

**CAPITAN MUNICIPAL SCHOOLS  
BOARD OF EDUCATION**

<p><b>SECTION J SCHOOL – COMMUNITY RELATIONS</b></p>
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*This Section reviewed in June,2014 – no changes*

## **J.1 Parental Involvement in Education**

The Superintendent, in consultation with parents, teachers, and administrators, shall develop a procedure for parental involvement in the school(s). This shall include:

- A plan for parent participation in the school designed to improve parent and teacher cooperation in such areas as homework, attendance, and discipline.
- Giving notice to parents, explaining the budget process and inviting parental involvement and input in that process prior to the date for the public hearing.
- Giving notice to parents and other community members and inviting parental involvement in the instructional materials adoption process at the District level. Also giving public notice regarding the instructional materials adoption process, such notice may include publication in a newspaper of general circulation in the School District.

*Parent* means parent or person who has documented legal custody of the student.

*Adopted: December 2009*

## **J.2.0 Community Involvement in Education**

The Capitan Municipal Schools Board of Education endorses the concept that community participation in the affairs of the schools is essential if the school system and the community are to maintain mutual confidence and respect and work together to improve the quality of education for students. The Board, therefore, intends to exert every effort to identify the desires of the community and to be responsive, through its actions, to those desires.

All citizens will be encouraged to express ideas, concerns, and opinions about the schools to the school administration, the staff, to any appointed advisory bodies, and to the Board.

Residents who are specially qualified because of interest, training, experience, or personal characteristics will be encouraged to assume an active role in school affairs. From time to time such persons will be invited by the Board to act as advisers either individually or in groups.

The Board and the staff will give substantial weight to the advice they receive from individuals and community groups interested in the schools, especially those individuals and groups they have invited to advise them regarding specific issues, but will use their best judgment in arriving at decisions.

The Board assures that parents of students being served by various local, state, and federal projects will be provided adequate opportunity to participate in the planning, design, and implementation of said projects.

*Adopted: December 2009*

## **J.2.1 Public Gifts/Donations to Schools**

The Board has the authority to accept gifts and donations as may be made to the District or to any school in the District.

The Board reserves the right to refuse to accept any gift that does not contribute toward the achievement of the goals of this District and the ownership of which would tend to adversely affect the District.

Any gift accepted by the Board shall become the property of the District, may not be returned without the approval of the Board, and is subject to the same controls and regulations as are other properties of the District. The Board shall be responsible for the maintenance of any gift it accepts, unless otherwise stipulated.

The Board will make every effort to honor the intent of the donor in its use of the gift, but reserves the right to utilize any gift it accepts in the best interest of the educational program of the District.

In no case shall acceptance of a gift be considered to be an endorsement by the Board of a commercial product or business enterprise or institution of learning.

The Superintendent shall:

- Encourage individuals and organizations considering contributions to the schools to consult with the Superintendent on the appropriateness of any such gifts.
- Receive all nominal gifts and donations.
- Report to the Board substantive gifts that have been offered to the District, for their review and action.
- Acknowledge the receipt and value of any gift accepted by the District, and prepare fitting means, as appropriate, for recognizing or memorializing gifts to the District.

Gifts shall be recorded in appropriate inventory listing(s) and property records.

### **J.2.1-A Regulations Regarding Public Gifts/Donations**

To be acceptable, a substantive gift must satisfy the following criteria:

- It will have a purpose consistent with the Education Plan for Student Success.
- It will be offered by a donor acceptable to the Board.
- It will not begin a program that the Board would be unwilling to take over when the gift or grant funds are exhausted.
- It will not bring undesirable or hidden costs to the school system.
- It will place no restrictions on the school program.
- It will not imply endorsement of any business or product.
- It will not be in conflict with any provision of the school policy or public law.

All gifts, grants, and bequests shall become District property and subject to policies of the District.

*Adopted: December 2009*

### **J.3 Public Information and Communications**

The Superintendent has the responsibility of keeping the public informed as to the purpose, goals, methods, and progress of the educational program. Accuracy, reliability, and leadership in this area will develop confidence and understanding, creating better relationships between the District and the community. All school personnel are responsible for good public relations.

All written notices, bulletins, newsletters, and matters pertaining to students are to be approved prior to release. Matters that pertain to an individual school are to be approved by the principal prior to release. Matters that pertain to the District are to be submitted for approval to the Superintendent prior to release.

Non-school-originated material of a commercial, political, or religious nature shall not be released through the students.

This policy is not intended to interfere with the responsibility of District personnel to communicate directly with the parents or legal guardians of a particular student in areas affecting that student's progress at school. It is intended to ensure that prompt, reliable, and accurate information is released to the parents and patrons of the District.

