

**SECTION B SCHOOL BOARD GOVERNANCE AND OPERATIONS**

**B-0050 © BA**

**SCHOOL BOARD OPERATIONAL GOALS**

The state legislature has granted to the people the power to form school districts and Boards of Education, which, under the law, are empowered to exercise legislative authority over the public schools within their respective districts pursuant to applicable laws.

As representatives of the people, the Board accepts the responsibility to identify community attitudes and opinions and District needs and to require short- and long-range strategies that are responsive within the budgetary limitations of the District.

*Adopted:* April 12, 2022

LEGAL REF.: 22-5-4 NMSA

**B-0100 © BAA**

**EVALUATION OF SCHOOL BOARD /BOARD SELF-EVALUATION**

The Board shall meet as necessary for the purpose of appraising its functioning as a Board and to evaluate Board performance. The appraisal plan approved by the Board will be facilitated by the Board President working with the Superintendent.

Evaluation instruments for Board operation may be used in the process.

The Superintendent and others who regularly work with the Board may be asked to participate in all or a portion of the appraisal.

Areas of Board operations and relationships that may be appropriate to consider during the evaluation of Board procedures may include, but are not limited to:

- Board meetings/decision-making process.
- Policy development/implementation.
- Board/District goal setting.
- Curriculum and instruction management/program.
- Fiscal management/resource allocation.
- School plant planning/management.
- Board member orientation.
- Board member development.
- Board officer performance.
- Board member relationships.
- Board-Superintendent relationship.
- Board-community relationship.
- Legislative and governmental relationships.

*Adopted:* April 12, 2022

LEGAL REF.: 22-5-4 NMSA

**B-0131 © BAA-E EXHIBIT**

**EVALUATION OF SCHOOL BOARD /  
BOARD SELF-EVALUATION**

**ANNUAL SELF-APPRAISAL OF THE BOARD**

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

Please check the appropriate box for each item (S = satisfactory, N = needs improvement, U = unsatisfactory).

**A. Board Relationship with the Superintendent:**

S N U (1) The Board imparts information on issues, needs, and complaints in a manner allowing the Superintendent the opportunity to solve related problems in a professional manner.

S N U (2) The Board clearly interprets its position on controversial matters pertaining to the District, thereby enabling the Superintendent to properly carry out the wishes of the Board.

S N U (3) The Board disregards personalities and considers the recommendations of the Superintendent in an unbiased and objective manner.

S N U (4) The Board communicates views of personnel effectiveness, including views related to the Superintendent, in a confidential and professional manner.

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

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

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

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

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

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

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

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

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

S N U (1) The Board members make every effort to become acquainted with the personnel of the District.

S N U (2) The Board members' personal friendships with District personnel are maintained without allowing them to affect overall Board decisions and/or policies.

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

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

S N U (2) The Board attempts to gain information from the community pertaining to instructional program needs.

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

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

S N U (1) The Board establishes the policies and provides the necessary resources to properly manage the finances of the District.

S N U (2) The Board requires the proper accountability for the expenditure of funds in the District.

S N U (3) The Board provides justified funding to maintain a high quality educational program in this District.

S N U (4) The Board keeps the community informed about the financial needs of the District.

**G. General Statements:**

(1) Based on the answers/criteria above, list in order of priority the four (4) major opportunities the Board faces:

- (a)
- (b)
- (c)

(2) Based on the answers/criteria above, list any weaknesses you have observed in the operation of the school system:

(3) Based on the answers/criteria above, list any significant accomplishments made by the school system during the past year:

**B-0150 © BB**

**SCHOOL BOARD LEGAL STATUS**

The New Mexico Constitution places the responsibility of establishing and maintaining public schools on the New Mexico Legislature and directs the establishment of a Public Education Department and Public Education

Commission with powers and duties as provided by law. The Department shall be a cabinet department headed by the Secretary of Public Education who shall have administrative and regulatory powers and duties, including all functions relating to the distribution of school funds and financial accounting for the public schools to be performed as provided by law. It is further provided that school districts under the general supervision of the Secretary of Public Education shall be maintained, developed, and operated by locally elected boards. A school district is a political subdivision of the State for the administration of public schools and derives authority from the New Mexico Constitution, New Mexico statutes, and the rules of the Secretary of Public Education.

*Adopted:* April 12, 2022

LEGAL REF.: 22-1-2 NMSA

New Mexico Constitution Article XII

**^B-0200© BBA**

### **BOARD POWERS AND RESPONSIBILITIES**

A member of the Board of Education is a public officer, but has no power or authority individually. The law vests power in the Board, and not in the members, either individually or otherwise, and these powers must be exercised by the Board at a public board meeting in regular or special called meetings, with action duly recorded in its minutes. The Board shall have the following powers or duties in accord with statutes:

- subject to the rules of the Secretary of Public Education, develop educational policies for the School District;
- employ a superintendent for the School District and fix the salary;
- review and approve the School District budget;
- acquire, lease and dispose of property;
- have the capacity to sue and be sued;
- acquire property by eminent domain pursuant to the procedures provided in the Eminent Domain Code [42A-1-1 to 42A-1-33 NMSA 1978];
- issue general obligation bonds of the School District;
- provide for the repair and maintain all property belonging to the School District;
- for good cause and upon order of the district court, subpoena witnesses and documents in connection with a hearing concerning any powers or duties of the local school boards;
- except for expenditures for salaries, contract for the expenditure of money according to the provisions of the Procurement Code [13-1-28 NMSA 1978];
- adopt rules pertaining to the administration of all powers or duties of the Local School Board;
- accept or reject any charitable gift, grant, devise or bequest. The particular gift, grant, devise or bequest accepted shall be considered an asset of the School District or the public school to which it is given;
- offer and, upon compliance with the conditions of such offer, pay rewards for information leading to the arrest and conviction or other appropriate disciplinary disposition by the courts or juvenile authorities of offenders in case of theft, defacement or destruction of School District property. All such rewards shall be paid from School District funds in accordance with rules promulgated by the Secretary of Public Education; and
- give prior approval for any educational program in a public school in the school district that is to be conducted, sponsored, carried on or caused to be carried on by a private organization or agency.

The Board shall, in accord with the Administrative Code of the Secretary of Education:

approve and support the District's Educational Plan for Student Success (EPSS) and each school site-level EPSS action plan;

employ and evaluate the Local Superintendent on an annual basis in accordance with Section 22-10-3.1 NMSA 1978;

ensure that each member of the Board participates in a planned program of training which will assist in the performance of specified duties. All Local School Board members must receive a total of five (5) hours of annual training.

- ♣ For newly elected or appointed Local School Board members who are in office for less than a year, they shall receive three (3) of the five (5) hours from attending a training course developed by the State Public Education Department (PED) and sponsored by the New Mexico School Boards Association (NMSBA). This course shall be offered no later than three (3) months after a local school board election. The PED will periodically announce the dates of these courses which will cover numerous topics including PED policies and procedures, statutory powers and duties of local boards, legal concepts pertaining to public schools, finance and budget. For the additional two (2) hours of annual training for these new board members, these board members shall attend sessions sponsored by the NMSBA, approved by the PED.
- ♣ For all existing local school board members, they shall attend five (5) hours of annual training sponsored by the NMSBA, approved by the PED.
- ♣ In order to be credited with attendance at these courses, each attendee must comply with written attendance procedures established by the PED. Prior to September 1st, the NMSBA shall provide each local superintendent with a list of training hours earned annually by each local school board member.

delegate administrative and supervisory functions to the Local Superintendent;

refrain from involvement in delegated administrative functions;

review, revise as needed, and submit policies to PED on an annual basis;

award diplomas to students who have successfully completed graduation requirements;

ensure the alignment of District curricula with Content Standards with Benchmarks;

ensure that District funds are appropriately managed and disbursed;

be responsible for oversight of revenue and expenditures within the District budget;

accept responsibility for ensuring the success of each school in the District.

The Board performs the following basic functions necessary to the discharging of its responsibilities: legislative, executive, and appraisal.

The legislative function is the policy-making aspect of the school system. It is the policy of the Board to retain and exercise full legislative authority and control over the schools by adopting general policies or by acting directly in matters not covered by its policies.

The executive function of the Board is concerned with placing in operation existing Board policy. Most of this function is delegated by the Board to its executive and administrative officer, the Superintendent.

