

2013-2014

**CLASSIFIED EMPLOYEES**

**TABLE OF CONTENTS**

**INTRODUCTION 1**

**PHILOSOPHY: PERSONNEL GOALS AND OBJECTIVES 2-3**

**EMPLOYEE STANDARDS OF CONDUCT 4**

**GENERAL OPERATIONAL PROCEDURES 4-7**

**ADVERTISING 4**

**ADDRESS CHANGE 4**

**CAFETERIA/LUNCH PROGRAM 4**

**COMPUTER USAGE 5**

**FIRE, DISASTER AND TORONADO DRILLS 5**

**MAIL 5**

**MEETINGS 5**

**SCHOOL CALENDAR 5**

**SCHOOL FACILITIES 5**

**Use Of 5**

**Care Of 5**

**SCHOOL HOURS 5-6**

**SCHOOL POLICIES 6**

**SERVICE AWARDS 6**

**SOLICITATION 6**

**STAFF ACTIVITY TICKETS 6**

**STAFF DIRECTORY 6**

**TELEPHONE/CELLULAR PHONE USE 7**

**TUITION ASSISTANCE 7**

**PERSONNEL POLICIES AND PROCEDURES/EMPLOYMENT**

**COMPENSATION AND BENEFITS 7**

**GROUP INSURANCE 7-9**

**Board Participation 7**

**Health Plan 7-8**

**Basic Life Plan 8**

**Voluntary Term Life Plan 9**

**Conditions 9**

**ASSIGNMENTS, TRANSFERS, & REASSIGNMENTS 9**

**RESIGNATION 10**

**SUSPENSION 10**

**CONDITIONS OF EMPLOYMENT 10**

**EQUAL OPPORTUNITY EMPLOYMENT 10-11**

**HEALTH EXAMINATION 11**

**NON-SCHOOL EMPLOYMENT 11**

**LEAVES AND ABSENCES 11-16**

**Personal Leave 11-12**

**Death/Illness of a Close Relative 12**

**Professional Leave 12**

**School Business/Instruction Leave 12**

**Military Leave 12**

**Community Service Leave 13**

**Family Leave 13**

**Court Leave 13**

**Sick Leave 13-14**

**Automated Substitute Caller System 14**

**All Leave Other Than Sick Leave 14**

**Family and Medical Leave (FMLA) 14-15**

**Sick Leave Bank 15**

**Workers’ Compensation Leave 16**

**COMPENSATION AND BENEFITS**

**VACATIONS AND HOLIDAYS 16**

**Accumulation 16**

**Duty Days 16**

**REPORTING OF ABSENCES 17**

**SALARIES 17**

**Schedule of Payment 17**

**Notification of Employment 17**

**Contract Days 17**

**Salary Schedules 17**

**Extra Time 18**

**Salary Deductions 18**

**Direct Deposit 18**

**TAX SHELTERED ANNUITY 18**

**MISCELLANEOUS POLICIES 18-24**

**REPORTING ACCIDENTS 18**

**CONFLICTS OF INTEREST 18**

**EMPLOYEE DRUG AND ALCOHOL ABUSE POLICY 19-20**

**EMPLOYEE GRIEVANCE 20**

**NEPOTISM 20**

**ORIENTATION AND TRAINING 20**

**PARTICIPATION IN COMMUNITY ACTIVITIES 20-21**

**POSTING OF POSITIONS 21**

**RECORDS 21-22**

**REPORTING OF SUSPECTED CHILD ABUSE OR**

**ALCOHOL/DRUG ABUSE 22**

**RETIREMENT 22**

**SAFETY AND HEALTH/HTLV-III Virus (AIDS) 22-23**

**SERVICE AWARDS 23**

**SEXUAL HARASSMENT 23**

**STAFF IN-SERVICE DAYS 23**

**TOBACCO POLICY 23**

**TRAVEL EXPENSE 24**

**WEAPONS 24**

**CODE OF ETHICS AND CONDUCT 25-31**

**INTERNET USE POLICY 32-33**

**NEPOTISM CHART 34**

**PROFESSIONAL DRESS CODE 35-36**

# HOBBS MUNICIPAL SCHOOLS

**STAFF MANUAL FOR**

**CLASSIFIED EMPLOYEES**

**INTRODUCTION**

Employees of the Hobbs Municipal School District should be informed of the policies, regulations, and practices of the school system. This manual is provided as a source of information to the classified employee. For more detailed information about school policies, the Board of Education codified policy manual should be consulted.

For specific procedural information at the building or assignment level, consult your immediate supervisor and/or the building or program staff handbook.

This category includes all employees with the exception of teachers, directors, coordinators, counselors, social workers, administrators, ancillary specialists, and nurses.

**PHILOSOPHY: PERSONNEL GOALS AND OBJECTIVES**

**GOALS**

The Board shall employ qualified teachers and staff who will provide instruction and experiences, which will enable students to learn and acquire knowledge and skills needed to assist them in becoming productive and contributing members of the American society.

**OBJECTIVES**

Each employee of the Hobbs Municipal School District shall:

1. Fulfill his/her assigned duties and responsibilities in such a manner as to merit the respect and confidence of students, colleagues and community.

2. Demonstrate an understanding of his/her job by competently performing assigned duties.

3. Demonstrate respect for the roles of colleagues by supporting, assisting, and cooperating with colleagues whenever possible.

4. Demonstrate loyalty to the Hobbs Municipal School District and the education profession by faithfully discharging duties and assignments in a professional manner and by the continuous upgrading of skills and knowledge required for better performance of duties.

5. Demonstrate qualities of responsible citizenship by maintaining a status of good standing in the community.

Professional personnel should work toward the following attributes:

**Children’s Priority** - Placing the welfare of children first in importance.

**Educational Opportunity** - Providing equal education opportunities for children through personalized and individualized service for each child according to the child’s needs and abilities.

**Good Instruction** - Keeping instruction as the purpose for which the public schools exist and working always for the improvement of instruction.

**Ethics** - Maintaining high standards of professional and personal ethics in all relationships.

**Integrity and Dedication** - Maintaining public respect for Hobbs Municipal Schools and its employees through integrity, personal dedication, prompt discharge of financial obligations, and personal responsibilities.

**Knowledge of School Policies** - Knowing and supporting Hobbs Municipal School policies and participating actively in the interpretation, enforcement and explanation of school policies to others.

**Knowledge of Hobbs Municipal Schools** - Knowing the programs, problems and needs of the Hobbs Municipal Schools, and in turn, informing others.

**Approachability** - Being friendly and accessible at all times.

**Loyalty** - Encouraging loyalty by being loyal to the Hobbs Municipal School System, its philosophies, objectives, and supporting co-workers in the cause of public education.

**Cooperative Effort** - Pooling and sharing ideas for improvement of the Hobbs Schools.

**Attendance and Punctuality** - Being capable of maintaining a good attendance record as well as being punctual.

**Basis for Decisions** - Being capable of making decisions in conformity with the policies of the Hobbs Municipal School System.

**Good Manners** - Being fair, courteous, and cooperative in all human relationships.

**Being Helpful** - Giving suggestions for improvement in a pleasant and helpful manner.

**Good Home-School-Community Relations** - Contributing constantly to a program designed to improve home, school, and community relations.

**Individualism** - Believing in the potential greatness of individual students.

**Morale** - Contributing to good morale by performing well the duties of one’s position and those incidental to all school employees.

**Neighborliness** - Being a good neighbor and school employee by caring about what happens to their school employees and students of the Hobbs Municipal Schools.

**Orientation of Newcomers** - Helping newcomers to feel at home and share in orientation of new teachers to the school and community.

**Work Efficiency** - Planning and organizing regular work for maximum efficiency.

**Responsible Citizenship** - Accepting personal responsibility for performing well the functions, duties, and responsibilities common to all personnel of Hobbs Municipal Schools, as well as for those peculiar to one’s assignment; thus practicing “the buck stops with me” philosophy.

**Safety Habits** - Observe all safety rules and regulations.

**Teaching and Learning Priority** - Exercising vigilance in protecting teaching and learning time.

**Scope of Thinking** - Encouraging creative and imaginative thinking.

**Trustworthiness** - Keeping personal confidences and professional matters inviolate.

**EMPLOYEE STANDARDS OF CONDUCT**

The following standards of conduct shall apply to all employees of the Hobbs Municipal Schools:

1. No employee shall accept or solicit any gift, favor, or service that might reasonably tend to influence the employee in the discharge of official duties or that the employee knows or should know is being offered with the intent to influence official conduct.