*Adopted: December 2009*

### **J.4 Freedom of Information/Public's Right to Know**

The Board recognizes the right of the public to information concerning its actions, its policies, and the details of its educational and business operations. The Superintendent is appointed the custodian of public records and may delegate this duty as necessary. The custodian of records shall follow the directives of 14-2-7 NMSA (1978) in providing access to public records including the posting in a conspicuous place at the administrative office of the district the proper notice of a person's rights and the procedures.

The office of the Superintendent will be open to receive requests for records inspection or copying during normal business hours on Monday through Friday.

Requests for access to records shall be made in writing and directed to the office of the Superintendent and should state the record required with reasonable particularity. A "Request for Records Form" can be found in Appendix J-1.

The Superintendent may permit access to, or provide for the copying of, the records requested within a reasonable period of time following receipt of the signed request (fifteen [15] days) or will provide an explanation of a cause for further delay and will give notification of the time the records will be available, or, may deny access.

Requirements of access and inspection apply only to existing records and do not require creation of new records. Public inspection of a document that otherwise would be a public record may be denied by the Superintendent if (1) the record is made confidential by statute, or (2) the record involves the privacy interests of persons. If a public record contains material that is not subject to

disclosure, the District will delete such material and make available to the requester such material in the record as is subject to disclosure.

Records contained on a computer will be provided only in the form in which the information can be made available using existing computer programs.

Copies of radio or recording tapes of discs, video or films, pictures, slides, graphics, illustrations, or similar audio or visual items or devices will not be furnished unless such items or devices have been shown or played at a public meeting of the Board.

A fee shall be levied on each request to cover the cost of making copies, staff time, computer time, etc. Fees will be collected prior to releasing material.

The fees will be based upon the following:

- \$.10 (ten cents) per page for materials indicated as Board minutes, agendas, financial records, contracts, courses of study, or statistical summaries.
- One (1) dollar (\$1.00) per copy for materials not listed above that require additional clerical and/or professional staff time to make available.
- Actual cost, if available, will be assessed.
- Free copies shall be furnished if they are to be used in claims against the United States.

*Adopted: December 2009*

## **J.5 School Sponsored Information Media**

Publications issued by and in the name of the schools of this District shall reflect a high quality of editorial content and format. The exercise of appropriate economy in materials and production is expected as long as the main purpose is not jeopardized.

Articles circulated or submitted for publication by District employees in which the District or employees of the District are mentioned directly or indirectly must be cleared by the Superintendent.

*Adopted: December 2009*

## **J.6 Use of Students in Public Information Program**

The participation of students in interpreting the educational program of the schools to the community shall be encouraged with the understanding that:

- Students shall not be exploited for the benefit of any individual or group.
- Students shall participate only in appropriate situations.
- The use of students shall always be evaluated in terms of the effect on the students.
- Students shall not solicit or promote District issues without approval by the Superintendent's office.
- The best possible community relations grow from excellent classroom teaching.

Enthusiastic students with serious intentions, well directed by sympathetic and capable teachers, can communicate positively with parents and the community. This shall be the cornerstone of good community relations in the District.

*Adopted: December 2009*

### **J.7.0 Media Relations**

The Board recognizes its responsibility to provide information to the community and actively seeks to establish a good working relationship with local news media.

To promote a positive relationship between the District and the media, the Board shall provide information to the media concerning the programs and activities of the District as well as matters pending before the Board.

*Adopted: December 2009*

### **J. 7.1 Press Releases, Conferences, and Interviews**

All communication with the news media for the purposes of seeking or arranging news coverage, providing official statements from the District, or responding to requests from the news media shall be channeled through the office of the Superintendent.

*Adopted: December 2009*

### **J.8.0 Public Concerns and Complaints**

Whenever a complaint is made directly to the Board as a whole or to a Board member as an individual, it will be referred to the school administration for study and resolution, if possible.

If a member of the community has a complaint, the following procedures are intended to assist in its resolution:

- If the matter relates to a student, and it is appropriate, talk with the student's teacher. If the matter remains unresolved, talk with the school administrator.
- If resolution of a problem cannot be accomplished at the building level, either party may refer the matter to the Superintendent for review. Please refer to Appendix form J-2, "Public Concerns and Complaints" for submission.
- When a complaint is made directly to the Board as a whole or to a Board member as an individual, it will be referred to the school administration for study and resolution, if possible.

The Board will consider hearing citizen complaints when they have not been resolved by the administration. Matters referred to the Board as a whole must be in writing, should clearly identify the problem, and specifically state the desired action. The

Board will not consider or act on complaints that have not been explored at the appropriate administrative level.

*Adopted: December 2009*

### **J.8.1 Public Concerns/Complaints about Personnel**

Trust in staff members and support for their actions should be such that employees are freed from unnecessary, spiteful, or negative criticisms and complaints.