The appraisal function involves the determination of the efficiency of the school operation and an evaluation of the educational program of the District based on the policies as outlined in the policy manual.

*Adopted:* April 12, 2022

LEGAL REF.: 22-5-4 NMSA (1978)

6.29.1.9 NMAC

**B-0250 © BBAA**

### **BOARD MEMBER AUTHORITY AND RESPONSIBILITIES**

All powers of the Board lie in its action as a public body. A member of a board of education is a public officer, but has no authority or power individually. Individual Board members exercise authority over District affairs only by way of votes taken at a legal meeting of the Board. An individual Board member has authority only when and to the extent that the Board, by vote, has so delegated such authority.

A Board shall not be bound in any way by an action or statement made on the part of an individual board member except when such action or statement is pursuant to specific instructions from the respective Board.

*Adopted:* April 12, 2022

LEGAL REF.: 22-5-4 NMSA (1978)

CROSS REF.: AA - School District Legal Status

BBA - Board Powers and Responsibilities

**B-0350 © BBBA**

### **BOARD MEMBER QUALIFICATIONS**

#### **(Board Membership)**

A person who is a qualified elector of this state, physically resides in the District and physically resided in the District on the date of the school board's proclamation calling a regular school district election.

A convicted felon shall not be qualified to be appointed or elected to public office unless pardoned or restored to political rights.

*Adopted:* April 12, 2022

LEGAL REF.: 1-22-3 NMSA

10-1-2 NMSA

**B-0400 © BBBB**

### **BOARD MEMBER OATH OF OFFICE**

#### **Oath of Office**

All elected or appointed members of local school boards shall take the oath of office prescribed by Article 20, Section 1 of the constitution of New Mexico.

*Adopted:* April 12, 2022

LEGAL REF.: 22-5-9.1 NMSA

**B-0431 © BBBB-E**

### **EXHIBIT**

#### **BOARD MEMBER OATH OF OFFICE**

**Oath of Office**

State of New Mexico, County of **San Juan**, I, [type or print name], do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution and laws of the State of New Mexico; that I will bear true faith and allegiance to the same, and defend them against all enemies, foreign and domestic, and that I will faithfully and impartially discharge the duties of the office of School Board Member according to the best of my ability, so help me God (or so I do affirm).

\_\_\_\_\_  
Signature of Officer or Employee                      Date

**B-0450 ©      BBBC**

**BOARD MEMBER RESIGNATION**

Any Board member who desires to resign from the Board shall send a letter of resignation to the Board in care of the office of the Superintendent giving the effective date of resignation. The resigning Board member should furnish a copy of such letter to each other member of the Board and the Secretary of Public Education prior to the date on which the resignation is to become effective.

*Adopted:*              April 12, 2022

LEGAL REF.:    22-5-12 NMSA

**B-0500 ©      BBBD**

**BOARD MEMBER REMOVAL**

**FROM OFFICE**

If a Board member misses four (4) consecutive regular meetings, the office of such a member may be declared vacant by a majority vote of the remaining members. If a member misses six (6) consecutive regular meetings the office of such member shall be automatically vacated. Board members may also be recalled through the procedures set forth in state law.

*Adopted:*              April 12, 2022

LEGAL REF.:    22-5-12 NMSA

22-7-1 NMSA

22-7-16 NMSA

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**UNEXPIRED TERM FULFILLMENT**

The Board shall have the power to fill a vacancy in their membership through an appointment by a majority vote of the remaining members. An appointee will hold the office until the next succeeding election for members of the Board.

If a qualified person is not appointed to fill the vacancy or a special election is not called by the Board within forty-five (45) days from the date the vacancy occurred, the Secretary of Public Education shall appoint a qualified person to fill the vacancy until the next succeeding regular Board election.

In the event of the resignation of a majority of the members of the Board, the Secretary of Public Education shall appoint qualified persons to fill the vacancies. Those persons appointed shall hold office until the next regular or special school district election when an election shall be held to fill the vacancies for the unexpired terms.

*Adopted:* April 12, 2022

LEGAL REF.: 22-5-9 NMSA

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### **BOARD MEMBER CONDUCT**

A Board member or candidate for Board member, or that person's family, shall not knowingly accept from a restricted donor a gift of a market value greater than two hundred fifty dollars (\$250). A restricted donor is a person or agent of a person:

seeking a transaction with the donee's agency.

who will be directly and substantially affected financially by performance of the donee's duties or the effect will be greater on a class of persons to whom the donor belongs than to the general public.

with a matter pending before a regulatory agency in which the donee has discretionary authority.

who is a lobbyist or a client of a lobbyist with respect to matters within the donee's jurisdiction.

A Board member shall not solicit gifts or donations for a charity in such a manner that it appears that the purpose of the donor in making the gift is to influence the Board member in the performance of an official duty.

Definitions for the terms gift, family and restricted donor can be found in the Gift Act cited below for purposes of interpreting this policy.

*Adopted:* April 12, 2022

LEGAL REF.: 10-16B-1 NMSA - Gift Act

6.60.9.9 NMAC

**B-0750 © BCA**

### **BOARD MEMBER ETHICS**

In accordance with the Governmental Conduct Act:

I shall maintain, at all times, the integrity and ethically high responsibilities of public service and discharge my duties in the same manner.

I shall conduct myself in a manner that justifies the confidence placed in me by the public.

I shall treat my position with the School District as a public trust and shall use the powers and resources of my position to advance the public interest and not to obtain personal benefits or pursue private interests.

I shall not request or receive nor offer a legislator, public official, or public employee any money, thing of value, or promise thereof that is conditional upon or given in exchange for the promised performance of an official act.

I shall not directly or indirectly coerce or attempt to coerce another public officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for a political purpose. I shall not directly or indirectly coerce or attempt to coerce the political activities of another employee when they are acting as a private citizen.



I shall not use or disclose confidential information acquired by virtue of my position with the School District for my or another's private gain.

I shall fully disclose real or potential conflicts of interest and shall make reasonable efforts to avoid undue influence and abuse of my position.

If engaged in any employment outside of the School District, I will disclose such employment and will not participate in any decision or action involving the business identified in this section unless permitted to do so by the Governmental Conduct Act.

As a member of the Board of Education and recognizing that my actions will directly influence the children in this school district, I will:

Strive toward ideal conditions for most effective school Board service to my community.

Devise time, thought and study to the duties and responsibilities of a School Board member, enabling effective and creditable service.

Work with fellow Board members in a spirit of harmony and cooperation, respecting their rights and views. Make no critical remarks, in or out of meetings, about other members of the Board or their opinions.

Keep an open mind and carefully consider all available facts in every situation before reaching a decision.

Render all decisions in open, public meetings.

Accept and support majority decisions of the Board.

Recognize that there is no authority of an individual Board member either expressed or implied other than during legally constituted sessions of the Board or when representing the Board officially.

Welcome and encourage active cooperation of sincerely interested individuals, organizations, school personnel and media representatives.

Confine the Board's functions to policy making, planning and appraisal.

Delegate administrative and supervisory functions to the Superintendent of Schools.

Work through the Superintendent. Make criticisms of school administration and/or personnel only to him.

Take appropriate action regarding employee termination or discharge in hearings before the Board pursuant to Sections 22-10A-24 or 22-10A-27 NMSA 1978, respectively.

Resist every temptation and outside pressure to use the position of a School Board member for personal benefit, or for the benefit of any individual, agency or special interest group(s) apart from the total interest of the School District.

*Adopted:* April 12, 2022

**^B-0800© BCB**

## **BOARD MEMBER CONFLICT OF INTEREST**

### **Participating and Voting**

#### **Restriction**

In the event a Board member is employed by a corporation or business or has a relative with a substantial interest in a corporation or business which is or may be interested in contracting with or furnishing goods and services to the District, the Board member shall declare the interest and refrain from debating and voting upon the question of doing business with the company. Once such interest is publicly disclosed the corporation or business can seek and obtain the business of the District through a public bidding process.

## **Nepotism**

A person who is the spouse, father, father-in-law, mother, mother-in-law, son, son-in-law, daughter, daughter-in-law, brother, brother-in-law, sister, sister-in-law of a member of the Board may not be initially employed or approved for employment in any capacity in the District. Nothing in this section of this policy shall prohibit the continued employment of such a person employed on or before March 1, 2003.