2. No employee shall accept employment or engage in any business or professional activity that the employee might reasonably expect would require or induce the disclosure of confidential information acquired by reason of the official position.

3. No employee shall accept other employment or compensation that could reasonably be expected to impair the employee’s independent judgment in the performance of official duties.

4. No employee shall make personal investments that could reasonably be expected to create a substantial conflict between the employee’s private interest and the public interest.

5. No employee shall intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised official powers or performed official duties in favor of another.

The personal appearance of a Hobbs Municipal School employee is a vital factor in gaining the proper respect of students. Employees shall avoid inappropriate clothing, extreme hairstyles, and fads that are in poor taste.

Clothing shall be clean, neat, and in good repair. Appearance should not distract from the educational process. (See Professional Dress Code on Page 35-36).

**GENERAL OPERATIONAL PROCEDURES**

**ADVERTISING**

The school system shall not serve as a medium for distributing commercial advertising or special propaganda of vested or special interest groups, including political candidates. Distribution of any non-school related materials must be approved by the Superintendent or designee.

**ADDRESS CHANGE**

Complete the appropriate paperwork in the Human Resources Office when a change of address occurs. An employee should notify his/her immediate supervisor as soon as possible of any change of address or telephone number.

**CAFETERIA/LUNCH PROGRAM**

Lunches are prepared daily at Nutritional Services on the high school campus and transported to the elementary and junior high schools. Menus are planned to meet 1/3 of the recommended daily allowance (nutritional needs) of our students and according to federal guidelines. Under certain conditions, meals are provided for students on a free or reduced cost basis. Staff may purchase meals according to adult cost identified by the Superintendent.

**COMPUTER USAGE**

See pages 32 through 33 for acceptable use policies for internet access.

**FIRE DRILLS**

Each school location will conduct a fire drill once a week during the first month of the school year and once a month thereafter as required by New Mexico State law. Staff is to participate in the scheduled fire, disaster and tornado drills.

**MAIL**

(Requirement information is available in mail room at Central Administration Office).

Inter-school mail service - “Pony Express” - is available to the staff on a daily basis.

Mail is picked up at each school and processed through the school postage meter if it is for school business, is on school stationery, and the address is typed.

Incoming mail is received at the Central Administration Office and is forwarded to each school via Pony Express.

**MEETINGS**

All employees are required to attend general staff meetings called by the Superintendent or immediate supervisor.

**SCHOOL CALENDAR**

New Mexico statutes require 180 school days per school year for students. The school calendar is constructed to meet this requirement and also provide pre-school and post-school in-service periods for the staff. The staff is involved in the planning of the calendar.

The Central Office maintains a master school activity calendar. Any activity, which involves all or most of the schools in the system, should be noted on the master activity calendar.

**SCHOOL FACILITIES**

**Use Of:** School facilities are available to groups not affiliated with the Hobbs Municipal Schools. Requests to use school facilities should be first directed to the building principal. Charges for this use are outlined in Section EBG of the Board Policy Manual and are directed to the Director of Finance.

**Care Of:** Person(s) responsible for damage to, defacement of, or breakage of school property, either intentionally or carelessly, shall pay for such losses at the rates equivalent to replacement costs.

**SCHOOL HOURS**

Employees will meet the time schedule of the school day as stipulated by the Superintendent. The school principal may add duties and/or responsibilities to the employee. If there is a three hour delay in time to arrive due to bad weather or any other reason directed by the Superintendent or his designee, employees

are to arrive three hours later than their designated time of arrival. Central Office, Maintenance, Custodians, Secretaries, Administrators, Directors, Supervisors are to report as close to regular time as

safety allows. If the three hour delay becomes a “schools closed” then Administrators, Directors, Supervisors, and Secretaries are to remain at their work site until 11:00 a.m. All twelve month employees are to work the full day unless given different information from the Superintendent’s Office. The three hour delayed start times for students are:

Elementary – 10:45 Freshman School – 11:20

Junior High – 11:30 High School – 11:20

**SCHOOL POLICIES**

A copy of the Hobbs Board of Education Policy Manual is online and in each principal’s office for staff reference. Each principal and/or program Supervisor may also provide the staff member with a building or program handbook.

**SERVICE AWARDS**

The Board of Education annually awards employees for five (5) years of service and multiples thereof. Consecutive years of service are not necessary. To receive one (1) year of service, a nine month employee must have worked a minimum of ninety-one (91) days in that school year.

**SOLICITATION**

The Superintendent will see that staff members are not disturbed during the duty day by solicitors and in turn will encourage staff members to refrain from solicitations which involve the school system, other than for authorized purposes.

**STAFF ACTIVITY TICKETS**

All Hobbs Municipal School employees have the option to purchase a staff activity ticket which admits them to any school activity except Border Conference Games, District Play-off Games, and Holiday Tournaments. All employees may also purchase a staff ticket for their spouse.

Employees assigned to a school may purchase their activity ticket(s) from their school secretary during the first twelve weeks of school. After that time, tickets may be purchased at the Athletic Office.

Employees from Nutritional Services, Maintenance and Transportation Departments may purchase their tickets from the Athletic Office.

**STAFF DIRECTORY**

A staff directory is available on the HMS webpage.

**TELEPHONE /CELLULAR PHONE USE**

Employees will not be called from their duty station to answer telephone calls except in cases of urgency. No long distance calls are to be made from a school phone unless approved by the principal or supervisor. Cell phone usage during class time is not allowed.

**TUITION ASSISTANCE**

Classified personnel may apply for Tuition Assistance at the end of each semester through the Human Resources Office. Tuition Assistance for reimbursement must be submitted no later than six (6) months after the last day of the class(es) for each semester. All applications are reviewed by the Assistant Superintendent for Human Resources.

**PERSONNEL POLICIES AND PROCEDURES**

**EMPLOYMENT COMPENSATION AND BENEFITS**

**GROUP INSURANCE**

The Hobbs Municipal School Board of Education contracts, as a service to employees, for group major medical, dental, and life insurance, with the New Mexico Public School Insurance Authority. (NMPSIA)

**Board Participation**

The Board participates in payment of your insurance premiums from sixty percent (60%) to seventy-five percent (75%) depending upon the employee’s annual salary.

**Health Plan**

Health care coverage is provided by Blue Cross Blue Shield of New Mexico or Presbyterian.

Types of Coverage Available

A. Employee Only

B. Employee & One Dependent (Spouse or Child)

C. Employee and Two or More Dependents (Spouse & Children)

Contact Information

Presbyterian:

A. Member Services / Questions: 1-888-275-7737

B. Traveling Out-of-State or 1-877-275-7737

Emergency: C. Mail Order Prescriptions:

Express Scripts 1-800-498-4904

Blue Cross Blue Shield:

A. Member Services / Questions: 1-888-9-NMPSIA

(1-888-966-7742)

B. Express Scripts 1-800-498-4904

NMPSIA Employee Benefits Plan Telephone Numbers:

A. Davis Vision 1-800-999-5431

B. United Concordia 1-888-898-0370

C. BCBS 1-888-966-7742 or

1-505-837-8889

D. Presbyterian 1-877-275-7737

E. Express Scripts 1-800-498-4904

F. The Standard 1-888-609-9763

Basic Life Claims and

Voluntary Life Claims

G. American Fidelity 1-800-662-1113

Disability Claims

Contact Employee Benefits Office of Hobbs Municipal Schools at the Central Administrative Office (433-0141).

**Basic Life Plan**

The basic life insurance plan is offered under the NMPSIA by The Standard.

Hobbs Municipal Schools provides to all contract employees a $50,000 life insurance policy. (The

total premium cost for the Basic Life insurance is paid by the Hobbs Municipal Schools).

**Voluntary Term Life Plan (Optional)**

A voluntary employee group term life insurance is provided under a Group Policy issued by The Standard Insurance. The employee must make application during their initial employment. Otherwise, the employee will be required to furnish evidence of good health satisfactory to The Standard for the employee and each of their eligible dependents.

**Cost:** The employee shall pay the total cost of the premium, which is based upon “age table” rates.

**Options:** An employee may select additional life insurance coverage of one, two or three times their annual base contract. The employee may also select additional life insurance coverage for their legal spouse and/or children.

***Conditions****:*

**New Employees:** New employees have thirty (30) days to avail themselves of the Board-Employee sponsored group insurance plan without evidence of insurability as well as providing a copy of publicly state filed Certificate of Marriage, Social Security Numbers and/or publicly state filed birth certificates for all dependents.