In spite of this, criticisms and complaints may be forthcoming from the community. These complaints are best handled starting at the school level and, when necessary, should proceed through the various administrative levels.

All formal complaints shall be referred to the Superintendent for investigation. The employee involved shall be given an opportunity, at each administrative level at which the matter is reviewed, for explanation, comment, and presentation of facts, either formally or informally. The employee will be afforded elements of due process as provided in New Mexico law.

#### **J.8.1-A Required Information**

The following information concerning a complaint is required:

- The name(s) of the person(s) making the complaint.
- Whether the person(s) making the complaint represents an individual or a group. If a group is represented, information shall be provided about the nature of the group and the manner in which the group has reviewed and taken a position on the matter.
- Whether the person(s) making the complaint has discussed the problem with the employee in question.
- A summary of the complaint(s) and of the above three (3) items.

The “Public Concerns/Complaints about Personnel” form is found in Appendix J-3.

#### **J.8.1-B Processing of Complaint(s)**

The complaint shall be presented to the employee toward whom it is directed, together with a suggested solution, personally and in writing by the employee’s supervisor. It is the responsibility of the employee's supervisor to keep the Superintendent informed as the matter is reviewed.

The employee will have a minimum of five (5) working days in which to reply to the complaint.

If the complaint is not resolved between the originator of the complaint and the employee, the complaint shall be reviewed by the employee's supervisor.

The Superintendent shall be the final level of review.

*Adopted: December 2009*

## **J.8.2 Public Concerns/Complaints about Instructional Resources**

Occasional objections to the selection of instructional materials may be made by the public despite the care taken to select materials most valuable for the student and the teacher. The complainant will be asked to complete the form "Citizen's Request for Reconsideration of Instructional Material" found in Appendix J-4. Upon receipt of a request for reconsideration, the Superintendent will review the work in question. After review by the Superintendent, copies of the request form and the report will be sent to the principal and the citizen.

If not satisfied with the decision contained in the report, the citizen may appeal the decision to the Board.

Should a complaint reach the Board, the Board may refer the matter back to the Superintendent for further review, or the Board may review the materials in question in the light of its policy establishing criteria for the selection of materials.

*Adopted: December 2009*

## **J.8.3 Public Concern/Complaint about Facilities and Services**

The Superintendent shall establish procedures to be used by citizens of the District who have complaints about District facilities or services. Such procedures shall provide for administrative review of such complaints and, further, shall provide for Board review at the request of the complainant if the matter is not resolved by administrative review.

Citizens of the District who have complaints about District facilities or services may register such complaints with the office of the Superintendent.

### **J.8.3-A Required Information**

The following information should be provided when making a complaint regarding facilities or services:

- Name(s) of person(s) making the complaint.
- Whether the person(s) represents an individual or group.
- Whether the person(s) making the complaint has discussed the problem with the site administrator.
- A summary of the complaint and suggested solution.

This information shall be provided on the "Public Concerns/Complaints about Facilities and Services" form found in Appendix J-5.

### **J.8.3-B Processing of complaint**

The complaint shall be presented in writing, with a suggested solution, to the site administrator. Five (5) working days will be allowed for a reply.

If a satisfactory response is not received within five (5) working days, a copy of the complaint may be forwarded to the Superintendent, who will have ten (10) working days to reply.

If a satisfactory response is not received within ten (10) working days, a copy of the complaint may be forwarded to the Board for its consideration. Consideration as to

the disposition of the complaint will be given within thirty (30) days.

If the matters of concern are eligibility and related procedures, procedural safeguards, or provision of a free and appropriate public education (FAPE), the matter may be referred at any juncture in the procedure to the Director of Federal Programs or the Superintendent.

*Adopted: December 2009*

### **J.9.0 Community Use of School Facilities**

This policy is adopted to govern uses of the buildings and other facilities of the Capitan Municipal Schools (the District) by non-school-connected persons and organizations. It does not apply to the District's own curricular or extracurricular activities, or to the use of District facilities by recognized student groups or by organizations which operate as recognized adjuncts to the schools' programs. Such school-related uses are governed by the District's internal operating policies and regulations. Nor does this policy apply to leases of the District facilities that are not needed for school purposes, which are covered in individual lease agreements or Joint Powers Agreements.

The school facilities are principally for the educational benefit of the people of New Mexico. An institution such as the Capitan Municipal Schools, however, may also enhance the quality of life in the communities it serves by making its facilities available to non-school groups for appropriate community-oriented activities.

It is therefore the policy of the Board of Education of the District that the District buildings and facilities should be available, subject to reasonable conditions, to non-school persons and organizations for activities that foster the educational, cultural, recreational, civic, moral, religious or social development of the community when the facilities are not otherwise needed for school-related purposes. The Board believes that the provisions set forth below represent a reasonable accommodation between those community interests and the District's interests in protecting its property, in preserving its limited financial resources for its primary educational mission, and in preventing its facilities from being used for activities that pose undue risks of harm to persons or property or from exploitation for purely commercial purposes.