## **Prohibited Acts**

In accordance with the Governmental Conduct Act a public officer or employee:

will not, while participating directly or indirectly in a District contracting process, also be the employee of a contractor seeking that contract.

shall treat any position with the District as a public trust and shall use the powers and resources of that position to advance the public interest and not to obtain personal benefits or pursue private interests.

shall maintain, at all times, the integrity and ethically high responsibilities of public service and discharge all duties in the same manner.

shall conduct all interactions in a manner that justifies the confidence placed in the office or position by the public.

shall fully disclose real or potential conflicts of interest and shall make reasonable efforts to avoid undue influence and abuse of the office or position.

shall not request or receive nor offer a legislator, public official, or public employee any money, thing of value, or promise thereof that is conditional upon or given in exchange for the promised performance of an official act.

shall not directly or indirectly coerce or attempt to coerce another public officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for a political purpose.

shall not directly or indirectly coerce or attempt to coerce an employee by threatening, requiring, influencing or advising the employee regarding any political activity.

shall not violate the officer's or employee's duty not to use property of the District, or allow its use, for other than authorized purposes.

shall not take an official act for the primary purpose of directly enhancing a personal financial interest or position.

shall be disqualified from engaging in any official act affecting a personal financial interest except if that interest is proportionately less than the benefit to the general public.

shall not acquire a financial interest if it is believed the new interest will be directly affected by an official act.

shall not use or disclose confidential information acquired by virtue of the office or position with the District for personal gain or another's private gain.

will disclose any employment outside of the School District in writing to the District and will not participate in any decision or action involving the business identified in this disclosure unless permitted to do so by the Governmental Conduct Act.

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

*Adopted:* April 12, 2022

LEGAL REF.: 10-16-1 NMSA *et seq.*

22-5-6 NMSA

6.10.6.8 NMAC

CROSS REF.: BBBA - Board Member Qualifications

DJ - Contracts for Purchases and Services

DJE - Bidding Purchasing Procedures

GBEAA - Staff Conflict of Interest

GBP - Prohibited Personnel Practices

**^B-0831 ©      BCB-EA**

**EXHIBIT**

**BOARD MEMBER CONFLICT OF INTEREST**

I, \_\_\_\_\_, do hereby indicate:

1. That I am presently an officer/employee of the Farmington Municipal Schools District;
2. That I (or my relative[s]: \_\_\_\_\_  
\_\_\_\_\_ ) have a substantial interest in the contract, sale, purchase, or service to or decision by the Farmington Municipal Schools Board as described below.
3. That I shall refrain from participating in any manner in my capacity as an employee or officer of the Farmington Municipal Schools District in such contract, sale, purchase, service to, or decision by the Board unless specifically permitted to do so by law.

\_\_\_\_\_

Print Name

\_\_\_\_\_

Signature      Date

Please identify and describe below any business in which you, or a family member (spouse, domestic partner, parent, sibling, and/or child), has/have a financial or substantial interest. Financial interest means an ownership interest in a business or any employment or prospective employment for which negotiations have already begun. Substantial interest means an ownership interest of a business that is greater than twenty percent (20%).

Business: \_\_\_\_\_

\_\_\_\_\_

Type of Interest: Financial \_\_\_\_\_ Substantial \_\_\_\_\_

Interested Person: Myself \_\_\_\_\_ Family Member \_\_\_\_\_ (identify relationship)

**^B-0832 ©      BCB-EB**

**EXHIBIT**

**BOARD MEMBER CONFLICT OF INTEREST**

BOARD MEMBER DISCLOSURE OF OUTSIDE EMPLOYMENT/GOVERNMENTAL CONDUCT ACT

(10-16-4.2 NMSA)

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

Position: \_\_\_\_\_

Employer; date of hire; hours of work per week or other:

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

Position and description of duties:

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

Does employer contract with the Farmington Municipal Schools District:

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes then a conflict of interest form stating the conflict must be completed and acknowledged at a public meeting.

\_\_\_\_\_

Print Name

\_\_\_\_\_

Signature          Date

**B-0900 ©          BDA**

**BOARD ORGANIZATIONAL MEETING**

The officers of the Board shall consist of a President, Vice-President, Secretary and Deputy Secretary , all of whom shall hold office for one (1) year or until their successors are elected and have been qualified. For the purpose of organization of the Board, the Board shall at its first regular meeting in January administer the *Oath of Office* to newly elected members and elect from its membership a President, Vice-President, Secretary and Deputy Secretary.

The meeting shall be called to order by the President of the Board for the preceding year. If that person is not a member of the Board, a temporary President shall be elected, and the meeting shall be called to order by the temporary president. The person calling the meeting to order shall preside until a successor is chosen.

The Board shall use the following procedure to elect various officers:

The floor shall be opened to nominations for the office to be voted upon. At this time, the names of possible appointees shall be put forward by the members and debated. When the debate ends, the President shall call the roll of the members, and each member shall cast his vote. The votes shall not be tallied until all members have voted.

The nominee who receives the highest number of votes shall be appointed to the office of nomination.

The new President of the Board shall take office upon election. Election for the Vice-President shall then take place and following that the election of the Secretary. Election for the Deputy Secretary shall then take place. Each officer

shall take office upon election to that position. The Board may choose to put forth a slate of officers (President, Vice-President, Secretary, and Deputy Secretary) for consideration to fill the offices.

Whenever there is a vacancy in a Board office, the Board shall elect a new officer to fill the vacancy during the unexpired term of office.

*Adopted:* April 12, 2022

LEGAL REF.: 22-5-7 NMSA

22-5-8 NMSA

22-5-9 NMSA

22-5-9.1 NMSA

CROSS REF.: BDB - Board Officers

BE - School Board Meetings

BEC - Executive Sessions/Open Meetings

BEDA - Notification of Board Meetings

**B-0950 © BDB**

## **BOARD OFFICERS**

### ***President:***

Preside over all meetings and conduct meetings in accordance with New Mexico law, Secretary of Public Education rules and policies of the District.

Call special or emergency meetings.

Consult with the Superintendent on the agenda for each meeting.

Encourage and maintain orderly and democratic participation.

Keep all discussions factual and on the subject at hand.

Allow for full and complete exploration of each item of business.

The President may not act for, or on behalf of the Board, without prior specific authority from a majority of the Board, and

The President shall perform other duties as assigned by the Board or required by law.

### ***Vice President:***

The Vice-President shall perform the duties of the President in the absence of the President and shall perform other duties as assigned by the Board.

### ***Secretary:***

The Secretary shall perform all duties as required by law and perform other duties assigned by the Board. The secretary shall be responsible for all records of Board meetings and shall assist the Superintendent, custodian of public records for the District, in providing access to these documents as required by law.

Deputy Secretary:

The Deputy Secretary shall perform all duties as required by law and perform other duties assigned by the Board in the absence of the Secretary.

### **Surety Bonds**

A surety bond shall be obtained by the District for all officers prior to their taking office.

*Adopted:* April 12, 2022

LEGAL REF.: 22-5-7 NMSA

CROSS REF.: BEDB - Agenda

BEDBA - Agenda Preparation and Dissemination

### **B-1050 © BDD**

#### **BOARD - SUPERINTENDENT RELATIONSHIP**

The establishment of policies is the responsibility of the Board, and the execution of those policies is a function of the Superintendent.

The Superintendent is the chief executive officer of the School District and is responsible for the professional leadership and skill necessary to translate the policies of the Board into administrative action.

The Superintendent is responsible for the administration of the District. The Superintendent may delegate the necessary authority to other employees and develop such procedures and regulations as the Superintendent considers necessary to ensure efficient operation of the District.

*Adopted:* April 12, 2022

### **^B-1100 © BDE**

#### **BOARD COMMITTEES**

Committee work of the Board shall usually be done by members of the Board sitting as a committee of the whole. There shall be no standing or permanent committees composed entirely of Board members that would make up a quorum of the Board. If a temporary committee is appointed, it shall serve only for the time needed for its designated purpose. Committee recommendations shall be advisory only.

*Adopted:* April 12, 2022

LEGAL REF.: 10-15-1 NMSA

22-8-12.3 NMSA

CROSS REF.: BDF - Advisory Committees

### **^B-1200 © BDF**

#### **ADVISORY COMMITTEES**

The Board may, by majority vote, appoint ad hoc advisory committees when deemed advisable. Recommendations of such committees cannot be binding on the Board; they may be advisory only. These committees will be responsible for presenting to the Board recommendations for action based on research and facts. Any such committee shall be dissolved upon completion of its assignment or may be dissolved by a vote of the Board.

