

THE INDIGO HILL CHARTER SCHOOL APPLICATION 2012

INDIGO HILL SCHOOL

Kindergarten thru 6 Public Charter School

Prepared by Kaylock Sellers for the Indigo Hill School Founding Group

Contact: kaylocksellers@hotmail.com

Phone: 505-603-5566 Address: 2442 Cerrillos Road #402, Santa Fe, NM 87505

INDIGO HILL SCHOOL

Educate. Advocate. Celebrate

CHARTER SCHOOL OVERVIEW

The application is being submitted in July 2012 with intent to open in July 2013.

Executive Summary for the Indigo Hill Charter School

The Indigo Hill School is a proposed new charter school dedicated to helping neuro diverse and at-risk children excel academically, using developmentally appropriate, individualized and relationship-based strategies. Our education philosophy emphasizes that Indigo Hill will best serve its students by addressing the unique characteristics and behaviors of ALL students, whether typical or non-typical, rather than stereotyped labels.

As a full-service community charter school, IHS has been designed to serve diverse students through the general education curriculum in a fully inclusive setting. The school's internal controls and business systems are structured to provide the most cost-effective case management, including provision of special education services and multi-tier system supports.

A number of recent articles have analyzed the prevalence of Autism Spectrum Disorder (ASD) and the availability of services. In March 2012, the Centers for Disease Control and Prevention, (CDCP) disseminated by the results of an ongoing study of autism, noting "The CDCP estimates that 1 in 88 children in the United States has been identified as having Autism Spectrum Disorder (ASD), according to a new study . . . that looked at data from 14 communities. Autism Spectrum Disorders are almost five times more common amongst boys than girls – with 1 in 54 boys identified."

This latest estimate represents an overall increase of about 25 percent since the last analysis reported in 2006 and a near-doubling of the rate reported in 2002. Although the study was limited to 14 states, the number of children identified with ASDs ranged from 1: 210 children in Alabama, to 1:47 children in Utah. The largest increases were amongst Hispanic and black children. While the reasons for the increase are not clear, it appears that better identification and reporting methods have drawn attention to the growing number of children and families that need assistance. They also need help in navigating the confusing system of community and educational services that are available, but disconnected.

Indigo Hill believes our school can provide a very competitive option for K-6 students. By design, it will offer a dynamic education model that includes ready access to a continuum of comprehensive services aligned to this growing student population. The continuum integrates research-based teaching procedures; adapted technology, equipment and materials; accessible settings, and other interventions designed to help all of our students become more self-reliant and successful at school and in the community.

The IHS academic program incorporates effective practices, cognitive science, brain-based methods, challenging curricula, social skills training and enrichment activities, delivered in an inclusive, multisensory learning environment. Indigo Hill's school year is based on a 'stretch' calendar that extends the curriculum through bridge programs to increase student success during summer and extended school day for interventions and enrichment activities. IHS offers:

an evidence-based, model program that emphasizes inclusion and students' strengths and gifts the acclaimed Reggio Emilia approach to early childhood education, where the school setting—inside and outside—is referred to as "the third teacher" and multiple intelligences are addressed rigorous, relevant and reflective curricula addressing common core standards including internationally benchmarked Cambridge International primary framework and the Core Knowledge™ sequence vibrant, full-service, innovative learning environment incorporating assistive technology and blended learning methods, to challenge and support high-functioning, ASD/Asperger's/Gifted students' special

needs emphasis on student safety and elimination of harassment collaboration and teacher supports through mentoring, the Professional Learning Community Model and access to comprehensive professional development parents are essential partners and 'co-therapists' in their child's education provide a continuum of services, comprehensive wraparound services and cost-effective use of resources.

Often, the learning needs of children may go unrecognized, leading to critical delays in receiving appropriate treatment and services. Students with milder forms of ASD may not be accurately identified until middle school when more complex social skills are needed. This leads to increasingly frustrated children and families, as well as school staff, however well-intentioned. Through deployment of our Child Find team twice a year, Indigo Hill School's clinical and special education team hope to identify minority and at-risk children from historically under-served groups with related academic or behavioral conditions. In addition, some of our prospective students are being homeschooled currently, or likely attending public schools in Albuquerque, Rio Rancho, and Bernalillo.

What distinguishes Indigo Hill's approach from other traditional public school programs for special needs students is its focus on full inclusion that honors our students' cognitive strengths and gifts, rather than the perspective of student deficits. Although the school's programs focus broadly on the unique learning needs of children with ASD and/or identified as Gifted, the founders believe that learning interventions and evidence-based practices for special needs students can and should be mainstreamed throughout the general education curriculum to benefit all students.

Eventually, the proactive use of early interventions to improve students' capabilities can reduce the need for more intensive special education services down the road. Thus, ALL children, regardless of their status, will benefit through Indigo Hill's challenging programs with appropriate, individualized therapeutic supports. And, ALL children will receive their education within an inclusive, dignified and least restricted environment that encourages respect and trust. In this way, we are creating a student environment where any student with or without an IEP can thrive, academically and socially.

CHARTER APPLICATION EDUCATION PLAN

School Size. The targeted population is Kindergarten- sixth grade students, including those with current classifications of Autism Spectrum Disorder, Developmentally Delayed, Dual Exceptionality, and Gifted. Students are likely attending public schools in Albuquerque, Rio Rancho, or Bernalillo, or are being homeschooled. Student enrollment is projected at up to 168 students Kindergarten thru 6th grade within five years. K thru 4th grade will open in Year 1, followed by 5th in Year 2 and 6th in Year 3. In future years, if sustainable funding becomes available and parent demand is evident, the IHS Governing Board may consider adding 7th and 8th grade, which were included in the original concept. This step requires seeking an amendment from our authorizer.

Grade Levels. IHS' classes and teachers are organized by grade level, Pre-K thru 6th grade. In its opening year, IHS will offer K thru 4th, and expand to K thru 6 by the third year. Optimally, student/teacher ratio in primary grades K-6 will be maintained at 18-20 students per classroom teacher and supported by an educational assistant, if needed. The program is designed to accommodate smaller class sizes in order to most effectively serve the target student population. However, capacities for the upper limit of class size will be established according to New Mexico State Statute, NMAC 22-10A-20 (Staffing patterns; class load; teaching load).

School Year	Grade Levels	Total Projected Student Enrollment
First Year 2013-2014	K thru 4th grade	95
Second Year 2014-2015	K thru 5th grade	119
Third Year 2015-2016	K thru 6th grade	140
Fourth Year 2016-2017	K thru 6th grade	154
Fifth Year 2017-2018	K thru 6th grade	168

A. Vision. The Indigo Hill School is a diverse learning community of parents, teachers, staff, students, and local citizens actively collaborating to create a welcoming and secure multisensory learning environment where children can be successful. Our school addresses the unique learning needs of neurodiverse students, including children who are “typical”, as well as children with Developmental Delays, ASD (Autism Spectrum Disorder, Dual Exceptionalities, and Giftedness in grades Kindergarten thru 6th grade. We aspire to become a model full-service community school, and leader in delivery of innovative, exemplary educational programs and special education services for our students.

B. Mission. Indigo Hill School fosters a safe, stimulating and vibrant student-centered learning community for K thru 6th grade students where cultural diversity and neurodiversity are celebrated daily. We educate each student through individualized, challenging programs within an inclusive, dignified and least restricted environment that encourages respect and trust. Indigo Hill promotes administrative and educational effective practices and procedures, grounded in strategic innovation, to engage students, families and staff in our collaborative process. Children with ASD are one of our most

vulnerable populations and face bullying at an alarming rate. Therefore, Indigo Hill School declares our school to be a bully-free campus.

C. Student Performance Goals. Indigo Hill School has identified seven student performances Specific, Measurable, Ambitious and Attainable; Reflective of the School's Mission, and Time-specific with Target Dates (SMART) goals.

Student Performance SMART Summative Goals:

Academic By the end of the 2015-2016, students at The Indigo Hill School who have been in attendance at the school for 5 consecutive years, will score proficient or above on the English Standards Based Assessment.

Performance. By the end of the 2014-15 school year and thereafter, students at New Mexico International School who have been in attendance at the school for 4 or more consecutive years, will score proficient or above in all assessed content areas on the New Mexico Standards Based Assessment.

Attendance. At the Indigo Hill Charter School, our school population who has attended our school for two years or more will maintain a consistent rate of an average of 95% attendance rate.

Closing the Achievement Gap. Students, who place in the bottom 25% of short cycle and state assessments, will participate in the Lexia and Alex Programming with teacher supervision, with daily tutoring of 15 minutes in reading and/ or math. Students enrolled at the Indigo Hill Charter School for a minimum of a four month intervention program will improve their assessments baseline by a minimum average of 10%.

Achievement Indigo. Hill School will successfully close the achievement gap amongst all special populations by 5% as compared to the highest scoring sub-group.

Growth. At the end of the 2015-16 school year, 50% of the students at The Indigo Hill School who have been in attendance at our school for at least three years will improve annually by 10% in Assessments Conducted through The Cambridge Primary International Stage 1 Assessment System; this includes Students identified as ESL.

Academic Fiscal Accountability. The Indigo Hill School will demonstrate that all students can perform in their Least Restrictive Environment with access to the general curriculum with fiscal prudence, but still academically improve with a 5% increase as compared to other immediate surrounding schools with the same exceptionalities.