*Adopted: December 2009*

#### **J.9.1 Permissible Uses**

The school program and school-related activities shall always have priority for the use of school facilities. Subject to those priorities and the further requirements set forth below, school facilities may be used by non-school persons or organizations for the following types of activities:

- Public education entities, municipal, county, and state government agencies for educational, training, and public information purposes (application required).
- Parent and community organizations of an educational nature directly involving or benefiting Capitan students (application required).
- Non-profit organizations, churches, and general community organizations

- (application required, and fees applicable).
- For profit business activities (application required, Certificate of Insurance required, and fees applicable).

*Adopted: December 2009; Revised March 2013*

### **J.9.2 Limitations on Otherwise Permissible Uses**

A requested use which would otherwise be permissible under the standards set forth above shall nevertheless be denied if the proposed activity would involve any of the following:

- A reasonably foreseeable risk, above and beyond the normal risks accompanying any gathering of people in a public place, of harm to the health, safety, well-being or property of non-participating members of the public or of students or school personnel assigned to the facility to be used;
- A reasonably foreseeable risk, above and beyond the normal risks accompanying any gathering of people in a public place, of harm to the health, safety, well-being or property of any participant in the activity, unless the applicant, in addition to complying with all other requirements of this policy, also provides satisfactory proof of adequate insurance coverage and of any other safeguards against liability on the District's part which the Superintendent may reasonably require under the circumstances of a given case;
- A reasonably foreseeable risk that state or federal laws or applicable local ordinances would be violated by or in the course of the requested activity;
- A reasonably foreseeable risk that the District property would be damaged or that the carrying capacity of a requested facility would be exceeded by the proposed activity, unless the applicant also makes additional arrangements which the Superintendent considers satisfactory under the circumstances;
- The consumption of alcoholic beverages or the use of other intoxicants as a planned part of the activity; or
- For any other good reason the Superintendent or the Superintendent's designee considers administratively reasonable and in the best interests of the District under the circumstances of a particular case, provided that any such denial, the reason(s) for such denial, and the basis for such reason(s) shall be committed to writing by the Superintendent or the Superintendent's designee and submitted to the party requesting the use of District facilities.

*Adopted: December 2009*

### **J.9.3 Application and Agreement for Use**

A non-school-connected individual, group or entity desiring to use District facilities for a permissible purpose shall initiate a request for approval by completing a written application in a form prescribed by the Superintendent. The application shall provide such information as is required to assess the proposed activity in light of this policy and to ascertain what demands the requested use would place on District facilities, staff, and other resources. The "Facility Use Request" form is found in Appendix J-6.

The Superintendent or the Superintendent's designee may require the applicant to provide such

additional information as is reasonably needed for these purposes. A request may be disapproved if an applicant refuses to provide sufficient information to permit an adequate assessment to be made.

The Superintendent or the Superintendent's designee may also require an applicant to provide such additional information and assurances as are contemplated under the standards set forth above for the protection of the District, its property, participating individuals or members of the public. A request may be disapproved if, after the submission of sufficient information to permit an adequate assessment, the Superintendent or the Superintendent's designee believes that inadequate provisions have been made for protecting persons, property or the district.

Applicants shall abide by District Board policies and administrative regulations and may be asked to pay appropriate fees.

Applicants shall also agree to the following:

- Will provide adequate supervision and control to prevent injury to persons or loss of or damage to property;
- Will repair or otherwise make good for any loss of or damage to school property which results from the proposed activity;
- Will defend and hold the Board and its employees and agents harmless from any claims for legal liability arising from the proposed activity;
- Will make such other arrangements as may be reasonably required by the District to satisfy the concerns addressed in the foregoing standards; and
- Will regard any permission granted for a requested use as personal to the applicant and not transferable to any other person, group or organization.
- The agreement may also include any other provisions, which the Board deems appropriate.

*Adopted: December 2009; Revised March 2013*

## **J.9.4 Administrative Procedures and Regulations**

The Superintendent by regulation shall prescribe such administrative procedures, forms and operational details as the Superintendent deems desirable to implement this policy. The regulations may authorize administrators or employees who have charge of school buildings or facilities to approve requests to use those facilities.

### **J.9.4-A Advance Approval**

No requested use of District facilities may occur unless the Superintendent or his or her designee has first approved the request in writing. Applicants shall be responsible for submitting requests a reasonable time in advance to permit adequate review pursuant to any procedures or timetables set forth in applicable regulations and in light of the nature of the proposed use.