The Board President shall develop guidelines for each committee. These guidelines shall be approved by the Board prior to the first meeting of each committee and may include, but not necessarily be limited to, the following:

A written, specific statement of the purpose of the committee.

The dates on which interim and final reports of the committee are to be rendered.

The date or event upon which the committee will be terminated.

The extent to which facilities, supplies, equipment, and clerical support will be provided to each committee.

The Superintendent will ensure that the following actions are taken for each committee established by the Board:

Each committee member will be briefed on the requirements of the New Mexico Open Meeting Law as it applies to committees of the Board.

Notices and agendas of all meetings of the committee will be posted.

Minutes will be kept of each meeting.

A representative of the Superintendent will serve as ex-officio members of all advisory committees.

*Adopted:* April 12, 2022

LEGAL REF.: 10-15-1 NMSA

22-8-12.3 NMSA

**B-1250 © BDG**

#### **SCHOOL ATTORNEY**

The Board recognizes the need for quality legal counsel in light of the increasing complexity of the statutes, regulations and policies under which the District operates.

Board attorneys are retained by the Board as counsel for the Board to provide legal service on any matter related to the operation of the District. The attorneys may be asked to provide legal advice, render legal opinions, prepare resolutions, review proposed Board actions, represent the Board in a court of law, or provide other legal services the Board or Superintendent may request on behalf of the District.

The Board designates the Superintendent as the sole administrative access to the Board's attorney for legal information regarding the day to day operations of the District. The Superintendent may, on a needs basis, delegate the responsibility for contact with the attorneys to a member of the staff. In the event of any dispute between the Superintendent and the Board, it shall be clearly understood that the Board's attorney(s) shall represent the Board's interests.

The President of the Board shall have access to the Board's attorneys and may request legal advice about school business. Such requests may be in writing, in person or by telephone. The advice received shall be shared with the Board and Superintendent as determined by legal counsel.

Copies of all written requests for opinions shall be furnished to all Board members. Requests for opinions requiring research or substantial amounts of work on the part of private counsel shall be in writing when practicable. It shall be the duty of the Superintendent to share with Board members the attorney's response or a sufficient summary of it to keep the Board well informed.

All advice received from the attorneys is privileged under the attorney-client privilege and all recipients of such advice and the written letters/memoranda thereof shall keep such advice strictly confidential.

*Adopted:* April 12, 2022

LEGAL REF.: 22-5-4 NMSA

**B-1300 © BDH**

**BOARD CONSULTANTS**

The District may employ consultants when appropriate to carry out tasks or projects that enhance the effectiveness of District operations 1) when the District does not have the specialized competency on its staff or 2) when such assignments would be burdensome to the school staff when added to their full-time assignments. The kinds of assistance sought from consultants may include, but will not necessarily be limited to 1) conducting fact-finding studies, surveys, and research; 2) providing counsel or services requiring special expertise; and 3) assisting the Board in developing policy and program recommendations. The employment of specific consultants, within the budgeted funds of the District, will be the responsibility of the Superintendent.

All consultants shall be engaged pursuant to appropriate rules of procurement.

*Adopted:* April 12, 2022

LEGAL REF.: 22-5-4 NMSA

**^B-1400© BE**

**SCHOOL BOARD MEETINGS**

The Board shall determine, at least annually in a public meeting, what notice for a public meeting is reasonable when applied to the School District.

The Board shall transact all business at official meetings of the Board. These may be either regular, special, or emergency meetings, defined as follows:

Regular meeting - a meeting of the members of a local school board at which at least a quorum is present, about which notice has been published, and at which normal school district business is transacted.

Special meeting - an official legal-action meeting called between scheduled regular meetings to consider only specifically identified topics.

Emergency meeting - an official legal-action meeting called due to unforeseen circumstances that, if not addressed immediately by the public body, will likely result in injury or damage to persons or property or substantial financial loss to the public body.

A local school board shall hold at least one (1) regular meeting each month of the calendar year.

Every meeting of the Board, regular, special or emergency, shall be open to the public except for an executive session that is held in accordance with state law. A "meeting" is defined as the gathering of a quorum of members of a public body to propose or take legal action, including any deliberations with respect to such action, that has been properly noticed, pursuant to law.

**Regular Board Meetings**

The second Tuesday of each calendar month is designated as the regular Board meeting date.

A regular meeting may be rescheduled by agreement of a majority of the Board.

Written notice of the date, hour, place, and subject (agenda) of each regular meeting of the Board shall be given as follows:

Notice shall be posted at least ten (10) days preceding the scheduled time of the meeting, with the exception of an actual emergency, in which case such notice as is appropriate to the circumstances shall be given.

Notice shall be posted in prominent places, convenient to the public, and available for reading at all time during the posting.



The notice shall include an agenda or information as to when and where an agenda can be obtained at least seventy-two (72) hours prior to the meeting and posted on the District's web site, if one is available.

Every regular meeting of the Board shall be open to the public to listen and observe the actions of the Board.

### **Special Board Meetings**

Special meetings may be called whenever deemed necessary by the Board President or when requested by a majority of the Board. Written or telephoned notice of all special meetings shall be given to the members of the Board, and written notice shall be posted, at least three (3) days prior to the time stated for the meeting to convene. The notice shall include an agenda or information as to when and where an agenda can be obtained. The agenda shall be made available to the public at least seventy-two (72) hours prior to the special meeting and posted on the District's web site, if one is available. The Superintendent's office shall transmit copies of the written notice to those broadcast stations licensed by the federal communications commission (FCC) and newspapers of general circulation that have made written requests for notice of public meetings. No business other than the matters specified in the notice shall be transacted at such meeting.

Special meetings shall be open to the public to listen and observe the actions of the Board.

### **Emergency Meetings**

An "emergency" refers to unforeseen circumstances that, if not addressed immediately by the public body, will likely result in injury or damage to persons or property or substantial financial loss to the public body.

An emergency meeting may be called as necessary. The normal notice and posting of an agenda along with the requirement of discussing only agenda items is not required when the Board declares an emergency in accord with the statutory definition, but notice twenty-four (24) hours prior to the meeting is expected unless the emergency precludes such notice. The District must, within ten days of taking action on an emergency matter, report to the attorney general's office the action taken and the circumstances creating the emergency. The requirement to report to the attorney general is waived upon the declaration of a state or national emergency.

\*\*\*

In addition to the information specified above, all notices shall include the following language.

"If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Superintendent of schools, at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Superintendent's Office, if a summary or other type of accessible format is needed."

*Adopted:* April 12, 2022

LEGAL REF.: 10-15-1 NMSA *et seq.*

22-5-12 NMSA

CROSS REF.: BEC - Executive Sessions/Open Meetings

BEDA - Notification of Board Meetings

BEDB - Agenda

BEDC - Quorum

**B-1550 © BEC**

**CLOSED MEETINGS/ OPEN MEETINGS**

The Board may enter into Closed Session after the following requirements have been met:

The Board has first been convened in open meeting, for which notice, stating the specific provision of law authorizing the executive session, has been given.

The Board President has identified the section or sections of 10-15-1 NMSA 1978 that authorize the holding of the Closed Session and has stated the language of the section(s) and with reasonable specificity the subject to be discussed.

The Closed Session is authorized by a majority vote of a quorum in open session. The vote of each member shall be recorded in the minutes.

No final action, decision, or vote shall be taken while the Board is in Closed Session, except as provided by law.

The Board shall provide a statement in the minutes of the open meeting in which the Closed Session was held or at the next meeting following the Closed Session meeting, if it is a separate meeting, that the matters discussed in the Closed Session were limited only to those specified in the motion for closure or in the notice of the separate Closed Session meeting.

*Adopted:* April 12, 2022

LEGAL REF.: 10-15-1 NMSA

CROSS REF.: BEDG - Minutes

BHDA - Confidential Communications

JKD - Student Suspension/Expulsion

**B-1581            BEC-E**

## **EXHIBIT**

### **CLOSED MEETINGS / OPEN MEETINGS**

The Open Meetings Act requires all Board meetings to be open to the public at all times unless an exception found in the Act permits a Closed meeting. A Closed meeting may be held to discuss:

Issuance, suspension, renewal, or revocation of a license. Final actions shall be taken at an open meeting.