**Returning Employees:** Returning employees who are carrying the insurance and do not desire to continue must make a request in writing to discontinue as well as complete all necessary paperwork regarding this change.

**Dependent Coverage:** Dependent coverage is available under all programs.

**Employees On Leave of Absence:** An employee on a Board approved leave of absence may continue to participate in all phases of the group insurance program under the COBRA Plan. The Board does not participate in the premiums while the employee is on leave of absence.

**Retired Employees:** Employees retiring shall have the option of keeping their insurance program in force for themselves and their dependents provided the retirement is in accordance with the Educational Retirement Act. The Board will not participate in premium payments.

**Federal Family & Medical Leave Act:** An employee on approved Federal Family and Medical Leave may continue to participate in all phases of the group insurance as long as the employee continues to pay his/her share of the premium. The Board will continue to pay their portion of the premium if the employee’s portion is continued.

**ASSIGNMENTS, TRANSFERS, & REASSIGNMENTS**

All employees are subject to assignment and reassignment by the Assistant Superintendent for Human Resources and/or their program supervisor. Staff may request in writing, to transfer to another school or position. The written request must be submitted by April 1, to the Assistant Superintendent for Human Resources and the building Principal.

**RESIGNATION**

A written resignation is required, stating the termination date and reason for resignation. Two- (2) weeks notice of resignation for non-certified personnel is requested. Each classified employee must complete resignation procedures through the Human Resources Office before leaving the District. The following is to be completed:

1. Letter of Resignation

* Retirement Refund (if desired)

1. Insurance (Stop Date, Cobra Notification)
   * + Change of Address for W-2

**SUSPENSION**

The District recognizes the legal rights of employees and assures them the protection of due process by law. To guarantee such rights, the following procedures will be followed in each case of suspension of an employee:

Suspension of an employee will be ordered by the Superintendent for nonperformance of duty, incompetence, immorality, inefficiency, or “for other good and sufficient causes”. An employee may be suspended or placed on Administrative Leave from duty pending the outcome of a hearing or investigation of charges. Suspensions or Administrative Leave Suspension will be “with” or “without” pay as deemed appropriate by the Superintendent.

**CONDITIONS OF EMPLOYMENT**

The classified employee is required to provide the following to the Human Resources Office:

Transcripts: A copy of high school diploma or GED must be on file. An official copy of college transcripts must be provided (when applicable).

Immigration & Naturalization Employment Eligibility Verification (I-9) Form: Completed form provided by Human Resources Office and must provide proper identification as required by Federal Law within three (3) working days.

If at any time a question should arise on the mental competency or physical ability of a school employee to perform the assigned responsibilities, the school will require a complete examination by a school-appointed doctor at the direction of the Superintendent. This service will be financed by the school.

**EQUAL EMPLOYMENT OPPORTUNITY**

It shall be the policy of the Board to recruit and select for employment the best qualified applicants for each position without regard for race, color, creed, sex, or national origin; nor shall any person be denied employment or promotion because of age or marital status.

The Hobbs Board of Education publicly adopted a resolution on October 13, 1975, stating that it would comply with the provisions of Title IX of the Education Amendments of 1972. This amendment and the rules and regulations associated therewith prohibit discrimination on the basis of gender at school activities, programs, policies, and employment practices.

The Board designates the Assistant Superintendent for Human Resources and/or the Assistant Superintendent of Instruction as persons to contact regarding compliance with Title IX.

Inquiries concerning compliance with Title IX and its rules and regulations may be referred to the school district personnel designated or to the Director of the Office for Civil Rights.

**HEALTH EXAMINATION**

See conditions of Employment.

**NON-SCHOOL EMPLOYMENT**

Classified employees may not hold another job that interferes with employment with Hobbs Municipal Schools. Under no circumstances should work be performed for any other employer during the employee’s regularly scheduled work schedule for Hobbs Municipal Schools.

**LEAVES AND ABSENCES**

The Board authorizes the following types of personal leaves and absences for the staff. (i) personal business; (ii) personal or family illness or disability; (iii) community service; (iv) election official, jury

duty, and short duration military service; (v) death of a close relative; and (vi) family leave. The Board will govern the conditions of these leaves. Requests for absence, other than sick leave, must be made on a prescribed form or AESOP to the building principal/supervisor, who will forward it with an endorsement to the Superintendent or his designated representative.

**Personal Business**

Personal business leave is available for staff members with the following stipulations:

a. Each employee will be entitled to three (3) days of personal leave for which the employee need not state a reason. Personal Leave days may not be accumulated.

b. The employee may take one (1) day of Personal Sick Leave, called an “H” Day. The employee will be charged one (1) of the three Personal Leave Days allowed per school year, and one (1) Sick Leave day, which will be charged against his/her accumulated sick leave. (The employee may choose to pay the cost of the substitute in order to save this day of accumulated sick leave).

1. If an employee has accumulated sixty (60) or more sick days as of the beginning of the employee’s contract year, the employee is entitled to have a second “H” Day. The employee will be charged one (1) of the three Personal Leave Days allowed per school year and one (1) Sick Leave Day, which will be charged against his/her accumulated sick leave.
2. If an employee takes one or both of their Personal Leave Days, the employee shall have deducted 1/3 of their daily rate for each of the remaining two days of personal leave taken.

e. Personal leave will not be granted during the opening or closing weeks of school nor for the expansion of holidays scheduled during the school year without approval of the Superintendent or designee.

**Death/Illness – Of a Close Relative**

If all leave has been exhausted and the employee has a death of a close relative, the employee may request Death/Illness Leave from the Superintendent or his designee. This written request must be submitted to the Superintendent or his designee. The cost of this leave is 1/3 of the daily rate per day absent. Approved sick leave for death in the immediate family shall be limited to not more than five (5) work days for each occurrence, and is subject to the approval of the Superintendent.

**Professional Leave**

a. Leaves of Absence may be approved by the Superintendent for attendance at meetings and conferences or other activities considered beneficial to the instructional program. The employee shall not suffer a loss of pay unless otherwise agreed to, but shall not receive travel and per diem.

b. Requests for such leave must have prior approval of the immediate supervisor and the Superintendent or designee.

**School Business/Instruction Leave**

a. Leaves of Absence may be approved by the Superintendent for attendance at activities as a representative of the District.

b. Requests for such leave must have prior approval of the immediate supervisor and the Superintendent or designee.

c. Once approval is granted, the employee is entitled to the benefits of travel and per diem reimbursement.

**Military Leave**

Employees shall be entitled to military leave in accordance with State and Federal Law.

**Community Service Leave**

Leaves of Absence may be granted to an employee for the purpose of community service. Such leave must have prior written approval of the Superintendent. Salary deduction will be the cost of the substitute.

**Family Leave**

A Leave of Absence may be granted, not to exceed five (5) days, when the employee has exhausted all other leave, to attend “once-in-a-lifetime” events in which the employee has no control over the date (i.e. college graduation, 50th wedding anniversary of parents). Approval must be given in advance by the Superintendent.

**Court Leave**

a. Leave will be provided for such time as is necessary for jury duty or appearance(s) in court or other legal proceedings the employee is required to attend by law excluding the employee’s self-employment or for personal family incidences.

b. Employees who are subpoenaed to court will not be subject to salary deductions pending prior approval by the Superintendent or designee.

c. Such Leaves of Absence will be granted with pay up to the amount of the difference between the employee’s regular earnings and any amount, other than the reimbursement for transportation and expenses, received for jury or witness fees. The amount of the difference, in the form of check or cash, should be turned in to the Human Resources Office. At that time, you will complete a jury duty form. Employees cannot be paid twice for the hours worked. Employees may only be paid their wage, (excluding transportation and expenses) by the Hobbs Municipal Schools or by the court.

**Sick Leave**

According to School Board Policy GAPA, Section E., the Superintendent or designee shall ensure that

sick leave is used only for:

1. illness or injury to the employee;

2. illness or injury of a member of the employee’s “immediate family” (see page 34); and

3. death in the employee’s “immediate family” (see page 34)

All persons absent from duty because of any reason listed above shall be charged sick leave as used even if a substitute is not employed.

The claiming of sick leave under this program shall be approved only for the reasons listed above. Certification of personal illness or inability to report for duty by a doctor who is duly registered and licensed, (i.e., a licensed doctor of dentistry, a licensed chiropractor, or a licensed podiatrist) shall be required for absence due to illness or injury in excess of five (5) consecutive workday’s duration. The certification shall state the employee’s medical condition precluding the employee from working and the expected duration of absence.