#### **J.9.4-B Schedule of Charges**

The Superintendent shall develop and present for board approval a schedule of charges to defray the District's estimated actual costs for various types of uses, including compensation of any custodial or kitchen staff whose services may be required.

The schedule may provide that all or part of such charges may be waived for used by public agencies or entities. It may also provide for reimbursement through in-kind contributions of equivalent value to the District from nonprofit community groups whose resources do not reasonably permit cash reimbursement.

#### **J.9.4-C Disapproval/Review**

The Superintendent or an authorized designee may disapprove an application on any basis provided in this policy or for noncompliance with any provision of applicable regulations. An applicant whose request is denied by a designee may have the decision reviewed by the Superintendent on request. An applicant whose request is denied by the Superintendent may have the decisions reviewed by the Board at the next reasonably available opportunity following a timely request for review.

*Adopted: December 2009*

#### **J.10.0 Public Conduct on School Property**

A person commits interference with or disruption of an educational institution by doing any of the following:

- Willfully interfering with or disruption of the normal operations of an educational institution by either:
  - Threatening to cause physical injury to any employee or student of an educational institution or any person on the property of an educational institution.
  - Threatening to cause damage to the District, the property of the District, or the property of any person attending the District.
- Willfully entering or remaining on the property of an educational institution for the purpose of interfering with or denying lawful use of the property to others.
- Refusing to obey a lawful order given by the Superintendent or a person designated to maintain order.

Restitution for any financial loss caused by a violation of the policy may be required. Furthermore, an individual who interferes with or disrupts an educational institution may be subject to misdemeanor or felony charges.

A person may also interfere with or disrupt the District function by committing any of the following:

- Any conduct intended to obstruct, disrupt, or interfere with teaching, research, service, administrative, or disciplinary functions or any activity sponsored or approved by this Board.
- Physical or verbal abuse or threat of harm to any person on property owned or controlled by the District or at supervised functions sponsored by the District.

- Forceful or unauthorized entry to or occupation of District facilities, including both buildings and grounds.
- Illicit use, possession, distribution, or sale of tobacco, alcohol, or drugs, other controlled substances, or other illegal contraband on District property or at school-sponsored functions.
- Use of speech or language that is offensive or inappropriate to the limited forum of the public school educational environment.
- Failure to comply with the lawful directions of District officials or of District security officers or other law enforcement officers acting in performance of their duties, and failure to identify oneself to such officials or officers when lawfully requested to do so.
- Knowing violation of a District rule and regulation. Proof that an alleged violator has a reasonable opportunity to become aware of such rules and regulations shall be sufficient proof that the violation was done knowingly.
- Any conduct constituting an infraction of any federal, state, or city law or policy or regulation of the Board.
- Carrying or possessing a weapon on school grounds unless the individual is a peace officer or has obtained specific authorization from the appropriate school administrator.

*Adopted: December 2009*

### **J.10.1 Additional Requirements of the General Public**

The definition of *general public* is anyone who does not come under the definition of student, faculty member, staff member, or employee.

- No person shall visit or audit a classroom or other school activity, nor shall any person come upon or remain upon school premises, without approval by the principal or the principal's authorized representative. Nor shall any person conduct or attempt to conduct any activity on school premises without prior approval by the Superintendent or the Superintendent's authorized representative.
- Any member of the general public considered by the Superintendent, or a person authorized by the Superintendent, to be in violation of these rules shall be instructed to leave the property of the District. Failure to obey the instruction may subject the person to criminal proceedings and to any other applicable civil or criminal proceedings, or to tribal ordinance.
- Persons attending special functions shall confine themselves to the specific part of the facility assigned in the permit.
- Persons who engage in disorderly conduct of any kind may be subject to removal and exclusion from the facility.
- The use of facilities shall be granted only for legitimate purposes.

Therefore, the permit holder shall assume full responsibility for any unlawful act committed during the exercise of the permit.

*Adopted: December 2009*

## **J.11 Tobacco/Alcohol Use on School Premises at Public Functions**

The use of tobacco/alcohol products is prohibited in the following locations:

- School grounds.
- School buildings.
- School parking lots.
- School playing fields.
- School buses and other District vehicles.
- Off-campus school-sponsored events.

The prohibitions do not apply to an adult when possession or use of the tobacco products are for demonstration purposes as a necessary instructional component of a tobacco prevention or cessation program that is approved by the school.

Entrances to buildings and athletic facilities will be posted with a notice that these facilities are tobacco-free. Announcements will be made at school activities and events.

All District employees are expected to cooperate in the enforcement of this policy. A verbal warning should be given. If there is a second violation, the employee's supervisor must be notified for appropriate corrective action.

Members of the public using or blatantly flaunting tobacco/alcohol or tobacco/alcohol products on school premises shall be requested to leave the premises in accord with laws on trespass.