"Limited personnel matters" which means the discussion of hiring, promotion, demotion, dismissal, assignment, or resignation of or the investigation or consideration of complaints or charges against any individual public employee. Final actions on personnel which the Board is lawfully authorized to take shall be taken at an open public meeting.

An "administrative adjudicatory proceeding" which means a proceeding brought by or against a person before a public body in which individual legal rights, duties or privileges are required by law to be determined by the public body after an opportunity for a trial-type hearing. Final action which the Board is lawfully authorized to take as a result of the proceeding shall occur in an open meeting.

Personally identifiable information about any individual student, unless the student, his parent or guardian requests otherwise.

Purchases exceeding two thousand five hundred dollars (\$2,500) that can be made only from one source, and the contents of competitive sealed proposals solicited pursuant to the Procurement Code during the contract negotiation process. The actual approval of purchase of the item or final action regarding the selection of a contractor shall be made in an open meeting.

Threatened or pending litigation in which the Board is or may become a participant.

The purchase, acquisition, or disposal of real property or water rights.

**B-1600 ©      BED**

**MEETING PROCEDURES / BYLAWS**

The President of the Board is responsible for the orderly conduct of the meeting and shall rule on such matters as the time to be allowed for public discussion, the appropriateness of the subject being presented, and the suitability of the time for such a presentation. All such rulings shall be consistent as to length of time allowed for discussion and viewpoint neutral. These rulings are subject to review by the Board at a subsequent meeting, properly noticed, as long as the matter is included on the agenda.

*Adopted:*            April 12, 2022

LEGAL REF.:    O.A.G. 90-26.

**^B-1650©      BEDA**

**NOTIFICATION OF BOARD MEETINGS**

The posting place for all notices of meetings shall be in an area available to the public twenty-four (24) hours per day, well lighted and with at least one (1) of the locations reasonably close to the District office.

Notice of regular meetings shall be posted throughout the community at the following locations:

District office;

All District schools; and

Other locations as appropriate.

At least ten (10) days notice shall be given for any regular meeting and three (3) days for any special meeting time and place with the exception of an actual emergency, in which case such notice as is appropriate to the circumstances shall be given (usually twenty-four [24] hours). Notice shall be provided to Board members at least ten (10) days prior to the regular meeting, three (3) days prior to the special meeting and as appropriate to the circumstances for emergency meetings of time and place so that they may make plans to be present.

*Adopted:*            April 12, 2022

LEGAL REF.:    10-15-1 NMSA (1978)

CROSS REF.:    BE - School Board Meetings

BEC - Executive Sessions/Open Meetings

**B-1700 ©      BEDB**

**AGENDA**

Only those items on the agenda will be discussed and deliberated by the Board at a meeting. Agenda items may be considered out of sequence by a majority vote of the Board to amend the agenda.

***Regular meetings:***

Call to order and Pledge of Allegiance

Welcome of Guests

Consideration to Adopt the agenda

Recognition of Students, Staff and Patrons

Limited Public Forum

Student Instruction  
Reports from the Superintendent, Staff and Board  
Consent agenda  
Finance and Facilities  
Board of Education  
Advanced Planning  
Adjournment

**Special meetings:**

Call to order  
Items for which special meeting was called  
Announcements  
Adjournment

**Closed sessions:**

A Closed session may be scheduled, as necessary, during either a regular or special meeting.

*Adopted:* April 12, 2022

LEGAL REF.: 10-15-1 NMSA (1978)

CROSS REF.: BEC - Executive Sessions/Open Meetings

**B-1711 © BEDB-R**

**REGULATION**

**AGENDA**

**(Consent Agenda Items)**

The agenda of each regular Board meeting may contain a consent agenda.

Consent agenda items will be determined by the Superintendent following discussion with the Board President at the time agendas are prepared for the regular meetings of the Board. Consent agenda items are acted upon as a group with one motion and second for all identified items. Items to be included on the consent agenda will be listed on the agenda in the normal manner; however, they will be identified with an asterisk (\*). All backup material relating to any consent agenda items will be included in the Board's agenda packet.

Consent agenda items may be removed from consent status by any member of the Board before the regular Board meeting or at the time of adoption of the agenda. When so removed they are to be acted upon just as other agenda items.

**^B-1750© BEDBA**

**AGENDA PREPARATION AND DISSEMINATION**

**Regular Meetings**

The Superintendent will prepare Board meeting agendas in consultation with the Board President.

The Superintendent or Board members may place items on the agenda. Any Board member desiring to place an item on the agenda will notify the Superintendent of the particular item of business at least five (5) central office working days before the meeting agenda is finalized (at least eight [8] days prior to the meeting). Inclusion on the next agenda will depend upon the amount of time necessary to provide information to the Board for deliberation and decision making. The Superintendent will make this decision in consultation with the Board President.

The agenda and supporting materials shall be distributed to the Board members not less than seventy-two (72) hours prior to the meeting.

Meeting notices shall include the date, time and place of the meeting and an agenda containing a list of specific items of business to be discussed or transacted at the meeting or information on how the public may obtain a copy of such an agenda. Except in the case of an emergency, the agenda shall be available to the public at least seventy-two (72) hours prior to the meeting. Reasonable public notice of a meeting shall be by a notice given at least ten (10) days before a scheduled meeting and distributed to broadcast stations licensed by the federal communications commission (FCC) and newspapers of general circulation that have provided a written request for such notice.

### **Special Meetings**

The procedures for agenda preparation and dissemination used for regular meetings will be used for special meetings.

### **Emergency Meetings**

Agenda preparation for an emergency meeting shall be as appropriate for the circumstances, since normal notice of an agenda along with the requirement of discussing only agenda items is not required when the Board declares an emergency in accord with the statutory definition. Notice of the meeting being held twenty-four (24) hours prior to the meeting is expected unless the emergency precludes such notice.

*Adopted:* April 12, 2022

LEGAL REF.: 10-15-1 NMSA (1978)

**B-1800 © BEDC**

### **QUORUM**

A quorum consisting of a majority of the Board membership shall be necessary to conduct any business.

The Board may allow a member to participate in the business of the Board using a device configured in a manner that conversations from all participants can be heard on both ends of the deliberations, when it is otherwise difficult or impossible for the member to attend the meeting in person.

*Adopted:* April 12, 2022

**B-1850 © BEDD**

### **RULES OF ORDER**

The Board prescribes rules for its meetings as follows:

It shall hold a regular meeting at least once each month during the year and may hold other meetings as often as called.

Each action item shall require a motion, and all motions shall require seconding.

The President may make or second motions, and may vote on all motions.

A motion to adjourn is in order at any time. Such a motion shall require a second and a majority vote. No discussion is in order.

A motion to table is in order at any time. Such a motion requires a second and is limited to being considered only once on any given agenda item. No discussion is in order.

The Board's action should result from a decision on the merits rather than a manipulation of the procedural rules.

Rules of order may be subject to suspension only upon a majority vote of the members of the Board present at a meeting.

In matters not covered by these rules and those referenced below the president may consult a manual on parliamentary procedure for small organizations.

*Adopted:* April 12, 2022

LEGAL REF.: 22-5-4 NMSA

CROSS REF.: BED - Meeting Procedures/Bylaws

BEDA - Notification of Board Meetings

BEDB - Agenda

BEDBA - Agenda Preparation and Dissemination

BEDC - Quorum

BEDF - Voting Method

BEDG - Minutes

BEDH - Public Participation at Board Meetings

BGF - Suspension/Repeal of Policy

**B-1881** **BEDD-E**

**EXHIBIT**

**RULES OF ORDER**

The basic concept upon which rules of procedure are built is the concept of relationship of motions, called the order of precedence. The order of precedence tells a member of the Board two (2) things: when a motion is in order and in what order to vote on pending motions.

**Chart of Motion Precedence**

<b>Motion</b>	<b>Debatable</b>	<b>Amendable</b>	<b>Vote Required</b>
10. Adjourn	No	No	Majority
9. Recess	No	Yes	Majority
8. Lay on the Table	No	No	Majority
7. Close Debate	No	No	2/3
6. Postpone Definitely	Yes	Yes	Majority
5. Refer for further Study	Yes	Yes	Majority
4. Amend the Amendment	Yes	No	Majority

3. Amend or Substitute	Yes	Yes	Majority
2. Postpone Indefinitely	Yes	No	Majority
1. Main Motion (Resolution)	Yes	Yes	Majority
Reconsider	Yes	No	Majority
Rescind	Yes	Yes	Majority (with notice)
Take from the Table	No	No	Majority

All of the above motions require a second.