Approved sick leave for death in the immediate family shall be limited to not more than five (5) work days for each occurrence, and is subject to the approval of the Superintendent.

**AUTOMATED SUBSTITUTE CALLER SYSTEM**

When it is necessary to be absent, it is the employee’s responsibility to notify the immediate supervisor and the sub-caller at the earliest opportunity to indicate the probable duration of the absence. All employees will call in their leave days through the AESOP automated substitute caller system or go to AESOP online and enter them on the computer. If employees encounter problems, they may reach the Employee Benefits Office at 433-0141. The phone will be answered from 7:30 am to 4:30 pm.

**All leave other than sick leave** (Professional, School Business, Jury Duty, Vacation, Personal, Athletic, etc.) will be reported to the building supervisor on a leave request form and/or AESOP. Entering this information in a timely manner is imperative in order for the substitute calling system to function properly.

Please remember only substitutes from the current substitute list can be used.

**Family and Medical Leave (FMLA)**

As an employee of the Hobbs Municipal Schools, you can apply for unpaid Family and Medical Leave. Benefits shall be up to a maximum of 12 weeks. (Requirements must be met.) All earned paid leave is included in the 12 weeks maximum.

The following leave provisions are established and shall be administered in compliance with the Family and Medical Leave Act of 1993 (FMLA).

**a. Parental Leave**

Parental leave, without pay, shall be granted to an employee, upon written request, for the following reasons:

1. Childbirth and infant care.
2. Placement of a child with the employee for adoption or placement of a child with the employee by a state agency for foster care.

1) An employee who is pregnant may begin such leave at any time between the commencement of her pregnancy and one (1) year after the birth of the child

.

2) An employee who is pregnant may continue in active employment as late into her pregnancy as she and her physician recommend, provided she is able to properly perform her required function as a school employee.

3) All or any portion of leave taken by an employee because of verified medical disability connected with or resulting from such pregnancy or childbirth may, at the employee’s option, be charged to her available earned sick leave.

4) A male employee requesting such leave for the purpose of caring for his child may begin such leave at anytime between the birth of the child and one (1) year thereafter.

5) An employee adopting a child or receiving a child for foster care may begin such leave at any time from the date of placement and one (1) year thereafter.

6) Employees requesting parental leave shall notify the Assistant Superintendent for Human Resources in writing of his/her request and, except in cases of emergency, submit such request no less than thirty (30) calendar days prior to the date on which the leave is to begin. If the employee is requesting the leave for the purpose of childbirth, she shall include with such request a physician’s certificate of pregnancy.

**b. Medical Leave**

Medical leave, without pay, shall be granted to an employee for the following reasons:

* Care of an employee’s spouse, son, daughter or parent with serious health conditions; and
* The inabilities of the employee to perform his/her duties due to his/her own serious health condition or the necessary absence from work of an employee to receive medically necessary treatment.

1) An employee requesting such leave for personal illness or disability under this section must have exhausted all accrued sick leave and personal leave prior to beginning the unpaid leave.

2) An employee’s written request for medical leave must be accompanied by a health care provider’s certification of illness and state a probable date of return.

3) Should your contract be stopped due to participation in FMLA (or other approved absence) you must complete the required paperwork with the Employee Benefits Office and Human Resources Office.

**Sick Leave Bank**

A District-wide Sick Leave Bank is established, in which all employees may participate.

The Sick Leave Bank shall be administered in accordance with the “Guidelines for Hobbs Municipal Schools - Sick Leave Bank”. This is available in the Employee Benefits office at the Central Office.

**Workers’ Compensation Leave**

Hobbs Municipal School District does not designate a health care provider in the event of a work related injury. If medical attention is necessary, please contact the Employee Benefits Office at 433-0141, or if it is an emergency go directly to the Emergency Room.

All Worker’s Compensation claims, physician visits, prescriptions, procedures, treatments and tests *must have prior approval* from the Employee Benefits Office (433-0141). If you are off work due to a work related injury, you *must* communicate with the Employee Benefits Office following all physician visits and provide copies of all patient status reports, work restrictions and/or work releases to your supervisor and the Employee Benefits Office.

Employees absent due to on-the-job injuries may choose to receive their full monthly school salary and will have accumulated sick leave days charged against them (one day for each workday absence). Or employees may choose to receive only the monthly remuneration paid by the workers’ compensation insurance equal to 66 2/3% of salary or a maximum of $733.16 per week without reduction of accumulated sick leave days.

**COMPENSATION AND BENEFITS**

**VACATIONS AND HOLIDAYS**

Employees who are employed for 240 or more days of a calendar year shall be granted annual vacation with pay in accordance with the following schedule:

1. Employees with six to twelve months of service shall be given five vacation days.

2. Employees with one to ten calendar years of service shall receive ten vacation days.

3. Employees with eleven to fifteen calendar years of service shall receive fifteen vacation days.

1. Employees with sixteen to twenty calendar years of service shall receive twenty vacation days.

**Accumulation**

Vacation days carried over from the year in which they accrue must be used no later than the end of the following fiscal year.

Accumulated vacation time may be used for extensive travel or study if approved by the Superintendent. The intent to allow vacation time to accrue for the foregoing reasons shall be submitted to the Superintendent and approved by the Board prior to the time of the beginning of vacation accrual.

Except with individual approval by the Superintendent, vacations shall be taken between June 1 and August 30 of the current calendar year.

**Duty Days**

The total number of duty days per year will be specified by the work calendar that is designated by the Superintendent.

**REPORTING OF ABSENCES**

**Arrangement for Substitutes**

When it is necessary to be absent, it is the employee’s responsibility to notify the immediate supervisor and the AESOP hotline at the earliest opportunity to indicate the probable duration of the absence. All employees will enter their leave in AESOP. If an employee should encounter any problems they can reach the Employee Benefits Office 7:30am to 4:30pm at 575-433-0141 Monday through Friday.

The proper paperwork and/or AESOP notification should be completed prior to taking leave other than sick leave.

**SALARIES**

**Schedule of Payment**

All school personnel will be paid twice per month during a twelve-month period although services may be performed during a period less than twelve months.

**Notification of Employment**

A written notice of re-election will be sent to the nine (9) or ten- (10) month employee in August prior to the beginning of school, unless the employee has already received a contract. A twelve- (12) month employee will receive notification of re-election in June.

**Contract Days**

The Human Resources Department will determine contract days with input from the program director. Listed below are the number of contract days based on number of months assigned:

9 Months - 182 Days

10 Months - 201 Days

11 Months - 221 Days

12 Months - 257 Days

**Salary Schedules**

On an annual basis, the Superintendent will prepare an index salary schedule containing both horizontal and vertical steps for the review and approval of the Board. This schedule will form the basis for determining the annual salary, both individually and collectively.

**Extra Time**

Overtime at the rate of time and one-half, either as pay or compensatory time, will be earned by the employee working more than forty (40) hours during the workweek. Overtime work is discouraged, and all overtime must have prior approval by the Superintendent or designee.

**Salary Deductions**

The Board authorizes the following payroll deductions: 1) professional organization dues; 2) Lea Community Federal Credit Union; 3) Lea County United Way; 4) group and life insurance; 5) annuities as provided by policy; 6) retirement; 7) social security; 8) federal and state withholding.

**Direct Deposit**

All employees are encouraged to have their monthly checks electronically deposited into the bank of their choice. Forms to initiate direct deposit are available in the Human Resources or Payroll Office.

**TAX SHELTERED ANNUITY**

The Board of Education extends to all employees the opportunity to participate in a tax sheltered annuity program. Salary deduction, as well as direct payment to the insurance company, is permitted. All insurance companies meeting the provisions of Section 403 (b) of the Internal Revenue Code are eligible to offer their company’s annuity policy for consideration. Solicitation other than during school hours at school by the insurance companies may be any time during the year. Actual enrollment by the school business office will be once a year between the dates of August 1 and September 30, with the first payroll deduction beginning in October; and January 1 and January 31, with deduction beginning in February. All annuity companies are to be approved by the Human Resources Office.

For additional information, contact the Human Resources Office.