Professional Development. By the end of the 2017, at the Indigo Hill Charter School, we will be a sanctioned Cambridge International School and our teachers employed two years or longer will be certified by Cambridge International, and we will have at least two educators certified through the Cambridge Bilingual Education Certificate.

Recurrent Enrollment. The Indigo Hill Charter will maintain the enrollment numbers as projected and we will have a waiting list for potential students to enroll when slots are available and are chosen through our lottery process.

D. Curriculum. The curriculum at IHS is unique and will not be a one-size-fits-all solution, but will be tailored to the individual child through the development of a Personalized Learning Plan, which utilizes

New Mexico Common Core Standards as a checklist and mapping tool for designing each child's goals. All of our programs have been designed to meet the needs of students living with autism spectrum disorders and dual exceptionalities, including giftedness. Indigo Hill's curriculum incorporates three research-based components aligned to Common Core Standards: The Reggio Emilia Approach, Cambridge International Education Framework and the Core Knowledge™ Sequence. The curriculum is differentiated to serve students who exhibit a wide range of learning needs. Curriculum planning for IHS is based on current research in brain-based learning, gifted education and education for ASD students. Students will engage individually and collaboratively in purposeful learning that promotes both the growth of mind and contribution to community.

IHS focuses special attention and professional development resources on 1) Math: teaching and learning fractions and division, which are major indicators in predicting future mathematical success, and 2) Reading: Oral language learning for students, which is foundational for children's reading-comprehension and fluency. All students will receive RtI (Response to Intervention) to reduce the need for future remediation. Studies demonstrate (J. Lyons, National Institute of Health) that students who receive immediate early intervention are more likely to remain at grade level or above in reading proficiency by the 3rd grade.

E. Philosophical Framework. Indigo Hill School serves diverse students, focusing especially on young children with developmental delays, ASD (high-functioning autism) and accompanying learning issues such as giftedness. Our purpose in starting Indigo Hill is to create a truly inclusive learning environment where every student, regardless of status, will benefit from our coordinated approach. Our staff holds high expectations for all students, balancing their individualized learning with wholesome, active and challenging experiences in order to help them expand their comfort zone.

The school's academic program is predicated on these tenets:

Meaningful learning occurs naturally within the framework of a small community school and small class sizes encourage community and increase learning.

In a learner centered, inquiry-based setting, children learn through hands-on experiences and social interaction, which extends into the community. Substantive, rigorous content motivates students to master literacy skills as they investigate engaging topics and communicate their discoveries. An 11-month school year and carefully structured school day maximize time periods of concentrated learning. An integrated, brain-based curriculum enables students to make relevant connections to everyday life and to become self-directed learners.

A character development program that teaches social skills and good judgment is important because we need to teach students not only knowledge, but how to use that knowledge well. Through parent compacts and commitment to direct participation in the daily life of the school (as well as parent partnership in the development of their child's personal learning plan) the level of parent involvement vital to student success is assured.

Within a reflective learning community, teachers collaborate regularly to consider teaching and assessment practices and to make innovations and adjustments that serve students' well-being and steady progress.

As state testing occurs 2-3 months prior to the end of the school year we will begin addressing the next years standards immediately following SBA testing to ensure that our students receive a full academic school year.

Art and music will take place in classroom to emphasize the importance that all subjects are equally important.

Art will emphasize the skills needed to draw to facilitate note taking with visual supports and calligraphy will be taught and used as an avenue to introduce handwriting skills. Artwork will be displayed in an organized gallery fashion.

Music will be taught through the use of recorders where children will learn music literacy and ear training that should make a positive impact on phonological awareness. In addition, it should impact math skills as music is based on fractions.

Highly effective IHS educators and clinical staff approach students' academic, emotional, behavioral, physical and social needs from a whole-child perspective, rather than relying on clinical diagnoses (*Note: In 2012, diagnostic definitions are undergoing revisions), typically used to categorize students. The Indigo Hill perspective is informed by the Association for Supervision and Curriculum Development's Whole Child Initiative, a national effort to change educators' focus from "narrowly defined academic achievement to one that promotes the development of children who are healthy, safe, engaged, supported, and challenged within a sustainable approach to education and community engagement."

General education teachers, special education teachers, and therapeutic support service professionals work collaboratively with parents and families to identify our students' unique strengths and challenges. IEPs (Individualized Education Plans) and PLPs (Personalized Learning Plans) are developed for each student, as appropriate.

In addition, small class sizes, a low student/staff ratio, flexible grouping, differentiated/personalized instruction and tutoring enable *the IHS staff* to ensure the academic success of each student. Campus safety is paramount with emphasis on bullying prevention at IHS. All students participate in a school-wide anti-bullying, social skills training program, directed by a clinical psychologist and staff also receive relevant training in appropriate behavioral management for bullying prevention.

Building on the importance of positive relationships, the Indigo Hill School is planning to introduce enrichment activities for students aimed at enhancing social skills and providing real-world learning opportunities:

An urban 4-H program is contemplated that involves raising and caring for small animals such as guinea pigs and presenting them for NM events such as the NM State Fair.

The Indigo Hill School firmly believes in the importance of financial literacy training should start as early as possible. Bully-proofing is important, but so are financially safe and sound practices. Many young

adults, especially students with ASD, are taken advantage of because they fail to understand the consequences of poor choices when managing one's finances. Micro-society is a nationally acclaimed program started by a teacher in New York. The organization believes that kids learn best by doing. Their mission is to create environments that motivate children to learn by engaging them in the connections between the classroom and real life. Kids working with other kids get "hands-on" opportunities to become entrepreneurs in a scaled down mini community. "The Micro-Society program is the ultimate inclusion program, leveling the playing field for special needs students.

Among the most important tasks assigned to our school leadership and staff is to create the conditions for a school culture aligned with the school's mission that encourages respect for individual differences and responsible action. We are committed to an environment where people treat each other with kindness, show concern and follow procedures for both physical and emotional safety, and demonstrate responsibility and respect for oneself, for others in our learning community, and the integrity of the learning process. We strive to provide a well-rounded, rigorous, relevant and reflective education that engages our students. Students participate in core academic classes (e.g. language arts, math, science, second languages, social studies, science), integrated with the arts (performance, dance, music, art) fitness and health activities, enrichment, and after-school and summer program activities.

F. Curriculum and Research/Data to substantiate approach. Our curriculum is organized around New Mexico Common Core State Standards and integrated through our units of study following the researched-based Core Knowledge™ Sequence and Cambridge International Education Framework with each subsequent year, these and other units of study will be dynamic in nature, allowing teachers to vary the complexity by the age of the students and the content they are studying, and allowing the opportunity for student/teacher-directed curriculum. As students' progress developmentally, the depth of their understanding will expand through the combination of their exposure to each standard and unique learning needs and experiences.

The evidence-based instructional program (incorporating the Reggio Emilia Approach, Cambridge International Education Framework, and Core Knowledge™ Sequence) is based on education services and academic content delivered in a full inclusion setting, integrating Response to Intervention strategies throughout the curriculum, and all within our student's Least Restrictive Environment (LRE). Indigo Hill expects students to work with both teachers and their peers in a flexible school setting and to take advantage of new technologies in a blended learning format. Students will enjoy a rich mix of instructional techniques. Part of the day will be in traditional classroom settings; other portions will be with small teams of students on project-based work; and some time will be spent pursuing highly individualized learning, often with the aid of technology. The three components of the instructional program effectively complement each other and are aligned to common core standards: CK provides organized content that is cost-effective and also accessible to parents, in fact, each household will receive a copy of their child's grade level curriculum from Core Knowledge; Cambridge International Primary provides an internationally benchmarked framework with assessments; the Reggio Emilia philosophy provides an approach that is thoroughly engaging for students and addresses multiple intelligences. In addition, Indigo Hill emphasizes the importance of bilingualism and second-language learning to promote neuroplasticity and healthy cognitive development for all students in an increasingly global society. The Indigo Hill academic program, which incorporates brain research and evidence-based, effective pedagogical practices, annual language classes in kindergarten thru 6th grades. Brain research suggests that second-language learning and language comprehension supports

neuroplasticity in the human brain. Neuroplasticity refers to the lifelong ability of the human brain to reorganize neural pathways, i.e. to change and evolve based on new experiences. Neuroplasticity is important to language learning and comprehension, particularly to the acquisition of a second language.

Reggio Emilia. Indigo Hill offers a Reggio Emilia-inspired elementary program that is infused in the K-6th grade levels where the program supports the Cambridge Primary, a challenging, internationally benchmarked curriculum and Core Knowledge™ Sequence. The Reggio Emilia philosophy is based upon the following set of principles:

Children must have some control over the direction of their learning;
Children must be able to learn through experiences of touching, moving, listening, seeing, and hearing;
Children have a relationship with other children and with material items in the world that children must be allowed to explore, and children must have endless ways and opportunities to express themselves. In the Reggio approach, the teacher is considered a co-learner and collaborator with the child and not just an instructor. The organization of the physical classroom and learning spaces is critical to the success of Reggio strategies, and is often referred to as “the third teacher”. The importance of the environment lies in the belief that children can best create meaning and make sense of their world through environments which support “complex, varied, sustained, and changing relationships between people, the world of experience, ideas and the many ways of expressing ideas.” Actively involved parents are integral to a Reggio Emilia program. The parents' role mirrors the community's, at both the school-wide and classroom level. Parents are expected to take part in discussions about school policy, child development, and curriculum planning and evaluation. One important example of the expression of Reggio Emilia is our approach to our school as New Mexico is a bilingual state; we want our children to be exposed to academic language in both, Spanish and in English.