<b>Motions Dealing with the General Conduct of the Meeting</b>			
<b>No Order of Precedence</b>			
Point of Order	No	No	None
Parliamentary Inquiry	No	No	None
Appeal from the Decision of the President*	Yes	No	Majority
Suspend the Rules*	No	No	2/3
Withdraw or Modify a Motion	No	No	Majority

\* Only the asterisked motions above require a second to the motion.

An example is given below. Refer to the list of motions shown in the simplified chart of motions for the order of precedence.

*Scenario 1* - A main motion is pending. The *order of precedence* tells a member that it is in order to move to amend the main motion because the motion to amend is higher in rank (#3) than the main motion (#1).

*Scenario 2* – If the main motion and motion to amend are pending, the *order of precedence* tells a member that a motion to postpone definitely is in order because it is higher in the order of precedence (#6) than the motion to amend (#3).

On the other hand, a motion to postpone indefinitely is not in order because the motion is # 2 in the *order of precedence*, and the motion on the floor is a *higher precedent* (#3).

**B-2050 © BEDF**

**VOTING METHOD**

Votes on all motions and resolutions shall be by a voice or roll-call vote and the vote of members shall be recorded. No secret ballots shall be used.

Each member of the Board shall have one (1) vote and a proposal shall pass by the affirmative vote of a majority of the members present at the meeting.

*Adopted:* April 12, 2022

LEGAL REF.: 10-15-1 NMSA

CROSS REF.: BEDC - Quorum

BEDD - Rules of Order

BEDG - Minutes

**B-2100 © BEDG**

**MINUTES**

Minutes shall be kept of all regular and special Board meetings. Draft copies of minutes of each Board meeting will be available for public review in the District administrative office ten (10) working days after the date of the meeting. The Board will take action at a subsequent meeting to amend and/or approve these minutes.

The minutes of the Board of Education shall include:

The date, place and classification of the meeting (regular, special, etc.).

Record of the roll call of Board members.

A notation of the presence or absence of the Superintendent.

A record of any modification of the published agenda.

A record of any corrections to the minutes of any previous meeting and the action approving them.

A record of any communications, petitions, or reports presented to the Board.

A record of each motion placed before the Board, the member making the motion and the member seconding it (if any), the declaration of the person presiding as to whether the motion passed or failed and the name of each person voting "aye" or "nay," or abstaining on other than unanimous votes.

All reports, resolutions, agreements and other written documents which require Board action may be made part of the minutes by reference only, but shall be kept on file as part of the permanent record.

A "draft" copy of the minutes will be made available for public inspection within ten (10) working days of the meeting and should clearly indicate that they are "not official." Minutes become official when approved by the Board.

Minutes shall be permanently filed and kept in the Superintendent's office after approval by the Board. They shall be kept for inspection by any citizen at any time the Superintendent's office is open during regular business hours. The minutes shall not be removed from the Superintendent's office.

**Summary of the Minutes**

On or before the tenth (10th) day of each month the Superintendent shall prepare a summary of the minutes of all meetings held by the Board during the preceding calendar month, such summary shall contain a full and correct account of all business transacted, showing all matters presented, the action taken thereon, or other disposition thereof. A statement of all moneys received during the preceding calendar month shall be prepared showing the source and the amount received from each source with a detailed statement of all expenditures made during such preceding calendar month, including a list of all warrants issued, to whom issued, the amount of each warrant and the purpose for which the warrant was issued.

The summary of minutes shall be filed with the Board Secretary and shall be a public record open to inspection of the public and a copy thereof shall be mailed to each and every legal newspaper published in the county for such use as such newspaper may see fit.

*Adopted: April 12, 2022*



LEGAL REF.: 10-15-1 NMSA  
10-17-1 NMSA  
10-17-2 NMSA

**B-2150 © BEDH**

**PUBLIC PARTICIPATION AT BOARD MEETINGS**

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

The Board invites the viewpoints of citizens throughout the District, and considers the responsible presentation of these viewpoints vital to the efficient operation of the District. The Board also recognizes its responsibility for the proper governance of the schools and therefore the need to conduct its business in an orderly and efficient manner. The Board therefore establishes the following procedures to receive input from citizens of the District:

Any individual desiring to address the Board shall complete a form (Request to Address Board) and give this form to the Superintendent prior to the start of the Board meeting. Requests to Address the Board must relate to topics on the Board Meeting agenda.

The Board President shall be responsible for recognizing speakers, maintaining proper order, and adhering to a time limit of thirty (30) minutes for all presentations and a maximum of three (3) minutes per speaker. In order to ensure that each individual has an opportunity to address the Board, the President may also set a time limit of less than three (3) minutes for individual speakers based upon the length of the comment period and number of requests received.

Questions of fact asked by the public shall, when appropriate, be answered by the President or referred to the Superintendent for reply. No action or discussion shall transpire among Board members regarding such questions or comments. Questions requiring investigation shall be referred to the Superintendent for later report to the Board. Questions or comments on matters that are currently under legal review will not receive a response.

Members of the public or invited guests may be recognized by the President to assist the Board with information for the conduct of its official business.

Personal attacks upon Board members, staff personnel, or other persons in attendance or absent by individuals who address the Board are discouraged. Presenters are cautioned that statements or representations concerning others that convey an unjustly unfavorable impression may subject the presenter to civil action for defamation. Policies KE, KEB, KEC, and KED are provided by the Board for disposition of legitimate complaints, including those involving individuals.

*Adopted:* April 12, 2022

LEGAL REF.: 10-15-1 NMSA

CROSS REF.: BDB - Board Officers  
BHC - Board Communications with Staff Members  
BHD - Board Communications with the Public  
KEB - Public Concerns/Complaints about Personnel

**B-2181 © BEDH-E**

**EXHIBIT**

**EXHIBIT**

**PUBLIC PARTICIPATION AT BOARD MEETINGS**

**REQUEST TO ADDRESS BOARD**

The Board President shall be responsible for recognizing speakers, maintaining proper order, and adhering to a time limit of thirty (30) minutes for all presentations and a maximum of three (3) minutes per speaker. In order to ensure that each individual has an opportunity to address the Board, the President may also set a time limit of less than three (3) minutes for individual speakers based upon the length of the comment period and number of requests received.

Questions of fact asked by the public shall, when appropriate, may be answered by the President or referred to the Superintendent for reply. No action or discussion shall transpire among Board members regarding such questions or comments. Questions requiring investigation shall be referred to the Superintendent for later report to the Board. Questions or comments on matters that are currently under legal review will not receive a response.

Personal attacks upon Board members, staff personnel, or other persons in attendance or absent by individuals who address the Board are discouraged. Presenters are cautioned that statements or representations concerning others that convey an unjustly unfavorable impression may subject the presenter to civil action for defamation. Policies KE, KEB, KEC, and KED are provided by the Board for disposition of legitimate complaints, including those involving individuals.

**I request permission to address the Board on the following topic:**

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Date	Name and Telephone Number	
<hr/>		
Street Address		
<hr/>		
City	State	Zip
<hr/>		
E-mail Address		
<hr/>		
Representing		

**B-2200 © BEDI**

**NEWS MEDIA SERVICES AT**

**BOARD MEETINGS**

Local news media representatives shall be welcome to attend all regular or special meetings of the Board with the exception of Closed Sessions. In the event that representatives of the news media are unable to attend a regular or special meeting, the Superintendent may provide a periodic summary of Board actions.

*Adopted:* April 12, 2022

**B-2450 © BG**

**SCHOOL BOARD POLICY PROCESS**

It is the intent of the Board to adopt policies so that they may serve as guidelines for its own operations and for the successful and efficient functioning of the District.

Policy adoption is one of the Board's chief responsibilities. Suggestions regarding the content of policies may originate with a member of the Board, the Superintendent, a staff member, a parent, a student, a consultant, a civic group, or any resident of the District. A careful and orderly process shall be used in examining such proposals. The policy proposals shall be referred to the administration for detailed study prior to recommendation(s) being provided to the Board. The Board may take action in accordance with Policy BGB after hearing the Superintendent's recommendations.

The policies of the Board are framed and intended to be interpreted within the context of applicable laws and regulations.