**MISCELLANEOUS POLICIES**

**ACCIDENTS - REPORTING OF**

All accidents, no matter how minor, are to be reported by completing an accident report, on the day of the accident. All program directors and school secretaries have blank accident forms in their offices. Turn completed accident reports into your program director or school secretary for processing. Failure to report accidents in a timely manner (15 days from time of accident) may result in Workman’s Compensation failure to pay expenses incurred due to the accident.

**CONFLICTS OF INTEREST**

Each employee of the Hobbs Municipal Schools is in fact an employee of the State of New Mexico. As such, each employee will refrain from activities, employment and business transactions, which would constitute a conflict of interest.

**EMPLOYEE DRUG AND ALCOHOL ABUSE POLICY**

**Substance Abuse Prohibited**

The Hobbs Municipal Schools forbids any employee from possessing, using, selling, distributing, or being under the influence of alcohol or drugs, and from possessing, using, selling, or distributing drug paraphernalia while on school district property, including residence halls, or while involved in, or attending school district activities, or in school district vehicles or contracted buses.

**Reporting Use of Prescription Drugs**

A. If an employee is properly using drugs pursuant to an authorized prescription or properly using an over-the-counter drug, and such use may affect or impair such employee’s performance of his or her job duties, such employee shall report such use to his or her supervisor.

B. In appropriate cases, the supervisor may limit, modify, or suspend the employee’s duties during the time he or she is using the drug, but such use shall not be considered a violation of this policy.

**Definitions**

The terms used in this policy are defined as follows:

1. **Alcohol**: Any liquor, wine, beer or other beverage containing alcohol;
2. **Drugs**: Any drug, including illegal drugs, marijuana, inhalants, legal prescription and over-the-counter drugs used or possessed or distributed for unauthorized purposes and counterfeit (look-a-like) substances;
3. **Drug Paraphernalia**: Equipment or apparatus designed for or used for the purpose of measuring, packaging, distributing or facilitating the use of drugs.
4. **Substance Abuse**: The use of drugs or alcohol in violation of state or federal law or in violation of school district policy.

**Enforcement of Policy**

The school district reserves the right to search an employee’s person, personal effects, and vehicle, when there is reasonable suspicion that such employee has violated this policy. An employee’s refusal to cooperate in any such enforcement procedures may be grounds for discipline, including discharge.

**Penalties for Violations**

Employees found to have been in violation of this policy may be subject to discipline, including suspension, discharge, or non-renewal of employment.

Information about drug and alcohol counseling and rehabilitation are available to any employee from the Lea Regional Hospital, Alcoholism and Drug Treatment Unit (392-6581), The Guidance Center of Lea County (393-3168), or the Palmer Drug Abuse Program (397-6333).

(RE: Federal Register 86.201)

**EMPLOYEE GRIEVANCE**

For personal problems or grievances, which involve school business, the immediate supervisor should be contacted first. If the problem or grievance is not resolved, the next level of supervision, i.e., Assistant Superintendent for Human Resources, Assistant Superintendent for Instruction, Assistant Superintendent for Operations, Director of Finance, or Athletic Director may be contacted. If necessary, the problem or grievance may be taken to the superintendent and, finally to the Board of Education.

**NEPOTISM**

No school employee may supervise his or her spouse. See page 36 for Nepotism Chart.

**ORIENTATION AND TRAINING**

All employees will participate in scheduled orientation, in-service, and staff development presented by the Hobbs Municipal Schools.

**PARTICIPATION IN COMMUNITY ACTIVITIES**

The task to be accomplished in the community by the professional school staff is not limited to the classroom. The Board urges every staff member to become an active participant in community affairs and to set an example of good citizenship.

**Political Activities (Each Employee)**

May assume full political and citizenship responsibilities, but shall refrain from exploiting the institutional privileges of his/her professional position.

Shall make it clear while engaged in political activity that his/her utterances and actions are his/her as an individual and that they in no manner represent the views of the Hobbs Municipal Schools or Board of Education.

Shall not engage in partisan political activity on school premises during hours of professional assignment.

Shall request a leave of absence from the Superintendent if extended community or political activity interferes with the professional duties.

Shall seek prior approval from the principal, Superintendent and Board prior to announcing for a public office in order to determine if any conflicts are apparent between his/her responsibilities to the Hobbs Municipal Schools and the position of public office.

**Public Appearances**

Staff members appearing before the public or professional groups may not speak for the Board unless specifically authorized to do so. This policy is not to prohibit school personnel from speaking on behalf of the Hobbs Municipal Schools, its policies, rules and regulations, philosophies and programs.

**POSTING OF POSITIONS**

A basic idea in the Hobbs Municipal Schools will be to encourage employee growth by following the policy of allowing staff member to receive first consideration for job responsibility assignment change. Notice of an existing vacancy or vacancies shall be posted in the Central Administration Office.

Promotion shall be contingent upon the applicant having met all job and licensure requirements.

Application shall be made in writing to the Assistant Superintendent for Human Resources or Superintendent of Schools.

**RECORDS**

The Superintendent or Assistant Superintendent for Human Resources will maintain a personnel file on each employee. This file will be kept in the Central Administrative Office with proper security controls observed. The personnel file is not classified as a public record and is not open to public inspection.

The professional personnel records of the employees of the Hobbs Municipal Schools will comply with all state and federal regulatory agencies. The records will include but will not be limited to:

A. Original application;

B. A complete official transcript of college credit if available;

C. Copy of high school diploma and/or G.E.D. certification;

D. Retirement Record;

E. A current contract;

F. Supervising reports and conference notations;

G. Personnel problems which end with written reports shall be placed in the

Personnel file.

It shall be the policy of the Hobbs Municipal Schools to protect the privacy of current, former and prospective employees to the extent permitted by law. Accordingly, all school district personnel information shall be considered confidential unless the Inspection of Public Records Act, NMSA 14-2-1, et seq., requires otherwise.

Confidential personnel information will not be released without the affected person’s prior written consent unless the Superintendent or Assistant Superintendent for Human Resources, who is responsible for maintaining the relevant records, determines that exceptional circumstances justify such action. Other personnel information will be made available pursuant to the Inspection of Public Records Act, as interpreted by the New Mexico courts.

**REPORTING OF SUSPECTED CHILD ABUSE OR ALCOHOL/DRUG ABUSE**

Any employee who suspects drug or alcohol abuse in a fellow employee or student or suspects child abuse, has the obligation to report it to the proper authorities: school authorities or public authorities, such as Social Services or the Police Department.

**RETIREMENT**

Employees are automatically members of the educational retirement program. State statutes regulate both program and benefits. For further information on retirement benefits, contact the Educational Retirement Association in Santa Fe, New Mexico, at 1-505-827-8030.

**SAFETY AND HEALTH**

Safety and health in the work and educational environment are stressed at Hobbs Municipal Schools. All employees are to practice principles of safety as they work.

**HTLV-III Virus (AIDS)**

The Hobbs Municipal Schools has established a policy of procedures for dealing with school employees with acquired immunodeficiency syndrome (AIDS) working within the school setting.

The determination of whether an infected school employee should be permitted to remain employed in a capacity that involves contact with students or other school employees shall be made on a case-by-case basis by a team composed of public health personnel, the school employee’s physician, the school employee and/or his/her representative, and the appropriate school personnel designated by the school Superintendent.

In all cases, the right to privacy and to confidentiality must be stressed, and the identity of the infected employee shall not be publicly revealed.

**INFECTION CONTROL**

The OSHA Standard 29 CFR 1910.1030, Bloodborne Pathogens, requires employers to reduce the risk of infection to employees from bloodborne pathogens. Those Regulations apply to all employees who come in contact with blood and/or infectious materials in the scope of job duties.

**Infectious Materials and Biomedical Wastes are** substances that carry a significant risk of transmitting diseases to other humans, therefore requiring special handling. These include:

1. Blood and blood products and items contaminated by these products such as bandages,

Tissues, and vomit; and,

2. Medical sharps such as needle syringe units, contaminated glass, etc.

It is the policy of the Hobbs Municipal Schools that employees shall adhere to Universal Precautions. Universal Precautions is an approach to infection control. According to this concept, all human blood and certain human body fluids are treated as if known to be infectious for Human Immunodeficiency Virus (HIV), Hepatitis B Virus (HBV), and other bloodborne pathogens.

An infection control manual outlining the exposure determination, methods of compliance, and communication of hazards to employees is available in each building as part of the staff manual. The purpose of the manual is to comply with OSHA Standard 29 CFG 1910.1030.