Cambridge International Education Program with International Benchmarks. Cambridge International Education is the world’s largest provider of international programs and qualifications of 5–19 year olds. More than 9000 schools in over 160 countries are part of the Cambridge learning community.

Indigo Hill’s K-6 general education curriculum is designed around the Cambridge International Education program, aligned to Common Core State Standards, and the Core Knowledge™ Curriculum, also aligned to CCSS. Our academic curriculum will maintain an international standard of education. Quality of content, informational literacy, conceptual development and critical thinking are stressed in all subjects. Indigo Hill will be working towards accreditation under the CIE program.

Cambridge Primary offers a flexible curriculum with integrated assessment for 5-11 year olds. Cambridge Primary sets clear learning objectives in English, Mathematics and Science skills for each year of primary education. It focuses on learners’ development in each year and provides a natural progression throughout the years of primary education, providing international benchmarks for schools. Cambridge Primary develops skills and understanding in Mathematics, English and Science so schools can assess learning and reassure parents on progress. In addition, students develop key skills in Information and communication technology.

Core Knowledge™ Sequence. Core Knowledge is a phrase used by E.D. Hirsch (1987, 1996) to describe what he sees as a common core of information needed by all citizens in order to survive and prosper in a given culture. Dr. Hirsch popularized the phrase “cultural literacy,” calling on schools to impart foundational knowledge rather than simply teach students the skills they need to become better

learners. We expect that our students will be culturally literate and competent. CK specifies a common core of content for American schools and provides a planned sequential curriculum in language arts, history, geography, mathematics, science, visual arts, and music for students in kindergarten through grade eight. Core Knowledge is unique in that it specifies a detailed curriculum framework throughout the entire kindergarten-through-grade-eight range. The CK curriculum is heavily focused on content, vocabulary skills and nonfiction books, based on the belief that when students struggle in middle school and beyond, it is largely because they lack basic knowledge in subjects like history, science and literature. The CK curriculum supports the Common Core State Standards Initiative and it has aligned its curriculum with Common Core Standards, and there is free access to the alignment on the web for everyone.

Brain-based methods. *Brain-based learning is defined as an understanding of learning based on brain structure and function. When the brain is not restricted from fulfilling its normal process it enables learning to occur naturally (Sousa, 2001). The way the brain works has significant impact on the kinds of learning activities that are most effective.*

Teachers will strive to create a culture of focused attention in students by providing exciting challenges and an awareness that mistakes are highly valued as they are an important step to mastery. Learning is experiential. The sense that students make of their experiences will determine the degree of learning. Teachers will provide opportunities for active processing. Activities such as questioning and genuine reflection will allow students to use logical thinking, internalize learning, and make connections in what they are learning and applying it to previous experiences.

The educational program incorporates the following components:

Brain-based learning – activating the brains normal functions throughout the learning process (Caine)
Reflection – providing opportunities for students and teachers to think critically, creatively and affirmatively as they self-assess (Glatthorn).

Cultural Diversity – reflecting the diverse nature of our nation and community and developing a sense of pride in students own heritage as well as a deep respect for another's heritage (Glatthorn).

G. Gifted Programming. Based on the Renzulli Model, students who are identified as gifted should be taught using: Visiting special guest professional speakers from our community in our students' areas of interest, blended learning, collaborative discussions, research based projects, multi- sensory strategies, creative problem solving, compacting, differentiated instruction and special attention to the new Bloom's Taxonomy. We recognize gifted students are complex, and attention to their individual needs requires flexibility in programming.

According to Common Core State Standards for the Gifted Programming Standards:

Link 1) The Gifted Programming Standards (GPS) promote demonstrated growth for gifted learners, a facet often lacking in traditional assessment. The Common Core State Standards (CCSS) should be able to offer a growth model that is applicable to gifted learners.

Link 2) GPS promotes gifted learners to develop abilities in domains or areas of interests. CCSS can support this if translated to do so.

Link 3) Critical and creative thinking is stressed in the CCSS as well as the GPS.

Link 4) GPS focus on transferability of knowledge and the CCSS supports this.

Link 5) CCSS and GPS support self-efficacy and self-awareness, leading to skills for life-long learning.

Link 6) CCSS are equipped for acceleration, complexity, depth, creativity if translated effectively for gifted learners.

For students at the top end of performance fidelity to grade-level standards can actually limit learning. The Indigo Hill Charter School has incorporated a scope and sequence beyond the 6th grade, as quality gifted programming, not only offers gifted expression in creativity, but also a quality gifted program provides rigor, structure and strategic direction. Our program will not provide gifted students more work, but advanced standards to meet their needs.

Modifications to curriculum, instruction, and assessments will still be required to ensure these students are appropriately challenged.

Assessments should measure knowledge above grade level standards in order to make instructional modifications.

Even though the Common Core State Standards improves the quality of curriculum standards, the improvements for gifted learners is dependent upon state and district translation and application. The Indigo Hill School will remain conscientious that gifted learners acquire new material rapidly and we are prepared to meet this challenge.

Accommodations and modifications would include compacting, RTI for all students including students identified as gifted. Although gifted students have strengths they also have weaknesses. If a student is well rounded, RTI will also be a quality time to pursue higher levels of learning at their individual level. According to M. Anderson, PH.D. from Highlands University, all students should be monitored through RTI to strategically preempt academic losses that cannot be recovered. The Kansas Multi-tier System of Supports (MTSS) cites emerging evidence that many students who struggle in the early grades cannot catch up if we wait until 3rd or 4th grade to deliver intensive remediation. Using the same premise, Gifted are often overlooked if they are minorities, ESL, and /or Low SES due to below average academic performance. IHC will plan to identify potential gifted students as early as pre-school and monitor their academic progress until it is age appropriate to test them for accurate results. Our RTI intervention and monitoring of potentially gifted students we hope will ensure they will not be missed and they retain the academic competence to be eligible for identification of giftedness.

Although students identified as gifted have many strengths, some students identified as Gifted, are also prone to being bullied. In addition to our school having a bully wide prevention program based on everyone is a potential bully or wishes they could bully, gifted students also may need social emotional support as new research from the Science News, June 2012, P. 15 has reported that PTSD is of higher incidence amongst individuals with superior memory. Many of our homeschooling population are homeschooled due to bullying issues, gifted needs that are not met in a public school setting and/or have ASD and it is too stressful to be in a typical school setting.

G. Graduation. Not applicable.

H. Instructional Strategies. Our teachers employ a variety of strategies such as teacher-facilitated projects; multi-age and moving groups of children up from one grade to the next with the same teacher; use of blended learning strategies and technology, traditional coursework, and other adapted subject matter. Responses to Intervention (RTI) strategies are deployed throughout the general education curriculum for all students in order to reduce or eliminate future learning problems.

In a study published by Dr. Robert Marzano, he looked for trends in research regarding effective instructional approaches, using a meta-analysis approach to identify top strategies. IHS teachers will utilize the instructional strategies identified:

Use comparing, contrasting, classifying, analogies and metaphors in teaching. Comparing is when we have students identify similarities and differences among things or ideas. Classifying has students group things that are alike into categories based on characteristics. Creating metaphors has students identify a general or basic pattern in a specific topic and then find another topic that appears to be very different but has the same general pattern. Creating analogies is looking at the relationships between pairs of concepts.

Have students learn how to summarize and take notes. Such skills allow students to organize a lot of information and then figure out the most important information to use. Synthesizing information is an essential skill for high student achievement.

Reinforce effort and give praise. This strategy is one that most teachers know about. Teaching about effort and keeping track of effort and achievement are important. There is both effective and ineffective use of praise. Some effective uses include congruence, specific recognition of attainment of performance criteria and focusing on task-relevant behavior.

Additional Strategies Important for a Rigorous Approach to Curriculum including the SIOP Model described in our ELL Section.

Strategy 1: Meaning and Application is Embed in Context and Proven by Examples and Practice

Consider the vast difference between “Find the quotient of $\$30 \div \2.89 ” on one hand, and “How many burritos, each costing \$2.89, can be purchased if you have a \$30.00?” Both problems expect the students can divide. However, the former directs students to a single long division algorithm with a three-digit divisor that may not even be tested, but is challenging to students. The latter places the mathematics in a context and expects students to understand that division is an appropriate operation to use to solve a practical problem. In addition, the latter encourages estimation and raises the issue of sales tax. Most importantly, the contextualized problem shows students that mathematics is a useful tool.

Strategy 2: Ongoing Cumulative Review One of the most effective strategies for example; fostering mastery and retention of critical mathematical skills is a cumulative review at the beginning of every lesson. Rarely do students master something new after only one or two lessons and a few homework assignments. Many teachers refer to the cumulative review as “warm-ups”, or “daily math.” A few quick math review problems will keep student skills sharp.

Strategy 3: Asking “Why?”

Strategy 4: Allow students to verbalize as much as possible in class. For example; practice saying the academic words that are used in the standards being taught. Time should be allocated at the end of class to discuss and reflect on the day’s lesson. Our teachers should be trained on how to do an immediate RtI check, i.e. what proficiency level has the class “absorbed”? ; does the lesson require re-teaching the entire class, or is it only a small percentage of students affected who can easily be brought up to speed?

Strategy 5: Allow more time to for students to answer questions. Teachers should refrain from moving on too quickly; rather, they should, at the very least say, “I will get back to you” and then follow up, accordingly. Teachers should also use a system in class to ensure all children are called on equally to

provide answers. Teachers should systematically and randomly call on students consistently, as poor-performing students, or shy students count on teachers to not call on them.