Changes in needs, conditions, purposes, and objectives may require revisions, deletions, and additions to the policies. The District will welcome suggestions for ongoing policy review and revision.

*Adopted:* April 12, 2022

LEGAL REF.: 22-5-4 NMSA

**B-2600 © BGB**

### **POLICY ADOPTION**

Adoption of new policies or the revision or repeal of existing policies is the responsibility of the Board. The Board shall adhere to the following procedure in considering and adopting policy proposals to ensure that they are fully studied before final action:

First meeting - the proposal shall be presented for review.

Second meeting - the proposal shall be presented for discussion and action.

During discussion of a policy proposal, the views of the public, staff members, and the Board may result in changes. A change shall not require that the policy go through an additional review except as the Board determines that the change requires further study and that an additional review would be desirable.

Policies may be adopted or amended at a single meeting of the Board if declared necessary by a majority of the Board.

*Adopted:* April 12, 2022

**B-2650 © BGC**

### **POLICY REVISION AND REVIEW**

In an effort to keep its written policies up to date so they may be used consistently as a basis for Board action and administrative decision, the Board authorizes the Superintendent to seek consulting assistance from a source that provides such services. The District shall rely on the consulting service in conjunction with the functioning of the District as indicated by reactions of the school staff, the students, and the community to provide insight into the effect of the policies it has adopted. The Superintendent shall develop procedures to permit the District to utilize the policy consulting service in a manner that assures maximization of the District's return on its investment in the service.

The Superintendent is responsible for calling to the Board's attention policies that are out of date or in need of revision.

*Adopted:* April 12, 2022

CROSS REF.: BGE - Policy Communication/Feedback

**B-2661 © BGC-R**

### **REGULATION**

#### **POLICY REVISION AND REVIEW**

The District is a subscriber to the Policy Services Program of the New Mexico School Boards Association (NMSBA). This service will assist the District in the amendment of District policies or in the adoption of new policies originated by the District.

The procedure listed below will be followed to ensure the expeditious review and consideration of policy updates received from the NMSBA Policy Services Program and all newly proposed policies:

A master file of policy updates (Policy Services Advisories) will be kept by the Superintendent.

Upon receipt, a copy of each update will be forwarded to the appropriate member(s) of the Superintendent's staff.

The designated staff member may review and evaluate the update and recommend action to the Superintendent, including any proposed changes needed to adapt the update to specific circumstances within the District.

If changes or new policies are recommended, the Superintendent will send a copy of the update to NMSBA Policy Services for review or contact NMSBA Policy Services by phone to discuss the proposed changes.

Following review by NMSBA Policy Services, the updated policy or any newly proposed policies will be placed on the Board agenda for a first review by the Board.

Following the first review, if any proposals are made for further changes, such changes will be sent to NMSBA Policy Services for review or discussed with them by phone.

If no changes are proposed, or after any such proposed changes have been reviewed by NMSBA Policy Services, the updated policy will be placed on the Board agenda a second time for action by the Board.

Following adoption by the Board, the Superintendent will send a copy of the adopted policy and the date of adoption to NMSBA Policy Services.

NMSBA Policy Services will produce the final adopted copy of the policy and return the final copy to the District.

The Superintendent will reproduce sufficient copies of the new policy, as received from NMSBA Policy Services, and forward a copy to each person who is assigned a printed policy manual, with instructions as to how it is to be incorporated into the print copy of the policy manual.

**B-2750 © BGD**

#### **BOARD REVIEW OF REGULATIONS**

The Superintendent has the responsibility for carrying out, through administrative regulations, the policies established by the Board. The administrative regulations shall specify required actions and reflect the detailed arrangement under which the District will be operated.

Before issuance, regulations shall be properly titled and coded in conformance with the policy classification system selected by the Board.

The Board reserves the right to review all administrative regulations. The Superintendent shall provide a copy of each District regulation to each Board member prior to distribution and enforcement.

*Adopted:* April 12, 2022

LEGAL REF.: 22-5-4 NMSA

**B-2800 © BGE**

#### **POLICY COMMUNICATION / FEEDBACK**

The Superintendent shall develop procedures to ensure that employees, patrons, and Board members shall have access to a current policy manual that contains the policies and administrative regulations of the District.

The manual is intended both as a tool for District management and as a source of information to patrons, staff members, and others about how the District operates. To that end, each Board member and administrator shall have ready access to the manual. In addition, a print copy of the manual shall be available at such places as the Superintendent may determine for use by staff members, students, and patrons.

Each administrative regulation shall be so designated and included in the manual on a separate sheet(s) accompanying the policy with which it is associated.

All print copies of the policy manual shall remain the property of the District and shall be subject to recall at any time.

The Board's policy manual shall be considered a public record and shall be open for inspection during regular business hours at the District administration office and at places designated by the Superintendent.

The master copy of the manual will be securely maintained in the Superintendent's office. It is this copy that will be used to resolve any discrepancies in language existing in other copies.

Adopted: April 12, 2022

LEGAL REF.: 22-5-4 NMSA

**B-2811 © BGE-R**

**REGULATION**

**POLICY COMMUNICATION / FEEDBACK**

Each person to whom a printed copy of the policy manual is issued will be responsible for the maintenance, control, and updating of the manual.

All changes to the hard copy policy manual will be issued by the Superintendent, with a change memorandum listing codes, pages to be removed, and pages to be inserted. After making the changes, a copy of the change memorandum shall be filed by the Superintendent. After the updated pages have been placed into a policy manual, the outdated pages that have been superseded must be removed and destroyed. All policy manuals are subject to recall and/or inspection at any time to ensure that they are properly updated.

The master print copy of the policy manual shall be maintained by the Superintendent. It is this copy that shall be used to resolve any discrepancies in language existing in other copies.

The Superintendent will maintain one (1) copy of all outdated pages for historical and reference purposes.

**B-2831 © BGE-E**

**EXHIBIT**

**POLICY COMMUNICATION / FEEDBACK**

**CHANGE MEMORANDUM**

DATE:

TO: All holders of policy manuals

RE: District policy manual changes, additions, or deletions

Please make the following changes in your policy manual. It is important that this be accomplished immediately so that your manual contains only current policies.

**take out** these *old* policies,      **put in** these *new* policies,  
regulations (-R), regulations (-R),  
or exhibits (-E):      or exhibits (-E):

_____	_____
_____	_____
_____	_____
_____	_____

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

As soon as the changes to your copy of the manual are accomplished, please date, sign, and return this memorandum.

_____	_____
Signature	Date
<b>B-2850 ©</b>	<b>BGF</b>

**SUSPENSION / REPEAL OF POLICY**

The operation of any section or sections of Board policies not established and required by law or vested by contract may be temporarily or permanently suspended by a majority vote of Board members present at a regular or special meeting. An action under this policy would not require the two (2) presentations indicated in Policy BGB (Policy Adoption) to reinstate a suspended policy.

*Adopted:* April 12, 2022  
 LEGAL REF.: 22-5-4 NMSA

**B-3050 © BHC**

**BOARD COMMUNICATIONS WITH STAFF MEMBERS**

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

An employee will first communicate on school- or employment-related matters at the administrative level. Any employee who exhausts the opportunity of discussing a matter at the various administrative levels may then communicate in writing with the Board on the matter. No anonymous communication will be considered by the Board.

Official communications, policies, directives, Board concerns, and Board action(s), as appropriate, will be communicated to employees by the Superintendent.

The Board requires all employees to follow the proper channels of authority in reporting or attempting to resolve problems. It is considered to be insubordination whenever an employee knowingly circumvents the proper "chain of command."

Whenever an employee has a complaint, knowledge of wrongdoing in the workplace, a problem which requires administrative attention or information pertaining to their job assignment or location, they must follow the chain of command in reporting to their supervisor.

No supervisor is to retaliate against any employee who follows this policy and is acting in "good faith."

*Adopted:* April 12, 2022  
 LEGAL REF.: 22-5-4 NMSA

CROSS REF.: BEDH - Public Participation at Board Meetings

KE - Public Concerns and Complaints

**B-3100 © BHD**

### **BOARD COMMUNICATIONS WITH THE PUBLIC**

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

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

A member of the community who wishes to address the Board in person may do so by following the procedures in Policy BEDH.

Official communications, policies, Board concerns, and Board action, as appropriate, will be imparted to the community by the Superintendent.