**SERVICE AWARDS**

The Board of Education annually awards employees for five (5) years of service and multiples thereof. Consecutive years of service are not necessary. To receive one (1) year of service, a nine month employee must work a minimum of ninety-one (91) days.

**SEXUAL HARASSMENT**

The policy of the Board of Education forbids discrimination against any employee or applicant for employment on the basis of sex. The Board of Education will not tolerate sexual harassment activity by any of its employees. This policy similarly applies to non-employee volunteers who work subject to the control of school authorities. There will be no discrimination against any employee for his or her part in the presentation of a complaint. Contact supervisor or Assistant Superintendent for Human Resources for filing grievance procedures. See Code of Ethics and Conduct on page 26 through page 32.

**STAFF IN-SERVICE DAYS**

In-service days are scheduled before the school year starts, during the school year in October and at the end of school. As these are scheduled contract days, staff is expected to work or attend in-service, depending on your program director’s discretion.

**TOBACCO POLICY**

The Hobbs Municipal Schools, in accordance with State Board of Education 94-2, prohibits the use of tobacco products by students, school staff, parents, and school visitors on school property, in school buildings, vehicles, and seating areas of stadiums owned or leased by the Hobbs Municipal School District.

**TRAVEL EXPENSE**

The District will reimburse employees for expenses incurred for travel in connection with school business. The Superintendent must approve such travel, and reimbursement will not exceed the Superintendent’s established per diem and mileage rates as identified by local, State and Federal Regulations. (Upon return the employee must attach original itemized receipts to the white copy of the Leave Request and submit to the Business Office at the Central Office for reimbursement of expenses incurred.) A school vehicle must be used if available.

**WEAPONS**

An employee shall not knowingly, intentionally, or recklessly go onto district premises with a firearm, explosive weapon, or illegal weapon unless pursuant to written regulations or written authorization of the Superintendent. An employee shall not interfere with normal activities, occupancy, or use of any building or portion of the campus by exhibiting, using, or threatening to exhibit or use the firearm, explosive weapon, or illegal weapon.

Employees found to be in violation of this policy shall be subject to appropriate disciplinary action, including suspension and/or discharge from employment.

**BOARD OF EDUCATION OF THE**

**HOBBS MUNICIPAL SCHOOL DISTRICT**

**MODEL CODE OF ETHICS AND CONDUCT**

**I.**

**ADOPTION OF STATE CODE OF ETHICS: LICENSED PERSONNEL**

The board of Education recognizes that the State Board of Education has set standards of acceptable ethical behavior and professional conduct in education that are applicable to all licensed school personnel, instructional personnel under contract, including any other person who provides instructional services in a school but who does not hold a standard license and whose presence is authorized by the SBE through a waiver, substandard license, substitute license, or an educational plan approved by the SBE. See Code of Ethical Responsibility of the Education Profession, NMAC 6.60.9.1 to 6.60.9.12.

The Board of Education further recognizes the need to adopt local standards of ethical behavior and conduct which, if violated may constitute just cause for termination or discharge of licensed and non-certified personnel.

As a result, the Board of Education hereby adopts the State Board’s Code of Ethical Responsibility cited above and, by such adoption, makes the code of ethics therein applicable to all licensed personnel of the School District and compliance with those ethical standards a contractual duty of all licensed personnel of the District.

**II.**

**CODE OF CONDUCT: ALL PERSONNEL**

The Board of Education further adopts the following code of conduct **for all** **employees** establishing standards and expectations for employee behavior which, if violated, may form a basis for discipline, up to and including termination or discharge.

This code highlights employment responsibilities, and sets forth concrete behaviors appropriate for all school personnel. We are committed to this code and understand that it provides minimally-accepted standards of conduct for employees of the District.

To satisfy this obligation, all school employees shall:

1. **AS TO STUDENTS**
   1. serve as a constructive role model for students of the District in accordance with the State Board’s Code of Ethical Responsibility, this policy and local community standards;
   2. in compliance with the Family Educational Rights and Privacy Act of 1974 (FERPA) (20 U.S.C. Section 1232g, 29 C.F.R. Part 99 Subparts A – E), the Individuals with Disabilities Education Act (IDEA) (20U.S.C. & 1401 *et seq*., 34 C.F.R. Part 300) the Mental Health and Developmental Disabilities Code (43-1-19, NMSA 1978), the Inspection of Public Records Act (12-2-1A NMSA 1978), the Public School Code (22-1-8, NMSA 1978), and the Children’s Code (32A-2-32, 32A-4-3, NMSA 1978), refrain from disclosing and withhold confidential student records or information about a student or his/her personal and family life unless release of information is allowed, permitted by the student’s parent(s)/legal guardian, or required by law.
   3. not discriminate, or permit students within the employee’s control, supervision or responsibility to discriminate against any other student, on the basis of race, color, national origin, ethnicity, sex, disability, religion, or serious medical condition.
   4. avoid using their position as a school employee to exploit or unduly influence a student into engaging in an illegal act, immoral act, or any other behavior that would subject a school employee or student to discipline for misconduct whether or not the student actually engages in the behavior.
   5. fraternize with or tutor students outside school or school-sponsored activities only in accordance with local board policies, if any, only after written permission from the student’s parent(s)/legal guardian, and only at a place or time approved by the local school and/or the student’s parent(s)/legal guardian.
   6. not give a gift to any one student unless all students situated similarly receive or are offered gifts of equal value for the same reason.
   7. not lend a student money except in clear and occasional circumstances, such as instances in which a student may go without food or beverage or be unable to participate in a school activity without such financial assistance, and shall report all such instances and the reason therefore to the employee’s supervisor as soon as practicable after the instance.
   8. not have inappropriate contact with any student, whether or not on school property, which includes, but is not limited to:
      1. all forms of sexual touching, sexual relations or romantic relations;
      2. inappropriate touching including but not limited to any physical touching, embracing, petting, hand-holding, or kissing that is unwelcome by the student or is otherwise inappropriate given the age, sex and maturity of the student;
      3. any open displays of affection toward mostly-boys or mostly-girls;
      4. offering or giving a ride to a student unless absolutely unavoidable, such as instances in which a student has missed his/her usual transportation and is unable to make reasonable substitute arrangements, and shall report all such instances and the reason therefore to the employee’s supervisor as soon as practicable after the instance.
      5. report any instance to the administration in which the employee reasonably suspects that another employee, student or person has engaged in such behavior toward a student at school or during any school-sponsored activity;
      6. abide by the prohibitions of NMSA 1978 Section 30-0-10 which imposes felony sanctions for a school employee to have sexual relations with a student under 18 years of age;

* 1. not interfere with a student’s right or access to a public education by sexually harassing a student or permitting students within the control, supervision or responsibility of the employee to sexually harass any other student, which includes:

* + 1. avoid making any sexual advances, requests for sexual favors, repeated sexual references, and avoid any name-calling by means of sexual references or references directed at gender-specific students; avoid any other verbal or physical conduct of a physical nature with a student even where the employee believes the student consents or the student actually initiates the activity, and any display or distribution of sexually-oriented materials, or information where students can see them;
    2. avoid creating an intimidating, hostile or offensive school environment by, at a minimum, not engaging in any of the prohibited behaviors set forth in subparagraphs (8) or 9(a) above.
    3. become familiar with and abide by the School Board’s policies related to inappropriate contact with a student or sexual harassment of students by employees or students by students.
    4. report to the administration any instance in which the employee reasonably suspects that a student has been subjected to sexual harassment at school or during school-sponsored activity.
  1. not engage in unauthorized or inappropriate discipline of a student or corporal punishment in excess of, or contrary to, local school board policy, and in exercise of disciplinary action toward students, the employee shall:

* + 1. control anger, de-escalate conflicts and confrontations, avoid losing his or her temper, and refrain from any form of excessive physical discipline or physical or verbal abuse of students. Physical intervention shall be used only to restrain students actively engaged in or threatening physical violence or harm toward himself, other staff members or students. Instances of such physical restraint shall be reported to the administration as soon as practicable.
    2. refrain from using derogatory terms, offensive names or nicknames, or vulgar or profane language directed to, in the vicinity of, or when referring to students. School personnel shall further avoid name-calling, racial epithets or racially-insensitive terms, crude anatomical references, racial, ethnic or sexual jokes or slurs, or offensive or pejorative verbal or non-verbal communication, signs or other physical gestures which are likely to elicit a negative response. It shall be the duty of the employee to assure that particular forms of communication as specified herein are appropriate for use in a school setting or in the context in which he or she proposes to use them.
    3. decline to permit himself or herself to be provoked into a response barred by this policy, by student conduct or communication.
  1. notengage in violent or threatening behavior toward students, regardless of provocation, except when required for the immediate defense from serious physical harm of the employee, another student, staff member or authorized person on campus