MTSS or RTI should allow students to compact their course work, and, then, move on. Some teachers will deliver an entire class session based on academic targets that are below grade level in an effort to reach everyone. However, this approach only serves to frustrate students who are proficient, and prevents from learning beyond this level.

Differentiated Instruction is essential within an inclusive model. Douglas Fisher, Ph.D, recommends the use of scaffolding in lesson planning. For example; within the same lesson in science, mixing baking soda with vinegar or lemon juice to create a chemical reaction. This is a typical lab experiment for a typical student. To scaffold, ask the advanced student, "To describe why there is a reaction with certain liquids but not others." For the students who identified as intellectually impaired and would benefit from learning life skills, can prepare a mix, using the baking soda, to make a cake. The instructor may explain why baking soda is an important element in baking a cake.

Because our school has an ASD and/or gifted educational focus, the implications for our instructional design require that students work continually on differentiated learning opportunities; they may not always work on identical assignments all of the time. This will be a collaborative effort between teachers, parents and students. We recognize and value our students and this is our way to accommodate them without stifling their curiosity and love of learning.

Report Card. The Indigo Hill School's report card will differentiate not to just report a grade average but to identify areas that are understandable to parents and students, as to what the student is doing well, and what they can work on to improve their grasp of the subject matter. For example; a student who is tardy two times a week may be missing an important part of a lesson. If being late to class is stopped the student would be able to improve their grade, rather than just assume they have difficulty in learning the subject matter.

Homework Policy . Homework and homework packets will be given to the amount and time limits of each grade's developmental stage. Homework will not be given on Friday. Homework as a general rule will be expected to be completed the following Monday, as students identified with ASD often get over stimulated from sensory integration issues and need down time. This also helps parents who work full-time, to assist with homework when they have quality time to help their child complete it.

Scope and Sequences are completed in both English Language Arts and Math to the Common Core Standards. Alignment, Scope and Sequence, Pacing Guides, Curriculum Guides and Mapping for all the grades, and subjects taught will be addressed by June 30, 2013. Math, English Language Arts (Reading and Writing), will be addressed first and this curriculum will be completed by March. Science, Social Studies, and Spanish will be completed by April. Physical Education, Health, Art and Music will be completed by May. June will be a time for review and reflection before submission. Each endorsed person in their area will be a leader in their subject, with support from other subjects and areas of expertise. Special attention to built in RtI strategies to meeting the New Mexico Standards and Benchmarks and English Language Arts in the Common Core Standards . Pacing and Mapping Guides will simultaneously be added to our Curriculum Guides. We will meet weekly, with assignment sheets of work accomplished, what still needs to be accomplished next, who will accomplish the work, and when is it due.

SPECIAL POPULATIONS including regular and special education

Indigo Hill School is dedicated to the premise that we can provide a truly inclusive environment where children will thrive and grow... Inclusive practices with special attention to a student's least restrictive environment in a regular education classroom is a challenge but an important component of our school philosophy at the Indigo Hill School, research demonstrates the closer the student is to the general curriculum, the greater the academic achievement. In the Reggio Emilia inspired classroom, "children with special needs" are referred to as "children with special rights". Children are not viewed as needy, but rather, as being capable and filled with potential. Children with disabilities have the right to be included with their typically developing peers in the community. This concept is the touchstone for all instructional programs and services available to our students at Indigo Hill. One example of an accommodation where all children benefit; homework is not due until the following Monday, as this allows parents the time to deliver quality support when they and the student are able to focus.

Historically, the traditional administration of special education programs has frequently resulted in over-identification or under-identification of students, especially minority children. Children who present with certain characteristics may appear to have a garden variety behavioral issue that causes them to be misidentified, and leads to further delays in receiving appropriate services. Students with ASD who also have other dual exceptionalities, but are academically capable, tend to fall into this category. Students who are gifted, but not yet identified, and, therefore, ignored, may end up bored and withdrawn for lack of challenging instruction. This is why we propose to look at responding to the 'symptom' rather than any pre-existing label that accompanies students on their journey through Indigo Hill.

We believe that Indigo Hill's inclusive, integrated and comprehensive approach to delivering services and instruction will result in more meaningful and lasting results for all our students. Indigo Hill's purpose is not to increase the percentage of special education students we serve. Rather, we understand our purpose to be very different. We aim to serve students more efficiently and productively through 504 plans and MTSS (multi-tier system of supports) in order to transition them out of special education and into general education. Inclusion should be the primary goal, as the more access students have to the general curriculum, the more success they will have academically for the long-term.

For example, our teachers must be trained in how to perform an immediate Rtl check, by asking critical questions such as: What proficiency level has the class achieved as a result of the lesson? Is the teacher's instructional approach flawed, requiring re-teaching the entire class? Or, are only a small percentage of students affected who can be brought up to speed more quickly? Is there another approach that will work? Thus, the use of selected interventions may be sufficient in order to help the student make real gains. The Indigo Hill School believes that Response to Intervention is synonymous to Real Time Intervention.

The learning environment at Indigo Hill School has been designed to meet a wide range of academic levels and a variety of learning styles within the classroom setting. The following classroom features will help students meet their academic potential in an inclusive environment: low pupil to teacher ratio (20:1), individualized personal education plans, group instruction, cooperative learning, multi-sensory teaching approaches, blended learning strategies, an appreciation of multiple intelligences, peer teaching, Rtl for all students, a rigorous curriculum to meet the needs of students identified as gifted and child-directed learning. We chose Cambridge International Primary as it is a challenging and rigorous curriculum. It is also experienced with dealing with students, whose first language is other than English

and it provides a complete framework in guiding our teachers in addressing our students' needs. We chose the Core Knowledge curriculum as it is aligned with the New Common Core Standards and it is often used as a compliment to Cambridge. This will provide the bridge for rigor and also ensures that our students are prepared to meet or exceed competency in the Common Core Standards.

All classrooms will provide the least restrictive environment while making it easier to meet the needs of varying learning levels. After identifying students' individual strengths and weaknesses, various learning strategies and activities will be implemented to maximize learning. We hope to organize a modified stretch school year and carefully structured school day in order to maximize time periods of concentrated learning.

Our modified stretch calendar at a minimum will include a two week session for the month of June, so children can be exposed to enriched activities, such as social activities, music, art, physical actives and special trips to explore the neighborhood. The modified stretch school year will offer supplemental programs in the summer for enrichment and remediation. These experiences will enhance the continuity of learning for improved student progression in retaining knowledge and skills.

Assessment and Accountability for all students including all the following students identified as needing RtI, Student Assistance Team Intervention, Special Education Services, English Language Learning Services and students who require 504 Plans. The Indigo Hill Charter School will follow all guidelines as they relate to assessment and accountability for all services and testing required as Federal and State laws, policies and procedures convey. Stated in all segments of the populations described, with a description and process of how services, assessments and accountability will be fully implemented.

When a child is referred to the Student Assistance Team, we will strive to maintain their status as typical students, who need special assistance, rather than students who are eligible for special education. Our process is discussed below in this section, as SAT is actually a process that is led by regular education teachers and not a special education process. Many students who are in regular education would receive a greater benefit from a 504 Plan; appropriate accommodations and RtI, rather than special education services which can be too restricting of their least restrictive environment, if special education services are not absolutely necessary.

The Student Assistance Team and Student Eligibility for Special Education. Response to Instruction/Intervention is defined as "the practice of providing high-quality instruction and interventions that are matched to student need, monitoring progress frequently to make decisions about changes in instruction or goals, and applying student response data to important educational decisions" (National Association of State Directors of Special Education, 2006, p. 3). The model, also recognized as Multi-Tier System of Supports, has been advanced by a number of developers and the University of Kansas Based on a problem-solving model, RtI considers social and environmental factors as they might apply to an individual student and provides interventions and supports as soon as a student demonstrates a need. IHS will use the NM PED Student Assistance Team Manual as guidance for providing Student support. As recommended in the manual, a three-tiered approach will be implemented.

Tier I- If a teacher recognizes that a student is struggling to learn the standard curriculum, either working beyond the standard curriculum, or having difficulty maintaining appropriate behavior in the general education classroom, then the teacher will conduct general screening and will implement

classroom-based interventions. If the student does not respond to the interventions, then the student is referred to the Student Assistance Team (SAT).

Tier II- The Student Assistance Team (SAT), a school-based group of people whose purpose is to provide student support, will recommend targeted individual interventions. It may be a specialized program that includes small group instruction. Tier II interventions are implemented in addition to the Tier I interventions. Should the student not demonstrate a positive response to intervention, then the student moves to Tier III.

Tier III- Special Education Referral Process. Students referred to Tier III have begun the special education referral process. IHS will follow the rule that informed parental consent must precede initial evaluation, and the parent's consent to initial evaluation will not be construed as consent for special education services. For our initial evaluation they will be completed in 45 days or less as we believe our children's needs are urgent and a top priority.

The SAT process at the Indigo Hill School will be a thoughtful, timely, and through process

If a student was not identified as needing special services and therefore not receiving special education services, but a disability is suspected, that student would fall under the protection of IDEA'97. Students identified with only the diagnosis of conduct disorder(s) are not under the protection of IDEA '97.

