected to be at the school site or conflict with the execution of school activities

APPENDICES

Receipt of Cottonwood Valley Charter School Employee Handbook

CVCS Harassment Complaint Form

CVCS Sick Leave Bank Participation Form

Receipt of Cottonwood Valley Charter School Employee Handbook

I, _____, have received the Cottonwood Valley Charter School Employee Handbook on _____

My signature on this form acknowledges that I have received and agree to read the Cottonwood Valley Charter School Employee Handbook.

I understand that the policies contained within the Employee Handbook represent fundamental and mandatory policies of Cottonwood Valley Charter School, and I agree to comply fully with the standards contained in this handbook. I understand that compliance with these standards, policies, and procedures is a condition of my continued employment. Cottonwood Valley Charter School reserves the right to occasionally amend, modify and update the Employee Handbook.

Employee Signature

Date

CVCS Harassment Complaint Form

Complainant: _____

Home Address: _____ Home Phone: _____

Work Address: _____ Work Phone: _____

Date(s) and time(s) of alleged incident(s): _____

Name of person you believe harassed you or another person: _____

If the alleged harassment was toward another person, identify that other person:

Describe the incident(s) as clearly as possible. Include a full description of the events, and verbal statements (i.e., threats, requests, demands, etc.), and what, if any, physical contact was involved. Attach additional pages as necessary.

Where did the incident occur? _____

List any witnesses who were present: _____

How did you or the person harassed (if not you) react to the harassment?

This complaint is based upon my honest belief that _____ has harassed me or another person. I hereby certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge.

(Complainant's signature) (Date)

(Received by) (Date)

CVCS Sick Leave Bank Participation Form

Date: _____

To: _____

From: Sick Leave Bank Committee

The Governing Council approved the establishment of a Sick Leave Bank at their January 2013 meeting. (See approved guidelines in the Employee Handbook.)

You currently have _____ days of accrued sick leave.

If you wish to participate in the Sick Leave Bank, you must contribute one day of your accrued sick leave to the Bank. (The next sign up period will be during the coming January.) Once contributed, this day will be deducted from your leave records and will no longer be available for your personal use.

Participation in the Sick Leave Bank is entirely voluntary.

Please indicate below if you wish to participate, and return this form to the Business Manager no later than February 28th.

_____ I wish to contribute one (1) day of my accrued sick leave to the Sick Leave Bank.

_____ I do not wish to participate in the Sick Leave Bank.

Signature

Date

Please see the school's Administrator or Business Manager if you have questions about the Sick Leave Bank.