*Adopted: December 2009*

### **J.12.0 Public Solicitations in Schools**

A school employee's position in the District shall not be used to influence parents or students to purchase books or other merchandise, except for materials approved by the Superintendent for use in the classroom.

Solicitation of employees and/or students by any profit, nonprofit, or charitable groups, institutions, or organizations must have the approval of the Superintendent in advance. All solicitations shall identify the group/organization sponsoring the activity/fundraiser.

The District shall strive to safeguard the students and their parents from money-raising plans of outside organizations, commercial enterprises, and individuals. This policy shall apply particularly to ticket sales and sales of articles or services except those directly sponsored by school authorities or school organizations.

*Adopted: December 2009*

### **J.12.1 Advertising in Schools**

No materials used for propaganda purposes shall be permitted in school buildings or on school grounds or properties.

Product advertisement may occur incidental to the use of the product or service in the school but posting of advertisement shall be permitted only by authorization of the Board as lawfully permitted.

Nothing herein shall be construed to prevent advertising in student publications that are published by student organizations.

Use of the school system personnel to promote the merit of any product by brand name or trademark shall not be permitted.

*Adopted: December 2009*

### **J.13.0 Visitors to Schools**

The Superintendent shall establish school-visit procedures for the control of persons other than school personnel or students who enter District premises. Such procedures shall permit full use of all legal means to ensure that students, employees, and District property are properly safeguarded. No person, other than one who is a peace officer or one who has obtained specific authorization from the appropriate school administrator, shall carry or possess a weapon on school grounds.

*Adopted: December 2009*

### **J.13.1 Procedures for Visitors**

Parents are encouraged to visit the schools. For those who wish to visit a classroom during the school day, it is preferred that the teacher and the principal be contacted in advance to arrange a day and time for such visit so as to avoid any conflicts with the school schedule.

In visiting a classroom, parents must realize that the teacher's first responsibility is to the class as a whole, and the teacher will be unable to converse at any length with the visitor. If a conference is desired, arrangements will be made by the teacher for an appointment with the parent either before or after school hours.

No person may enter onto school premises, including visits or audits to a classroom or other school activity, without approval by the Principal. Neither will any person be allowed to conduct or attempt to conduct any activity on school premises that has not had prior approval by the Principal.

Anyone who is not a student or staff member of the District, and is in violation of this policy, may be asked to leave the property of the District. Failure to comply with the lawful direction of District officials of law enforcement officers acting in performance of their duties, and failure to

identify self to such officials or officers when lawfully requested to do so, will be against District regulations. Failure to obey such instructions may subject the person to criminal proceedings applicable under law.

Visitors shall abide by the following:

- All visitors must directly proceed to the administration office and sign in.
- Visitors must obtain and wear a Visitor's Pass while in the building.
- Visitors shall limit time at school to the specific reason/destination documented on the Visitor Registration form.
- Visitors at no time shall be alone with any students.
- At the conclusion of the visit, visitors shall sign out using the Visitor/Volunteer Registration form and return the Visitor's Pass to the office.

The Principal may make exceptions to this policy in the special circumstances of school assemblies and holiday dining festivities that do not involve a classroom visit.

*Adopted: December 2009*

#### **J.14.0 Relationship with Booster/Parent Organizations**

The Capitan Municipal Schools Board of Education encourages and promotes active parent involvement in all aspects of the educational process in the Capitan Municipal Schools. It is the responsibility of the Board to ensure that parent organizations' purposes and operations do not conflict with the Board's mission and that all groups follow required state financial practices and mandates.

*Adopted: December 2009*

#### **J.14.1 Group Status**

Parent organizations consist of Booster Clubs and Parent-Teacher Groups that constitute "outside groups" which are school related but are neither school-sponsored or student initiated groups. They must receive School District permission under the guidelines of this policy to use a school's name, mascot or logo and to use District facilities. Such approval is contingent upon receipt and review of an initial application containing the Constitution and Bylaws.

Parent organizations support and assist student activities or programs, both financially and with volunteer assistance to the school. Each organization must prepare and submit to the Superintendent a copy of its organizational Bylaws and Constitution prior to initiating such support or assistance. It shall identify the purpose of the organization, the officers and the schedule of meetings. All organizations must operate within the applicable standards and guidelines set by federal regulations and their respective state associations.

Upon formation and annually thereafter, each organization shall provide the District

with the names, telephone numbers and addresses of each officer, and the position held.

*Adopted: December 2009*

### **J.14.2 Accounting Practices**

Officers of the Booster/Parent organization are responsible to ensure that funds are spent only for purposes related to the goals and objectives of the group. The organization shall permit the school finance officer or designee to audit all receipts and disbursements in accordance with generally accepted auditing principles no less than annually. The organization shall not represent or imply that its activities, contracts, purchases, or financial commitments are made on behalf of or binding upon any one school or the District itself.