1. **IN GENERAL:**
   1. comply with all school board policies and administrative regulations, or if applicable, approved collective bargaining-agreements, setting forth specific employee behavior or conduct standards.
   2. not make a false or misleading statement or fail to disclose a material fact in any application for employment or licensure.
   3. not orally or in writing misrepresent his or her qualifications for an employment position or promotion
   4. not assist persons in obtaining educational employment whom he or she knows to be unqualified in respect to their character, education, or employment history.
   5. not make a false or misleading statement concerning the qualifications of anyone in or desiring employment in the District.
   6. not permit or assist unqualified or unauthorized persons to engage in employment within the School District.
   7. not disclose personal, medical, or other confidential information about other employees to anyone unless disclosure is required or authorized by law.
   8. not knowingly make false or derogatory personal comments about an employee, although First Amendment-protected comments on or off campus are not prohibited.
   9. not accept any gratuity, gift, meal, discount, entertainment, hospitality, loan, forbearance, favor, or other item having monetary value whose market value exceeds $100, excluding approved educational or employment-related awards, honoraria, plaques, trophies, and prizes.
   10. avoid conduct connected with the performance of official duties that is improper, illegal or gives the appearance of being improper or illegal.
   11. not sexually harass any school employee, any school visitor or anyone else whom he or she might encounter in the course of official duties, which includes:
       1. avoid making any sexual advances, requests for sexual favors, repeated sexual references, and avoid any name-calling by means of sexual references or references directed at gender-specific individuals; avoid any other verbal or physical conduct of a physical nature with any of the above-named individuals even where the employee believes they consent or they actually initiate the activity, and any display or distribution of sexually-oriented materials or information where the above-named individuals can see them;
       2. avoid creating an intimidating, hostile, or offensive work/school environment by at a minimum not engaging in any of the prohibited behaviors set forth at subparagraph 10(a) above.
       3. become familiar with and abide by the School Board’s policies related to sexual harassment of employees.
       4. report to the administration any instance in which the employee reasonably suspects that a school employee, school visitor, or other person present at school or a school-sponsored activity has been subjected to sexual harassment.
   12. not engage in inappropriate displays of affection, even with consenting adults, while on school property, during school-sponsored activities or school events off campus.
   13. not use public school property to conduct personal business or personal affairs without permission of a supervisor.
   14. use educational facilities and property only for proper purposes related to legitimate School District business or purposes for which they are intended consistent with applicable policy, law and regulation.
   15. not discriminate against any school employee, or any other person with whom we have any dealings or contact in the course of our official duties, on the basis of race, color, national origin, ethnicity, sex, disability, religion, or serious medical condition.
   16. not engage in any outside employment:
       1. the performance of which conflicts with school employment duties;
       2. which uses confidential or privileged information obtained from public school employment as part or all of private employment duties;
       3. that impairs the physical ability to perform school employment duties.
   17. not,with the intent to conceal or confuse a fact, change or alter any writing or encourage anyone else to change or alter any document:
       1. in connection with official school duties;
       2. in connection with another person’s official school duties;
       3. in connection with any standardized or non-standardized testing;
       4. in connection with any school application or disclosure process;
       5. in connection with any writing submitted to the Public Education Department related to initial or continued licensure, including endorsements.
   18. not, with the intent to deceive, engage in any conduct or make any statement:
       1. that would breach the security of any standardized or non-standardized tests;
       2. that would ignore portions or the entirety of any standardized or non-standardized testing instructions;
       3. that would assist students in obtaining services or benefits to which they do not qualify or are not entitled.
   19. not, when on school property or off campus while representing the school or attending a school function, engage in violent, abusive, indecent, profane, boisterous, disruptive, unreasonably loud or otherwise disorderly conduct which tends to disturb the peace or interfere with or obstruct the lawful mission, processes, procedures or functions of the schools or the School District.
   20. not engage in violent or threatening behavior toward co-workers, supervisors, parents, members of the school community or members of the public, or others with whom the employee has contact in connection with his or her job duties.
   21. not engage in any behavior prohibited by the state’s criminal code or conduct which may result in criminal penalties, civil fines or similar sanctions.
   22. respond in a constructive and professional manner to lawful directives, instructions or requests from supervisors or administrators.

**III.**

**PENALTIES FOR FAILURE TO COMPLY WITH THIS CODE**

1. The board of Education finds that adherence to this Code of Ethics and Conduct has a significant bearing on a school employee’s competence, turpitude or the proper performance of his or her duties. Further, the Code of Ethics and Conduct is intended to provide a valuable framework of personal ethics to assist employees in their interactions with colleagues, students and parents. However, the Code of Conduct establishes minimal standards of accepted conduct with which all employees are expected and required to comply.
2. The failure to abide by the standards of ethical behavior and conduct set forth in the Code of Ethics and Conduct may constitute just cause for termination or discharge of personnel subject to this code, by action of the local school board in accordance with applicable statutory procedures.
3. The failure or refusal to abide by the standards of conduct set forth in this code shall constitute insubordination and shall be considered conduct deemed to be outside the normal scope of duties of school personnel and, thus, shall not be subject to the procedures for correction of unsatisfactory work performance applicable to discharge of licensed personnel for unsatisfactory work performance, set forth in NMSA 1978 Section 22-10-21 and 6 NMAC 4.5.1.
4. It shall be the duty of the school superintendent to provide written notification to the Director of the Licensure Unit of the Public Education Department after taking final action to discharge or terminate the employment of any licensed or certified school employee, or any other person providing instructional services in a school who does not hold a standard license but whose presence was authorized by the SBE through a waiver, substandard license, substitute license, or an educational plan approved by the SBE, based in whole or part on a violation of this Code of Ethics or conduct, for possible license suspension or revocation.

**PRE-NMAC REGULATORY FILING HISTORY:** The material in this Part was derived from that previously filed with the State Records Center and Archives under: SBE Regulation No. 90-4, Professional Licensure Unit Operational Bylaws of the Professional Standards Commission including Code of Ethics of the Education profession, filed November 21, 1990; SBE Regulation 90-4 Amendment 1, Professional Licensure Unit Operational Bylaws of the Professional Standards Commission including Code of Ethics of the Educational Profession, filed February 5, 1992; SBE Regulation No. 93-16, Professional Licensure Unit Operational Bylaws of the Professional Standards Commission including Code of Ethics of the Education Profession, filed July, 20 1993; and 6 NMAC 4.2.1.1, Operational Bylaws of the Professional Standards Commission including Code of Ethics of the Education Profession.

**HOBBS MUNICIPAL SCHOOL DISTRICT**

**COMPUTING AND INTERNET ACCEPTABLE USE POLICY**

1. **Purpose**
2. The Hobbs Municipal School District is providing its employees and students (“users”) with access to computing equipment, systems and local network functions such as District e-mail and the Internet.
3. This access has a limited education purpose for students and is to facilitate employees’ work productivity.
4. **Access rights and privileges**
5. The School District has the right to place reasonable restrictions on the use of equipment, resources and material students and employees access or post through the system. Students and employees are also expected to follow the rules set forth in the District’s rules and regulations governing conduct, disciplinary code, and the law in their use of the District’s equipment and network. This access has not been established as a public access service or a public forum. All access and rights are privileges granted by the District, and users should expect no privacy rights.
6. All District employees and students will have access to the Internet through the District’s private network. Parents may specifically request that their children not be provided such access by notifying the District in writing.
7. No student will be given or have access to District-provided e-mail.
8. Guests/contractors are not automatically eligible for a District e-mail account. E-mail or network access accounts may be granted if directly sponsored by a District administrator.
9. **Unacceptable Uses**
10. Users may not use the District’s private network to access material that is profane or obscene (pornography of

any kind), that advocates illegal acts, or that advocates violence or discrimination towards other people (hate literature).

1. Users may not post personal information on the Internet about themselves or other people. Personal contact information includes address, telephone, school address, work address, pictures or video bites, clips, etc.

3 Users may not attempt to gain unauthorized access to any computer system. This includes attempting to log in through another person’s account or access another person’s files. These actions are illegal, even if only for the purposes of “browsing”, “snooping”, or “electronic discovery”.

4. Users may not deliberately disrupt or harm hardware or systems, interfere with computer or network performance, interfere with another’s ability to use equipment and systems, or destroy data.