*Adopted:* April 12, 2022

CROSS REF.: BEDH - Public Participation at Board Meetings

**B-3150 © BHDA**

### **BOARD MEMBER CONFIDENTIAL**

#### **COMMUNICATIONS**

##### **Confidential Communications**

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

Matters relating to the employment or dismissal of, or charges against, specific District personnel.

Matters relating to litigation or proposed litigation in which the Board is or may become a party, or attorney-client communications.

Matters of consideration regarding the acceptance of gifts, bequests, or donations where confidentiality has been requested by the donor.

Consideration of wages and benefits during salary discussions.

Considerations of the suspension, expulsion or disciplinary action related to a student(s).

Matters relating to discussions of bargaining strategy preliminary to collective bargaining and information relating to actual collective bargaining sessions.

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

All information discussed or documents provided to Board members which fall within the parameters of confidential information, or which are presented in an executive session authorized to be closed by the Open Meetings Act, shall be kept confidential unless otherwise authorized by a majority vote of the Board.

*Adopted:* April 12, 2022

CROSS REF.: BEDH - Public Participation at Board Meetings

**B-3200 © BIA**

**NEW BOARD MEMBER ORIENTATION /  
HANDBOOK**

A member-elect - or any person designated for appointment as a member-elect - of the Board is to be afforded the Board's and the staff's fullest measures of courtesy and cooperation. The Board and staff shall make every effort to assist the member-elect to become fully informed about the Board's functions, policies, procedures, and problems.

In the interim between election or appointment and actually assuming office, the member-elect shall be invited to attend appropriate meetings and functions of the Board and is to receive appropriate reports and communications normally sent to Board members.

Under the guidance of experienced Board members and the Superintendent, orientation will be provided to new Board members through activities such as:

Workshop for new Board members conducted by state and area school Board associations. Their expenses at these meetings may be reimbursed by the District in accordance with law.

Discussions and visits with the Superintendent and/or other members of the staff.

Provision of printed and audio-visual materials on School Board and administrative policies and procedures.

The member-elect is to be provided access to appropriate publications and aids, including the Board's Policy Manual and Administrative Regulations and publications of the state and national school boards associations.

The Board President and members of the administrative staff will also confer with the member-elect as necessary on special problems or concerns.

*Adopted:* April 12, 2022

LEGAL REF.: 22-5-12 NMSA

22-5-13 NMSA

**B-3250 © BIB**

**BOARD MEMBER DEVELOPMENT OPPORTUNITIES**

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

Matters relating to the employment or dismissal of, or charges against, specific District personnel.

Matters relating to litigation or proposed litigation in which the Board is or may become a party, or attorney-client communications.

Matters of consideration regarding the acceptance of gifts, bequests, or donations where confidentiality has been requested by the donor.

Consideration of wages and benefits during salary discussions.

Considerations of the suspension, expulsion or disciplinary action related to a student(s).

Matters relating to discussions of bargaining strategy preliminary to collective bargaining and information relating to actual collective bargaining sessions.



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

All information discussed or documents provided to Board members which fall within the parameters of confidential information, or which are presented in an executive session authorized to be closed by the Open Meetings Act, shall be kept confidential unless otherwise authorized by a majority vote of the Board.

*Adopted:* April 12, 2022

CROSS REF.: BEDH - Public Participation at Board Meetings

**B-3200 © BIA**

### **NEW BOARD MEMBER ORIENTATION / HANDBOOK**

A member-elect - or any person designated for appointment as a member-elect - of the Board is to be afforded the Board's and the staff's fullest measures of courtesy and cooperation. The Board and staff shall make every effort to assist the member-elect to become fully informed about the Board's functions, policies, procedures, and problems.

In the interim between election or appointment and actually assuming office, the member-elect shall be invited to attend appropriate meetings and functions of the Board and is to receive appropriate reports and communications normally sent to Board members.

Under the guidance of experienced Board members and the Superintendent, orientation will be provided to new Board members through activities such as:

Workshop for new Board members conducted by state and area school Board associations. Their expenses at these meetings may be reimbursed by the District in accordance with law.

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Provision of printed and audio-visual materials on School Board and administrative policies and procedures.

The member-elect is to be provided access to appropriate publications and aids, including the Board's Policy Manual and Administrative Regulations and publications of the state and national school boards associations.

The Board President and members of the administrative staff will also confer with the member-elect as necessary on special problems or concerns.

*Adopted:* April 12, 2022

LEGAL REF.: 22-5-12 NMSA

22-5-13 NMSA

**B-3250 © BIB**

### **BOARD MEMBER DEVELOPMENT OPPORTUNITIES**

Board members are encouraged to attend workshops presented by the county, state, and school boards associations. Professional journals and books in the school libraries shall be available to every Board member.

*Adopted:* April 12, 2022

LEGAL REF.: 22-5-13 NMSA

**B-3300 © BIBA**

**BOARD MEMBER CONFERENCES, CONVENTIONS, AND WORKSHOPS**

In keeping with the need for continuing in-service training and development for its members, the Board encourages the participation of all members at appropriate Board training, conferences, workshops, and conventions. However, in order to control the investment of time and funds necessary to implement this policy, the Board establishes these principles and procedures for its guidance:

The Board will provide funds for members to participate in State Public Education Department mandatory training, State Association and National Association training each year.

Funds for participation at such meetings will be budgeted on an annual basis. When funds are limited, the Board will designate which of its members would be the most appropriate to participate at a given meeting. With the prior approval of the Board, Board members may participate in meetings other than those authorized in the budget.

When a conference, convention, or workshop is not attended by the full Board, those who do participate will be requested to share information, recommendations, and material acquired at the meeting.

*Adopted:* April 12, 2022

LEGAL REF.: 22-5-13 NMSA

CROSS REF.: DKC - Expense Authorization/Reimbursement

**^B-3400 © BID**

**BOARD MEMBER COMPENSATION AND EXPENSES**

Board members shall serve without compensation.

Board members may be reimbursed for expenses incurred in connection with any school business authorized by the Board.

Reimbursement amounts shall not exceed the maximum amounts established pursuant to 6.20.2.19 NMAC.

Board members who attend a Board or committee meeting for less than four (4) hours or a virtual meeting of any duration during a single calendar day shall receive a per diem of forty-five dollars (\$45). If the officer physically attends a Board or committee meeting for four (4) hours or more during a single calendar day, they shall receive a per diem of ninety-five (\$95) dollars. Mileage rate reimbursements are to be in accord with the Internal Revenue Service standard rate set January 1 of the previous year for miles traveled in a privately owned vehicle or eighty-eight cents (\$.88) in a privately owned airplane under certain conditions cited in NMSA 10-8-4 D. Reimbursement for actual meals and incidentals shall not exceed the maximum amounts for in-state and out-of-state travel established by the Department of Finance and Administration (DFA). The latter is always subject to the mileage being calculated from the post of the Officer or Official.

The Superintendent or the Superintendent's designee may grant travel advances. The traveler must submit required forms to receive advancement. The advancement will be processed at eighty percent (80%) of the total reimbursable trip cost. If a trip is not taken following advancement for such trip, all legal means will be employed to ensure proper reimbursement to the District.

*Adopted:* April 12, 2022

LEGAL REF.: 10-8-1 NMSA *et seq.*

22-5-5 NMSA

6.20.2.19 NMAC

PSAB Supplement 20 Training and Travel

CROSS REF.: DKC - Expense Authorization/Reimbursement

**B-3500 © BJ**

**SCHOOL BOARD LEGISLATIVE PROGRAM**

The Board will participate in legislative programs through conferences with the state and national school boards associations.

The Board authorizes the Superintendent to actively participate in the development of legislation that has a positive effect on educational programs of the District.

*Adopted:* April 12, 2022

**B-3650 © BK**

**SCHOOL BOARD MEMBERSHIPS**

The Board may choose to be a member of and participate in school boards associations at the state, county, regional, and national levels. The Superintendent will ensure that the subject of school boards association membership is addressed during budget preparation.

*Adopted:* April 12, 2022

**B-3700 © BKA**

**LIAISON WITH SCHOOL BOARDS ASSOCIATIONS**

In addition to informational liaison between itself and the various school boards associations, the Board shall be officially represented in the associations' affairs through the election and appointment of delegates and/or observers to the governing bodies of these organizations.

*Adopted:* April 12, 2022