*Adopted: December 2009*

### **J.14.3 Fund Raising**

Each organization shall obtain the approval of the Superintendent or the Superintendent's designee to assure that scheduling of fund-raisers does not conflict with District programs or activities, and that the fund-raising process is consistent with the goals and mission of the District. School employees shall not act as the primary organizers or spokespersons for any fund-raising event of outside organizations.

*Adopted: December 2009*

## **J.15 Relations with Government Authorities**

The District shall seek to establish mutually beneficial relations with all local, county, state, and federal governmental agencies. Governmental agencies are an integral part of the community, and their participation shall be sought in matters that affect the educational program and quality of life in the community.

*Adopted: December 2009*

### **J.16.0 Relations with Law Enforcement**

The following policy shall be observed in connection with all contacts by law enforcement with students. A copy of this policy shall be provided to all local law enforcement and social services agencies so that mutual cooperation may be promoted.

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

*Adopted: December 2009*

## **J.16.1 Official Contact with Students in School**

### **J.16.1-A Administrative Authorization Required**

Law enforcement officers, including investigators employed by public agencies authorized to investigate child abuse, may not be permitted contact with any student except by the school principal or the principal's designee, or by the Superintendent, and pursuant to the procedures and requirements set forth in this policy. Appendix Form I-6 is provided to assist with documentation of "Official Contact with Students in School."

### **J.16.1-B Verification, Documentation, and Parental Notification Procedures**

Prior to any student being produced by a school principal for any contact with officers, the principal or the principal's designee shall:

- Write down the name, badge number, and agency of the officer(s), together with the date and time of appearance;
- Confirm by telephone with the agency that employs the officer(s) their identity and authorization in seeking contact with the student, and record the name and the position of the person confirming such information and the time of such confirmation; and
- In instances in which the officer(s) have appeared at the school to interview or make an arrest of a student for suspected criminal activity, the principal shall also determine and write down the agency's justification for conducting an interview or arrest of a student at school when such criminal activity has not been:
  - committed at the school;
  - committed during school-sponsored activities;
  - committed on school grounds, or
  - when such criminal activity involves crimes committed at the school for which assistance has not been requested by the principal; and
- In instances in which the officer(s) is acting pursuant to an arrest warrant, a search warrant, or other court document, the principal shall obtain a copy of such document.
- Contact the student's parent(s) or guardian, notify them of the contact and record the time of notification and the name of the person notified.
  - If upon the initial request for contact by the officer(s) or agency, the principal is directed by the officer either not to attempt to notify the student's parent(s) or guardian or to obtain the attendance of the student's parent(s) or guardian;
    - that direction should be added to the information recorded by the principal pursuant to this section; and
    - the officer should be asked to sign the statement; and
    - if the officer refuses to sign the statement, the principal should note on the statement that the officer refused to sign.

### **J.16.1-C Administrative Monitoring of Contact with Students**

After completion of the verification, documentation, and parent notification procedures, and upon administrative authorization, as described in this policy, a law enforcement officer may conduct an investigation within the school building and upon school grounds and interview students as possible witnesses in the principal's office or other administrative office.

If the investigation focuses on a particular student as a suspect of a crime, the school principal and the police officer shall follow the general guidelines set forth in this policy with respect to interrogation, search, and arrest. In addition, the principal shall follow the advice of rights provisions below.

The school principal shall keep a record of the procedural steps followed by the policy in conducting interrogations, and any instance in which the principal acts to preclude or terminate an interrogation.

All writings and records created pursuant to these procedures shall be retained as part of the school's records.

*Adopted: December 2009*

## **J.16.2 Police Investigations**

### **J.16.2-A Police Investigations at the Request of School Authorities**

A Principal may exercise his or her discretion in determining whether to request assistance of police in investigating any crime contrary to the laws of the State of New Mexico or of the United States, or any allegation of such crimes, including crimes committed at school or on school grounds during school hours, or during school-sponsored activities.

### **J.16.2-B Police Investigation without Request of School Authorities**

It should not ordinarily be necessary for police officers to interview students at school during school hours for criminal activity not committed at the school, during school sponsored activities, or on school grounds, or for crimes committed at the school for which assistance has not been requested by the principal.

If the police have determined that exigent circumstances exist to interview students at school regarding such crimes, the law enforcement agency shall first contact the school principal regarding the planned visit and shall give the principal the reason for conducting the investigation during school hours, school sponsored activities, or on school property and shall obtain his or her approval.

The Principal shall approve and cooperate with the police during the investigation unless the principal determines that the investigation is being conducted for the purpose of harassment or for reasons not related to a criminal investigation. In the event that the principal declines to approve the interview the principals shall immediately report his or her opposition to the Superintendent of Schools, who shall notify and discuss the opposition with the appropriate police supervisor. Approval shall not be unreasonably withheld.