1. Users may not use the District’s private network to engage in illegal acts, such as threatening the safety of another person, accessing or sharing unauthorized copyrighted music, movies, and other intellectual property, etc.
2. Users may not utilize peer-to-peer file-sharing applications or execute programs to facilitate the downloading or exchange of copyrighted or unauthorized music, movies, and other materials.
3. Users may not use the District’s private network to solicit information with the intent of using such information to cause personal harm or bodily injury to another or others.
4. Users may not post information that could endanger an individual, cause personal damage or a danger of service disruption.
5. Users may not knowingly or recklessly post false or defamatory information about a person or organization.
6. Users may not intentionally seek information on, obtain copies of, or modify files, other data, or passwords belonging to other users.
7. Users may not indirectly or directly make connections that create “backdoors” to the District, other organizations, community groups, etc. that allow unauthorized access to the District’s network.
8. Users may not use obscene, profane, lewd, vulgar, rude, inflammatory, hateful, threatening, or disrespectful language.
9. Users may not engage in personal attacks, including prejudicial or discriminatory attacks. Users may not harass another person. Harassment is persistently acting in a manner that distresses or annoys another person.
10. Users may not re-post a message that was sent to them privately without permission of the person who sent them the message.
11. Users may not forward or post chain letters or engage in “spamming”. Spamming is sending an annoying or unnecessary message to a large number of people. Users also must refrain from abusing e-mail distribution lists. Acts of abuse include, but are not limited to: forwarding non-school/work related e-mails, advertising and solicitation.
12. Users will not install or reproduce unauthorized or unlicensed software on District resources.
13. Users may not plagiarize works that they find on the Internet or other resources.
14. Users may not use technology resources and Internet for private business activities or unreasonable personal use.
15. Users may not use the District’s private network for political lobbying.
16. Students will not download files unless approved by their teacher.
17. Users may not use any type of Internet proxy service or proxy server to bypass district filters.
18. **System Security Obligations**
19. Users are responsible for the use of their individual access account(s) and should take all reasonable precautions to prevent others from being able to use their account(s), including coworkers, friends, or family. Under no conditions should a user provide his/her password to another person.
20. Attempts to log on to the District’s private network or any other network as a system administrator is prohibited.
21. Any user identified as a security risk or having a history of violating this or any other Acceptable Use Policy may be denied access to the District’s private network.
22. Users will avoid the inadvertent spread of computer viruses.
23. Users should immediately notify a teacher or system administrator of any possible security problem.
24. Students will promptly disclose to their teacher or other appropriate school employee any message received that is inappropriate.
25. Users may not connect unauthorized wireless devices to the District network. Wireless devices include, but are not limited to: wireless access points, wireless routers or any type of wireless gateway device.
26. **Filtering**
27. As required by law and in recognition of the need to establish a safe and appropriate computing environment, the District will use filtering technology to prohibit access to the degree possible, to objectionable or unsuitable content that might otherwise be accessible via the Internet.
28. **Due Process**
29. The School District will cooperate fully with local, state, or federal officials in any investigation concerning or relating to any illegal activities conducted through the District’s private network.
30. In the event there is an allegation that a student has violated the District Acceptable Use Policy, disciplinary actions may be taken.
31. Employee violations of the District Acceptable Use Policy will be handled in accordance with law, School Board Policy or collective bargaining agreement(s), as applicable.
32. **Administration**
33. Computer Aided Instruction has the responsibility and authority for the development publication, implementation and ongoing administration and enforcement of the processes and techniques required to protect the Hobbs Municipal School District’s technology systems and services from unauthorized access, loss, or misuse.
34. School principals have the responsibility to establish a plan to ensure adequate supervision of students. They are also responsible for interpreting and enforcing this policy at the local level.
35. Local management has the responsibility to enforce and interpret this policy.

HOBBS MUNICIPAL SCHOOLS

NEPOTISM CHART

**CONSANGUINITY –** **AFFINITY -**

*Blood Relation to Employee Relationship by Marriage to Employee (Ex-spouses, in-laws,*

*etc., NOT included)*

**1st Degree 2nd Degree 1st Degree**

Father Uncle Husband

Mother Aunt Wife

Sister Niece Son-in-law

Brother Nephew Daughter-in-law

Daughter Granddaughter Brother-in-law

Son Grandson Sister-in-law

Grandfather Mother-in-law

Grandmother Father-in-law

First cousin

**Permitable Leave for 1st and 2nd Degree Consanguinity and 1st Degree Affinity:**

Sick Leave Days

Vacation Days (**12 –month employees only)** *(Certified-Substitute Pay – Classified – 1/3 of Daily Rate)*

Personal Days – **Dock from pay** *(Details of close relationship must be included in the*

Death/Illness Days –**Dock from pay** *request)*

**CONSANGUINITY**  **AFFINITY**

**3rd Degree** **2nd Degree**

Great-Uncle Spouse’s Uncle

Great-Aunt Spouse’s Aunt

Great-Niece Spouse’s Niece

Great-Nephew Spouse’s Nephew

Great-Granddaughter Spouse’s Grandfather

Great-Grandson Spouse’s Grandmother

Great-Grandmother Spouse’s First Cousin

Great-Grandfather Grandson-in-law

Second cousin Granddaughter-in-law

**Permitable Leave for 3rd Degree Consanguinity and 2nd Degree Affinity:**

Vacation Days – **(*12-month employees only*)**

Personal Days – **Dock from pay** (*Certified-Substitute Pay – Classified – 1/3 of Daily Rate)*

Death/Illness Days – **Dock from pay** *(Details of close relationship must be included in the request)*

**PROFESSIONAL DRESS CODE**

**FOR ADMINISTRATORS, TEACHERS,**

**AND SECRETARIAL STAFF**

The Hobbs Municipal Schools Board believes that employees of the School District can

more effectively carry out their respective functions and responsibilities which help meet the

School District’s primary function of educating students when staff members dress in a

professional manner. Students, parents, and other community members who interact with

staff members are more likely to respond favorably to a staff member who dresses

professionally. Students are more likely to show respect and follow directions from a staff

member who dresses professionally. Therefore, the Board adopts the following dress code

for staff members.

Professional Dress Standards for Men

Acceptable Attire / Grooming

* Pants or slacks; creases in pants help improve the image of the apparel.
* Collared shirts to include Polo-type and button-down shirts. Sweaters,

turtlenecks and Henley shirts are acceptable. (Physical Education instructors

should wear shirts with collars and shorts or pants that exhibit professional

attire).

* Ties and dress coats improve the image; recommended but not required.
* Visible body piercing; **ONLY** the ear(s) is acceptable.
* Cologne or aftershave to be unobtrusive.
* Shoes that are clean and polished improve the image.

(Tennis shoes often detract from the image and should be worn sparingly at

the direction of the principal).

* Facial hair must be neat and well groomed.

Non-Acceptable Attire / Grooming

* Jeans and T-Shirts may not be worn except during special days determined

by the principal. In no case should T-Shirts be worn other than special days.

* Tattered cuffs, tears in clothing, and heavy wear marks are unacceptable.
* Sweat pants and jogging suits are not acceptable.
* Hats are not to be worn in building.
* Visible body tattoos are unacceptable.

Professional Dress Standards for Women

Acceptable Attire / Grooming

* Pants, slacks, capris’, dresses, or skirts. (Jean skirts and dresses are acceptable).
* Blouses and shirts - collared shirts to include Polo-type and button-down

shirts. Sweaters, turtlenecks and Henley shirts are acceptable, as well as

other blouses (with or without collars) that would be considered professional

in nature. Blouses and dresses should be cut in such a way as to exceed the

expectations of student dress. (Physical Education instructors should wear

shirts with collars and shorts or pants that exhibit professional attire).

* Tennis shoes often detract from the image and should be worn sparingly at

the discretion of the principal.

* Coats and vests often add to professional image but are not required.
* Makeup, perfume, or cologne to be unobtrusive.
* Visible body piercing; **ONLY** the ear(s) is acceptable.

Unacceptable Attire / Grooming

* T-Shirts and jeans may not be worn except during special days determined

by the principal. In no case should T-Shirts be worn other than special days.

* Sweat pants, spandex pants, leggings, and jogging suits are unacceptable.
* Tattered cuffs, tears in clothing and heavy wear marks are unacceptable.
* Hats are not to be worn in the building.
* Visible body tattoos are unacceptable.