Special Education

General Curriculum: Pursuant to 34 CFR Secs. 347(a), the same curriculum that a public agency offers for non-disabled children. For New Mexico public agencies whose non-special education programs are subject to State Board of Education rules, the general curriculum includes the content standards, benchmarks and all other applicable requirements of the Standards for Excellence, 6NMAC 3.2, and any other SBE rules defining curricular requirements.

Full Inclusion for Special Education

Special Education teacher(s) will work in the classroom with regular education teachers to provide support to students with disabilities. Quality special education programming that brings about the highest academic achievement recognizes the closer the child is to the general curriculum, the more positive the outcome.

Our optimum hiring goals for our teachers are to hire Level II teachers with effective classroom experience, who are dual certified in the area of general education, and/or endorsed in ESL, Bilingual and in multiple subjects.

To be successful the inclusion program should incorporate:

Adequate supports and services for the student,

Well-designed Individual Education Programs,

Professional development for all teachers involved, general and special educators alike,

Time for teachers to plan, meet, create, and evaluate the students together,

Professional skill development in the areas of cooperative learning, peer tutoring,

adaptive curriculum, and time for collaboration between parents, teachers and administrators

We foresee the need for at least two full-time special education teachers, but our enrolled student population will provide us with more accurate information about individual student needs that require additional special education services to be contracted through CES and other agencies.

Our daily schedule will allow for collaborative teaching opportunities between the special education and regular classroom teacher during the morning block. This will provide consultation and immediate modifications for students as needed. Individualized and flexible grouping of special education students will be available in the afternoons to ensure that each Individualized Education Plan (IEP) is fulfilled to the greatest benefit of each student. With teacher collaboration time available in the afternoons as well, teachers can reflect on their practices and take action. Questions like, "How can we teach in a different way when the initial way did not work?" have greater opportunity to be answered successfully when teachers who truly know the students are able to brainstorm together.

Since each student at this charter school will have a personal education plan, PEPs will be incorporated into student IEPs. This enhances inclusion in that every student has an individual plan. We envision Indigo Hill as a "pipeline", building the foundation in early identification and intervention and providing strategies such as the PEP to help our children develop their individual strengths and interests for successive stages of their student careers. We are engaged in this enterprise for the long haul.

Our program is focused on the future of our children. Through continuing observation and monitoring of students' progress in our program, we envision our children working through their own talents and challenges to persevere and, in doing so, demonstrate what is possible. Indigo Hill School will comply with federal and state law as well as county rules and regulations that ensure that students with disabilities will be provided with an appropriate, if non-traditional, approach to special education.

IHS will focus primarily on four categories of Special Education, Autism Spectrum Disorder, Gifted, Developmentally Delayed and Dual Diagnosis.

IHS will follow the NMPED Special Education Policies and Procedures manuals that describe the policies and procedures for special education services as the PED is heavily vetted and free. These manuals address IEP development, behavior, Autism, Gifted, the various identification labels, discipline, the SAT team process, evaluation, extended year services, 504 plans, and transportation.

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. FERPA assigns parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students." IHS will maintain confidentiality of all student records consistent with state and federal laws.

In order to be eligible for special education and related services under Part B of the IDEA, a child must be between the ages of 3 and 21*, must meet the definition of one or more categories of disabilities specified under the IDEA, and demonstrate a need of special education and related services as a result of his or her disability. (Not all students who have been identified as having a disability require special services.) In addition to the categories of disabilities defined by the IDEA, New Mexico's special education rules include gifted students who show high intellectual ability paired with one or more exceptional skills in aptitude, achievement, creativity/divergent thinking, or problem solving/critical thinking and demonstrate a need for services to supplement and enhance their educational program. A

multidisciplinary assessment includes a review and consideration of the completed SAT file and a variety of assessment tools, including formal testing, interviews and observations.

Another important component to consider is a student's Least Restrictive Environment. To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily" 20 U.S.C § 1412(a)(5)(A).

An Overview of the Special Education Process. Individualized Education Plans (IEPs) will be developed for those students who are identified as eligible for special education services. The Adapted NMPED Special Education Process According to Federal and State Rules and Regulations are:

Step One: PREREFERRAL/REFERRAL INTERVENTIONS: The district or the parent refers the child for consideration of a possible need for special education supports and services. Districts must provide screening and interventions through a Student Assistance Team (SAT) child study process before referring a child for a full special education evaluation, unless a student has an obvious disability or a serious and urgent problem.

Step Two: INITIAL EVALUATION: The evaluation process is important because the conclusions drawn from the evaluation are likely to determine not only if a student has a disability, but also if he or she qualifies for special education services. The child is evaluated. This may involve formal testing, observations, or even outside specialists. Parents must give written informed consent and a copy of their Rights and Procedural Safeguards, before an initial evaluation or a reevaluation can begin.

Step Three: DETERMINE ELIGIBILITY: Based on all the information gathered, a group of qualified professionals and the parent determine whether the student is eligible for special education supports and services. A student may be found to be eligible for services because he or she has a defined disability that directly affects learning. The lists of disabilities are:

Autism	Intellectual disability	Multiple disabilities
Deaf-blindness	Orthopedic impairment	Other health impairment
Deafness	Specific learning disability	Speech or language impairment
Developmental delay	Traumatic brain injury	Visual impairment, including blindness
Hearing impairment	Emotional disturbance	

The student may be ineligible because the disability does not directly affect learning, or there is no evidence that a disability exists.

Step Four: IEP DEVELOPMENT: If the child is found eligible, a team meets to develop an Individualized Education Program (IEP). The IEP is the master plan for the child's special education supports and services, such as speech therapy or physical therapy, which the child needs to benefit from instruction. The district must invite the parent(s) to the meeting, provide a copy of Parental Rights and Responsibilities (at least once a year), and provide opportunities for parent(s) to participate as members of the IEP team. The IHS will use the PED Checklist for Consideration of Students Identified as having Autism.

Step Five: IEP IMPLEMENTATION: Parent consent is required before beginning any special education supports and services. Once the plan is developed, the district implements the IEP. Prior Written Notice is also included at commencement of meeting.

Step Six: IEP REVIEW/REVISION: The IEP team, which includes the parent(s), must formally review the child's IEP at least once a year. The IEP team may review the IEP more often if necessary, as requested by the IHS, or if requested by the parent(s).

Step Seven: REEVALUATION: The IHS must reevaluate a child receiving services at least every three years unless the parent and the district agree that a specific reevaluation is not needed.

Step Eight: DETERMINE ELIGIBILITY: The IEP team must reexamine and determine if the child continues to be eligible after a reevaluation, as stated in steps two and three.

Step Nine: EXIT FROM SERVICES OR CONTINUE SERVICES: If the child is eligible, the IEP team begins again at step four. If the child is not eligible, he or she exits the program.

*Consider a 504 Plan, if student only requires only accommodations to succeed in their LRE.

Gifted Students and the Evaluation and IEP Process. The procedures that relate to gifted students are the same as school-aged children with disabilities, with three exceptions. The three exceptions include: 1) child find requirements; 2) disciplinary changes of placement; and 3) transition planning.

General Screening for Student Needs. Pursuant to the State Board of Education's Standards for Excellence at 6.3.2.9. NMAC, IHS shall conduct general screening as part of its Educational Plan for Student Success (EPSS) in order to identify student needs in all educational and related areas, including the potential need for special education and related services. Response to Intervention (RtI) is a very necessary and thorough process to ensure that all interventions have been exhausted before the referral for special education services begins. 15% of all IDEA Part B monies can be allocated to students who are not identified as needing student services or related services.

IHS will identify, locate and screen students in need of special education services pursuant to Section 504 of the Rehabilitation Act of 1973, Title II of the Americans With Disabilities act of 1990 (ADA), and the Individuals with Disabilities Education Act 2004 (IDEA).

Assertive Child Find with Additional Special Focus on ASD. The Indigo Hill School will have a specialized Multi-disciplinary Child Find Team to serve our community at large and our school. Our Child Find Team will announce the times and days through Public Service Announcements and our Team will hold events at least two times a year. Our specialized team will all have experience and training to identify Autism. This will be a significant benefit to our community as many of our parents with children identified as having ASD had to wait six months or longer for an evaluation.

Determination of Eligibility and Educational Need. Upon completion of the initial evaluation, a Multidisciplinary Team Meeting (MDT) will be scheduled. A written notice to parents will be sent to inform them of, and invite them to the meeting. Parents will be afforded sufficient time for response and opportunity to request another time in order to accommodate their schedules.

The MDT team is composed of the student's parents and educational professionals such as general and special education teachers, a diagnostician, related service providers if they conducted an evaluation, and the school administrator. The purpose of the meeting is to determine that the student is a student with a disability and to determine the educational needs of the student. The team develops an IEP (Individualized Education Plan) at that point. The IEP team will meet annually to update and develop the IEP for the succeeding year.

The student must first be identified as eligible and also demonstrate the need for special services or related services. IEP meetings at IHS are student centered. Students are invited to their IEP meeting and encouraged to be an active participant if it is age and developmentally appropriate, for example students who are gifted can lead parts of their own meeting. A student can choose not to attend the IEP meeting and parents or IHS staff can request that a student not attend portions of the meeting; mainly for discussion of sensitive issues.

Parents are encouraged to participate in the IEP process, but it is ultimately IHS's responsibility to develop a student's IEP in a timely fashion. If three attempts of Parent Notification of Meeting (written notice to attend IEP meeting) occur without the parent attending, the remaining IEP team members will conduct the meeting without the parent. IEP team member decisions will be presented at a later date to the parent and parents will be provided with a copy of the document and asked to sign the IEP. If the parent or student strongly disagrees with the IEP team member decisions, the parent is encouraged to utilize the IHS Resolution Process.