A Principal shall not, in any event, prevent the appropriate law enforcement agency from serving or executing court process (i.e., summonses, warrants,

subpoenas) or court orders upon school grounds during school time, provided that the procedures set forth in above are observed.

A Principal may also designate a reasonable time and place for law enforcement contact with students including for service of process upon students under his or her control, in order to ensure that the educational process is not disrupted.

*Adopted: December 2009*

### **J.16.3 Requests for Police Assistance**

School principals are authorized, upon consultation with the Superintendent or the Superintendent's designee, to summon and seek assistance from law enforcement authorities in any case in which the activities of students or others is creating a threat to the health or safety of students or of others, or is disrupting or threatening to disrupt the educational program, normal operation, or lawful functions of the school.

*Adopted: December 2009*

### **J.16.4 Interrogation of Student Suspects in School**

If law enforcement officers deem it necessary to interrogate student suspects in school during school hours or school sponsored activities, and if criminal prosecution is anticipated by the law enforcement officers or the Principal, no interrogation shall commence unless:

- A parent or guardian is present to counsel the student; or has given permission for the interrogation absent their presence.
- The Principal or the Principal's designee cannot waive rights on behalf of the student, nor may he/she compel the student to submit to an interview or interrogation.

It is not the responsibility of the Principal to advise the student suspect of his/her basic rights as set forth in the Children's Code, Section 32-1-27 NMSA 1978.

The Principal shall not permit a student suspect age thirteen (13) or under to be photographed or fingerprinted unless the law enforcement officer presents a court order authorizing it.

*Adopted: December 2009*

### **J.16.5 Arrests of Students in Schools**

It should not ordinarily be necessary for police officers to arrest students at school during school hours for criminal activity not committed at school, during school sponsored activities, or on school grounds, or for crimes committed at the school for which assistance has not been requested by the Principal.

### **J.16.5-A Arrest with Advance Notice**

In cases where law enforcement agency deems it necessary to arrest a student during school hours or activities at school, the agency should notify the Principal of the intended arrest prior to dispatching officers to the school, and the Principal should request that an arrest warrant be presented and may request that a non-uniformed officer make the arrest, if possible, or that the services of school security officers be used if available.

### **J.16.5-B Arrest in Emergency Situation**

In emergency situations, where the immediate arrest of a student is deemed necessary by the police, including instances where the commission of a felony or serious breach of the peace has been witnessed by the police officer or if the police officer is in "hot pursuit" of the student for such crime, the police shall be entitled to take action to arrest the student on school property without a warrant.

In cases in which an arrest of a student has been made in an emergency situation in which the police have taken custody of a student without providing school authorities the opportunity to conduct the verification, documentation, and parental notification procedures outlined above, school authorities shall make every reasonable effort to have the arresting officer(s) comply with the verification, documentation and parental notification procedures before removing the student from school grounds. (See Appendix form I-7 for "Signature of Arresting Officer" form)

If the student has been removed from school grounds by law enforcement officers prior to compliance with the verification, documentation, and parental notification procedures, school authorities shall contact the arresting agency and complete the verification, documentation, and parental notification procedures as soon as possible after learning of the removal.

*Adopted: December 2009*

## **J.16.6 Search and Seizure by Police**

### **J.16.6-A On Request of School Authorities**

The principal may make a general search of students' lockers and desks, or students' automobiles on school property, for drugs, weapons, or items of an illegal or prohibited nature if, in the principal's judgment, public health or safety is threatened. Upon finding contraband this may be presented to police authorities for prosecution.

If a principal has received reliable information, which the principal believes to be true that evidence of a non-school related crime or stolen goods is located in a certain student's locker, desk, or in a student's or a non-student's automobile parked on school property, and there is no immediate threat to the health or safety of students or employees, he may report such information to the police who may seek a search warrant.

#### **J.16.6-B Without Request of School Authorities**

Police officers may not search a student's locker, desk, or automobile unless they have a search warrant, or a knowing, intelligent, and voluntary consent is given by the student.

A student's person may not be searched by police in school unless:

- Police have a search warrant; or
- The student is under arrest; or
- The police are acting upon probable cause to believe that the student is concealing contraband; or
- A knowing, intelligent, and voluntary consent is given by the student.

Notwithstanding the foregoing, a search of a student's person, locker, automobile on school grounds, or desk may be conducted by any police officer on school grounds during school hours if emergency circumstances exist and the police are acting upon probable cause to believe that the health and safety of the student or of others requires a search.

In all searches authorized by this policy, the principal or the principal's designee shall accompany the officer(s) in conducting such searches.

*Adopted: December 2009*