IHS encourages parents to communicate with their child's Special Services Case Manager, to ensure their child has a current and effective IEP, that their child is receiving appropriate services, and that their child is receiving a Free Appropriate Public Education in the Least Restrictive Environment. Parents of children who are receiving special services, as well as the student themselves, have a right to utilize the resolution process within the IHS system if special services are not being received as agreed upon by the IEP team members and set forth in the student's IEP.

Individualized Educational Plan. IHS will be responsible for developing, implementing, reviewing, and revising an IEP Program in compliance with all applicable regulations and standards for each student with exceptionalities served by the school. At an IEP meeting, the individualized education plan for a student is developed by a team who, together, make informed decisions designed to provide the student with his or her best opportunity for success both in the present and future. IHS recognizes that the IEP is the written statement documenting a unique educational plan to assist a student with exceptionalities to receive a free appropriate public education, and is required for any student eligible for services.

The IEP team is composed of the parents, regular education teachers, special education teachers, the administrator, and other professionals with relevant knowledge or expertise, and individuals invited by the school or parents (such as an interpreter or an advocate).

The following actions will have already occurred prior to the IEP meeting which include:

*The Parent being provided a Copy of the Special Education Rights and Responsibilities and has given written permission for the student to be assessed (with all assessments listed);

- An evaluation of the child through a variety of assessments, observations, and information gathering.
- Targeting all areas related to the student's eligibility.
- If this an initial IEP, have the MDT team examine the data and determine if the child meets the criteria to be considered eligible for special education and, if appropriate, related services.

Record determination results.

- If a student is found eligible for special education because of a specific learning disability, the MDT must also complete the form Determining Existence of a Specific Learning Disability. This two-page form includes objective results (such as test data) and subjective assessments (such as observation and professional opinion) to make the determination. This form also requires each team member to agree or disagree with the findings. A team member who disagrees must submit a separate statement presenting his or her conclusions. A written notice of the meeting has been sent to the parents.

IEP Content. IDEA 2004 requires that when developing a student's Individualized Education Plan, that the following information be considered:

The strengths and weaknesses (PLAAFP) of the child including vision for the future;
The concerns of the parents for enhancing the education of their child;
The results of the initial evaluation or most recent evaluation of the child, and
The academic, developmental, and functional needs of the child.

IHS will use the New Mexico Special Education Bureau's IEP form, which includes the following:

Consideration of special factors (i.e. second language learner)

Student profile and student/family vision

Transition services, if needed

Present levels of educational performance

How the child's disability affects the child's involvement and progress in the general education curriculum;

For children with disabilities who take alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives

Annual goals (objectives/benchmarks)

The statement of measurable annual academic and functional goals must be designed to meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum, and the Least restrictive environment

Summary of services

Modifications & Accommodations

Supplementary aids and services

Participation in mandated testing

Schedules of services

The projected date for the beginning of the services and modifications

Level of Service/Setting

The anticipated frequency, location, and duration of those services and modifications.

A statement of the special education and related services and supplementary aids and services to be provided to the child, or on behalf of the child, and a statement of the program modifications of supports for school personnel that will be provided for the child.

IEP Progress Documentation

Prior written notice of proposed/rejected action(s)

IDEA-B and the Gifted Advisory Panel. IDEA-B Panel and the Gifted Advisory Panel are merged due to the small student population of the Indigo Hill School. Our panel will meet at least twice a year (one of those meeting may be used to discuss suggestions as to how to spend any excess monies beyond, ancillary services, and special education personnel) and consists of the Principal, the Student Services Coordinator, Regular Education Certified Educator and at least two parents whose children are receiving services through special education.

Special Education Services. The Indigo Hill School will employ a continuum of services to ensure students' access to the general education curriculum and use a personalized approach, adapting to meet each child's unique learning needs. The inclusion of music and arts integration, and multi-disciplinary approaches to learning will be used to its full potential in order to engage students in learning which they can find meaningful expression, and thus increase their potential for overcoming the barriers many

at risk students face. IHS incorporates a Reggio Emilia inspired approach in the kindergarten, and adapts the approach for effective grade-level integration in grades 1-6.

Least Restrictive Environment. Students who qualify for special education services will be placed in the least restrictive environment (LRE). Depending upon the student's needs this could be inclusion in regular programs, special speech and language services, and partial day special education classes specific to the student's needs. It can also extend to local district, regional services or school contracted private providers. Instructional support materials, computer programs, books on tape and other materials will be available to enhance and increase academic learning.

Alternate Assessment. Eligible students in grades 3-6 will take the New Mexico Alternate Assessment as an alternate to state mandated testing in those grades. Teachers can use the results each year to identify goals, program needs, and student growth. The IEP team will complete the New Mexico Public Education Department Addendum for Determining Eligibility for the New Mexico Alternate assessment and provide documentation that the student meets participation or eligibility criteria, 34 CFR Sec 300.138(b)

IHS understands that Alternate Assessment was developed for students with severe cognitive disabilities. It measures the performance of this relatively small population of students who are unable to participate in the general assessment system, with or without accommodations as determined by an IEP team. In the event that a student is enrolled at IHS whose disabilities preclude him/her from valid and reliable participation in general assessments, an alternate assessment will be used to gather information on the standards-based performance and progress of the student. All staff involved in testing with an Alternate Assessment will receive the proper training to enable quality testing.

Developmentally Delayed. IHS will serve students who are identified as Developmentally Delayed up to age 9. Developmentally Delayed is a child experiencing developmental delays, aged three through nine, as defined by the state and measured by appropriate diagnostic instruments and procedures in one or more of the following areas: 1) physical development (gross or fine motor functioning); 2) cognitive development; 3) communication development (expressive or receptive language); 4) social or emotional development; or 5) self-help/adaptive development, which are at least two standard deviations or 30% below chronological age, or, in the professional judgment of the IEP team and one or more qualified evaluators needs special education or related services in at least one of the following five areas mentioned above (these terms are further defined in this chapter). Use of the developmentally delayed option by IHS Charter School is subject to the further requirements of 6.5.2.10E (2) NMAC.

Gifted. Children whose intellectual ability paired with subject matter aptitude/achievement, creativity/divergent thinking, or problem-solving/critical thinking is so outstanding that special services are required to meet their educational needs.

In the New Mexico Administrative Code (NMAC; 6.31.2.12) a gifted student is defined as a school-age person whose intellectual ability paired with subject matter aptitude/achievement, creativity/divergent thinking, and/or problem solving/critical thinking meets the eligibility criteria in this Section and for whom a properly constituted IEP team determines that special education services are required to meet the student's educational needs. We are ethically obligated to the use of an alternative protocol for students who are determined to have "factors." We will contract with a certified Bilingual and or ESL endorsed Education Diagnostician, if the need is indicated.

Children who have demonstrated signs of being gifted are referred to the SAT as well. Interventions are utilized in much the same way to enable the potential gifted student to have their needs met in the general education classroom. If the SAT team agrees to refer a student for further diagnostic testing, the SAT team follows procedures to that effect.

Children being referred for Special Services for gifted eligibility will be screened using the TONI-4 or other similar testing products. A minimum score of considering factors and the diagnostician's recommendation, a presenting problem, and a score of 94% or higher on basic skill tests (State and National Testing) is mandatory in order for more extensive testing to ensue.

Additional factors that may affect a student's ability: (please disclose prior to testing)

- 1.Cultural background
- 2.Linguistic background
- 3.Socio-economic status; or
- 4.Disabling condition(s).

Children who do not have the typical advantages of their peers or speak a first language other than English are often overlooked as being gifted. IHS intends to identify potentially gifted students as early as possible. As often the case with children identified as ESL, when evaluated for giftedness, they usually do not meet the academic assessment criteria and fall short on the global knowledge section of an IQ test. This can be remedied by ensuring through careful monitoring and intervention that they maintain their above average proficiency levels, until it is developmentally and age appropriate to test them.

Parents often bring outside diagnostic evaluations showing their child has a disability/exceptionality. All outside evaluation reports must be reviewed by our diagnostic team and/or related services personnel before a multi-disciplinary team can meet. The IHS team and parent(s) will make the determination whether the evaluation report is valid and whether the student qualifies for services.

Dual Exceptionality. If a child has been identified as eligible for Special Services, it may be possible to qualify under more than one exceptionality if one of the exceptionalities is gifted. For example, if a student presents with Attention Deficit Hyperactivity Disorder, IHS personnel may also feel that a gifted evaluation is appropriate. In this case, the student's disability can be considered a 'factor'. In this case, the potentially gifted student must score a minimum of 124 on the WISC III, (two standard errors in measurement above average) in either their verbal or performance score. In addition to the WISC III, outstanding achievement in ITBS (basic skills) must be demonstrated; minimum criteria of 94% or better. Within these evaluation and IEP guidelines, if the committee remains indecisive, the IEP team can table their decision pending feedback from others who know the student best.

Serving Children with ASD and Dual Exceptionalities. Indigo Hill School arose out of a desire expressed by parents and colleagues for a specialized educational approach to serve children with ASD. Thus, the focus for much of the IHS framework has been adjusted to serve children with ASD, in particular but remains just as valid and student-friendly for non-ASD children. The following information and references discuss ASD strategies for delivery of instructional services.

In January 2011, Denise Koscielniak, Special Education Director at NMPED distributed a memo codifying "BEST PRACTICES TO CONSIDER WHEN DEVELOPING INDIVIDUALIZED EDUCATION PROGRAMS FOR STUDENTS WITH AUTISM SPECTRUM DISORDERS" based on earlier state legislation. This document highlights best practices to consider when developing Individualized Education Programs (IEPs) for

students (and their families) with Autism Spectrum Disorders (ASD). The strategies were originally developed in Texas through the Texas Project FIRST (Families, Information, Resources, and Support & Training) and can be accessed at <http://www.texasprojectfirst.org/AutismStrategies.html>.

The IDEA Partnership reflects the collaborative work of more than 50 national organizations, technical assistance providers, and organizations and agencies at the state and local level, including NASDE (National Association of State Directors of Special Education), along with the federal Office of Special Education Programs (OSEP). This site provides stakeholders with exemplars of high-quality implementation of evidence-based practices for individuals with ASD.) (The following information has been obtained from the website at: <http://www.ideapartnership.org/>)

Indigo Hill seeks to develop a fully inclusive environment that serves children with ASD, HFA and dual exceptionalities associated with such conditions, as well as their typical, non-ASD peers. These assumptions put forth by the IDEA Partnership inform the philosophical and methodological approaches and strategies at Indigo Hill School:

- 1) All individuals with Autism Spectrum Disorders (ASD) learn.
- 2) Each individual with ASD is unique, and thus needs an individually-designed program. Interventions must be linked to an individual's characteristics and strengths and continually assessed and revised based on data.
- 3) Effective autism practices and implementation are critically dependent on: development of self-advocacy and self-determination skills by individuals and family members; shared engagement and collaboration among all stakeholders leading to consensus and shared understanding; consideration of the predicted and unexpected effects the implementation of evidence-based research will bring to context in which it will be used currently and into the future; and understanding and acceptance by all stakeholders of their roles and responsibilities in serving all learners.
- 4) Early identification, followed by early intervention, can improve outcomes; even so, it is never too late for individuals with ASD to be identified and guided to learn new skills across all domains.
- 5) All people with ASD and their families deserve guided access to seamless systems of interdisciplinary supports across the lifespan; an interdisciplinary approach enhances individual learning and well being.
- 6) Programs are more effectively designed and delivered when families, schools and other providers are working well together and achieving consensus. Programs must be individualized, comprehensive and systemically implemented across environments with fidelity.
- 7) Educate individuals with ASD to develop individual talents, personal independence, social responsibility, and emotional well-being.
- 8) Professional development in autism must incorporate principle.

Definition and Strategies per [34 CFR 300.8(c)(1)(i)-(iii)] [20 U.S.C. 1401 (a)(i-ii)]. The Individuals with Disabilities Education Improvement Act (IDEA '04) ensures that all children with disabilities have available to them a free appropriate public education (FAPE) that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment and independent living. [34 CFR 300.1(a)] [20 U.S.C. 1400(d)(1)(A)]

IDEA '04 defines Autism as a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age three, which adversely affects a child's educational performance. Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences. Autism does not apply if a child's educational performance is adversely affected primarily because the child has an emotional disturbance, as also

defined by IDEA '04. A child who manifests the characteristics of autism after age three could be identified as having autism if the criteria are satisfied.

[34 CFR 300.8(c)(1)(i)-(iii)] [20 U.S.C. 1401 (a)(i-ii)]

IEP Considerations for Students with Autism Spectrum Disorders. Evaluate, develop/revise goals, implement and assess: When addressing the needs of a student with autism, it is important to consider the steps necessary to make progress:

Evaluations must be done. They should contain meaningful data to help identify priorities. The evaluation leads to the development of goals. Goals should be revised when needed. Implementation refers to the actual work of helping the student accomplish the identified goals.

Assessment is the stage where it is most common to see a breakdown in the system.

Is the plan working? Is the child making reasonable progress? Have the right goals been identified for the child? The assessment guides staff back to evaluation and back through the cycle again. This is an ongoing process likely to occur throughout a student's school career.

Strategies are careful plans – the eleven strategies of the Autism Supplement: Each of the eleven items addressed are referred to as strategies;

Extended Educational Programming – This strategy overlaps with requirements under IDEA (34 CFR Part 300). Extended school year (ESY) services are programs offered during the summer break. They may also be needed during transitions such as holidays. ESY services are needed if the student may be expected to lose skills during school breaks. Extended School Day (ESD) may be needed to meet goals that are not addressed during the scheduled school day. An example of ESD services might be an after-school social skills program. Under IDEA, extended services cannot be unilaterally limited as to the type, amount or duration of service. These factors should instead be guided by individual need. ESY or ESD may address any IEP objectives needed.

Daily Schedules reflecting minimal unstructured time and active engagement in learning activities – A young child with a short attention span will likely need a schedule with short blocks of time. A high-functioning student may be able to stay on task longer. Lack of structure and engagement can contribute to unwanted behaviors. There may be a need to offer more organized arrangements during unstructured times (i.e. recess, pep rallies, lunch, etc). Therefore, the daily schedule is highly dependent on the student's individual functioning. A visitor should be able to answer these questions: What should the child be doing? Where should he be doing it? Who should be with him? Schedules should be student specific, not teacher or classroom specific.

In-home and Community-Based Training or viable alternatives that assist the student with acquisition of social/behavioral skills – In order to be viable, a method must be practical and workable. An example of community-based training might include goals on how to behave at the grocery store. One way to do this would be for school personnel to meet you and your child in a store. The teaching would occur in the environment where the skills will be needed. A viable alternative might be preparing for the activity with social stories or video modeling. However, if simpler methods are being used and the student is not mastering the skills in the real world, then more support might be needed.

Positive Behavior Support Strategies (PBS) based on relevant information – It is critical to remember that a child's behavior is communication. When children don't behave as we expect, we need to figure out why. Many students with autism have difficulty communicating, even if they are highly verbal. When they get frustrated, they may use behaviors that have worked in the past. PBS involves modifying environments to help students learn new, appropriate behaviors. This will improve the personal and social quality of their lives. A Behavior Intervention Plan (BIP), if needed, should outline steps to prevent problem behaviors. It should also have a plan to teach and reinforce desired behavior.

A Functional Behavior Analysis (FBA) should be used to:

Correctly identify the antecedent (the reason the child engages in the behavior).

Describe the behavior (how the child is communicating, even if it is in the form of a tantrum).

Figure out the consequence (the outcome the child receives as a result of the behavior).

It is important for qualified personnel to conduct the FBA. A proper FBA will help ensure an effective BIP is devised. If a child has the same BIP for too long, chances are it is flawed and should be changed. Lack of student progress should not be blamed on disabilities. New strategies are needed when progress is not sufficient.

Futures Planning (beginning at any age) for integrated living, work, community, and educational environments that consider skills necessary to function in current and post-secondary environments (Transition Services)—

Most parents think of their child's future from the moment they are born and even before. School districts often think of futures planning as transition from public school into adult life. But, futures' planning does not need to wait until a student is in high school. This plan should start with the hopes and dreams of the student and the parents. It is helpful for futures planning to have the end goals in mind. Then, work backwards to the present. For instance, you may start with goals for adult life, and then go back to post-secondary, secondary, elementary – whatever age the child is at the time the plan is formed. This helps to make sure that in each grade level they are building skills to reach the long-term goals. Futures planning will be a constant work in progress. It should be updated according to the changing skills and goals of the student.

Parent/Family Training and Support provided by qualified personnel with experience in autism

spectrum disorders - Parent and family training and support can come in many forms. Family help might include simple supports such as an interactive notebook between the school and the parents, printed materials, and websites.

Training and support may also include workshops or conferences. Mothers, Fathers and other caregivers in the home might have different training needs. Caregivers should be specific about their needs, but flexible about how they might be met.

Staff-to-Student Ratio (suitable) appropriate to identified activities and as needed to achieve social/behavioral progress based on the child's developmental and learning level – For any skill, children go through levels of learning. The level of learning refers to how well they know and use a skill. When they are first learning something new, they are in the acquisition level. As the skill improves, they progress to fluency. In the maintenance level, they know a skill well, but might not use it in every environment. When the skill is generalized, they can use it across settings with different people. By looking at the four levels of learning, the IEP committee can plan for the needed ratio of staff-to-student. For instance, the student might need little support at lunch, but might need 1:1 support for Math. Another student might have very different needs.

Communication Interventions, including language forms and functions that enhance effective communication across settings – Communication interventions do not just refer to the speech services the school might provide. There are many ways to improve communication. Picture-based systems are an example of a simple method. Assistive technology devices that provide voice output might be needed to replace or improve spoken language. Sometimes, more than one method may be needed. For instance, many children with autism who speak may still need picture communication or other methods. This can help when they are frustrated or have difficulty expressing an idea or emotion. Every child should have some form of communication. Inability to communicate can lead to undesired behaviors and isolation.

Social Skills Supports and strategies based on social skills assessment/curriculum and provided across settings – Social skills are behaviors used to interact and communicate with other people. While manners are important, social skills go beyond simple manners. Social skills delays are a defining feature of autism, so it is highly likely that students with autism will need this strategy. The need for social skills

supports can be determined many ways. Observations in natural settings, standardized testing, and observations in structured settings are only a few examples. There is no “right” way to teach social skills. Studies have shown they should eventually be taught in context. Support for the student during recess or other naturally variable situations are an example of teaching in context. Social skills are used everywhere—not just in controlled classrooms -- so these skills need to be taught in the real world. This is an area where peer supports (classmates) can be very valuable in the learning process. Indigo Hill School emphasizes full inclusion and a child’s access to typical peers, because these peers represent the community in which the child will be as an adult.

Professional Educator/Staff Support - As stated before, staff working with your child should have general training about autism and strategies to implement an IEP. They should also know strategies unique to your child. You may ask about training for all adults working with your child. Don’t be afraid to request more training if you think it is needed. Again, the supplement does not mandate a specific degree or credential, but does require qualified personnel and training. One important way parents can help is to provide a student portfolio. If your child needs to learn a new system, such as use of an assistive technology device, make sure you request that staff be trained as well. Many devices or procedures are not successful simply due to lack of training for both students and teachers.

Teaching Strategies based on peer-reviewed, and/or research based practices for students with Autism Spectrum Disorders - Some examples of teaching strategies which might be considered are discrete trial learning, applied behavior analysis (ABA), visual supports, augmentative communication, or social skills training.

For each strategy, the IEP committee must determine whether the strategy is needed or not needed.

This decision is based on whether the student needs the strategy in order to make progress, or does not need the strategy because they are making sufficient progress. There may be other reasons for not using a strategy. For instance, a family might decline ESY services if they plan other learning activities over the summer. The decisions should be based on data collected against measurable goals and objectives, not just the IEP committee’s overall impressions of the student’s progress.

Research Based Practices published by Steve Johnson, SM, and Director of School Programs at the Mark Kula Center for Applied Ethics, Santa Clara University (1999) recommends that you keep in mind the uniqueness of your population. An emphasis should be on literacy and then the eight habits identified as necessary for successful employment, attention to transition should start as early as possible.

Studies have shown that it is generally not the lack of expertise or the lack of technical abilities that will get someone fired but the employee was most often lacking in one or more of these successful habits identified. Our students with disabilities have dismal post-secondary outcomes without special attention and diligence. Age appropriate transition every year while a child is in school should be considered to enable them to meet their Post-secondary goals.

The Eight Basic Habits include: 1) Being on time, 2) Neat appearance , 3) Good attendance, 4) Follow directions. 5) Start promptly, 6) Completing tasks, 7) Getting along with co-workers , 8) Getting along with supervisors.

The IEP for a child with ASD must include:

A statement of the child’s present levels of academic achievement and functional performance (PLAAFP) (§ 300.320(a)(1).

“Functional performance” is a term that is generally understood to refer to skills and activities that are not considered academic, i.e. routine activities of everyday living.

Functional Behavior Assessment Legal Requirements

Must be considered by the IEP Team when a child's behavior impedes the child's learning or that of others § 300.324(a)(2)

When a child is removed for disciplinary reasons, an FBA and individual behavioral intervention services (BIP) must be applied §300.530(d)(2)

When conduct is a manifestation of the disability, the IEP Team must conduct FBA (unless previously done) and implement BIP §300.530 (f)

A team process that includes caregivers,

A comprehensive and individualized strategy designed to identify why a behavior occurs and the context in which it occurs,

Reduce the frequency/severity of the target behavior through:

Developing and implementing a plan to modify variables that maintain the behavior,

Teaching new behaviors that serve the same function using positive interventions.

What FBA Is Not:

Not a means to remove the student from current placement

Not a means to determine eligibility

Not a method to determine placement

Not a method of assessing broad academic performance

Not a punishment for the student

Not a way to avoid accountability

Functional Behavioral Assessment Steps in the process:

Understand the individual and how ASD impacts that individual

Define the behavior

Devise and implement a plan to collect data

Review and analyze the data

Create the hypothesis

Develop and implement a behavior intervention plan (BIP)

Monitor the plan

(an abbreviated version of steps in the process, follows)

Understand the Individual:

How Student the is Impacted by ASD

Processing

Executive function challenges

Difficulty taking others' perspectives

"Can't see the forest for the trees"

These areas also need to be addressed: Communication, Social, Sensory, Emotional Vulnerability, Motor, Repetitive and restricted behaviors, Biological factors

Develop and Implement a Positive Behavior Intervention Plan

The plan, based on the hypotheses statements, should incorporate positive strategies to:

Modify the physical environment:

Adjust the curriculum or instructional strategies

Change the antecedent and/or consequences for the student's behavior

Address the student's underlying characteristics

Teach more acceptable behavior(s)

Implement within a broader comprehensive plan

The plan should incorporate positive strategies to:

Establish procedures for responding to the behavior of concern, if it occurs

Implement the plan

Train and coach all (staff, caregivers, peers) who interact with student

Schedule instruction to address new skills

Implement consistently.

(Source: NASDSE, IDEA Partnership's Collaborative Work on Autism Spectrum Disorders)

Additional Services will also be considered for Students identified with Autism and all students with special needs if needed, for example: Health Services, Social Work to develop a play therapy plan to address social and reciprocity skills.

Health Services including School Social Work. The role of our school nurse involves management of direct services such as screening, emergency first aid, delivery of medication, health education and disease prevention, collaboration, case management, coordination of care to support students with severe health problems, health program management including record-keeping for all students and professional growth and training for staff.

A school social worker serves special services children and their families by providing a link between the school, the home, and the community. The school social worker supports families with counseling, acquisition of parenting skills, and assistance in accessing community services. They will also work with students in a primary play model format and other modes as recommended by the IEP team to meet the student's needs.

Assistive Technology: Any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device.

Ancillary/Related Services. IHS will be providing related services to students who are eligible by the determination of the IEP team. Services such as social work, occupational therapy, and speech language services, etc; will currently be provided by certified staff to our students.

Reggio's powerful image of the potential in every child informs Indigo Hill's educational practices to maximize each child's capabilities. Maria Reggio Emilia, the founder of the Reggio Emilia approach, developed her methods for early learning, explicitly to work with children described as "at risk" that are referred to as "children with special rights", rather than children with special needs." When she opened her first school for the children of poor factory workers living in Rome, the results were so remarkable they brought world-wide attention to Reggio Emilia's ground-breaking work. At risk students include those who, because of physical, emotional, socioeconomic, or cultural factors are less likely to succeed in a traditional education environment.

Indigo Hill School will modify the program of instruction to meet the needs of individual students, including bilingual, limited English proficiency, and special needs. IHS will identify, locate and screen students in need of special education services pursuant to Section 504 of the Rehabilitation Act of 1973, Title II of the American With Disabilities Act of 1990 (ADA), and the Individuals with Disabilities Education Act 2004 (IDEA). IHS will rely on the Response to Intervention (RtI) Framework and methodology as described in the "Student Assistance Team (SAT) and the Three-Tier Model of Student Intervention."

Promotion Requirements: IHS will develop an individual student plan for promotion on a case by case basis for all students receiving special education services per New Mexico and Federal statutes and directives.

Access to Ancillary and Related Services IHS will arrange with licensed professionals to provide ancillary services through Cooperative Educational Services and other professionals in the field to provide therapy services in health, social work, education diagnostics and psychological services, physical, occupational, recreational, and speech language therapists. For example to address the needs of our students identified as having ASD; we can contract with the Autism Communications Consultants for professional development and they are also able to provide related services such as Assistive Technology training, SLP's, and OT's. IHS will provide all services determined and required by the student's IEP.

Addressing Staff Needs: Special Education Teacher. The Indigo Hill School will contract with certified Special Education teachers as necessary to meet our student's minimum requirements and needs. This individual shall possess appropriate New Mexico special education certification and have experience with compliant, meaningful IEP's and significant classroom experience with students who have been identified as having special needs. The Special Education Teacher will focus on delivering special education services in the classroom(s), unless the student's LRE would be better served in another way. Inclusion will be emphasized for Special Ed students to the greatest degree possible. Reggio Emilia, Core Knowledge and Cambridge International Primary are very thoughtful curricula designed for all students and have written materials to assist in modifying and accommodating lessons to meet individual needs. Special Education quality control and compliance/supervision will be the responsibility of the Executive Director/Principal. We also expect our need will warrant hiring our own staff when we are approaching full time in service hours, as this may be more cost effective than contracting.

Fiscal Support for Ancillary/Related Service. Reflected in the budget is funding to secure ancillary/related services. These services, (including, but are not limited to) speech-language therapy, occupational therapy, recreational therapy, social work, psychology, nursing services, and physical therapy will be acquired through contract services (such as, but not limited to) with Cooperative Educational Services, or other local providers and agencies. IHS will employ at least one staff member with TESOL/ESL certification to provide services and modifications for students needing support with English language proficiency. Students identified as ESL if referred for special education evaluation will be provided Bilingual Certified Evaluators, such as Bilingual Certified SLP's and Diagnosticians. The administration and governing board will be committed to identifying additional funds in subsequent years in order to augment staff that will be needed for the school. All contracted providers will be qualified and licensed to perform such in the state of New Mexico.

IDEA-B Funds. IHS will apply for IDEA-B, Federal Title I and other Title Monies if our students are eligible. Medicaid is an option to explore with our plans to join a REC. The demographic makeup of IHS students will likely support the application for assistance in these areas. It also provides an opportunity to better serve student needs, while enabling IHS to preserve valuable SEG funding for other operational needs. IDEA funds can also be used to provide transportation for special education students requiring transport based on their IEP. A small percentage can also be applied to assisting regular education student who are demonstrating special assistance.

School Policies Manual Relating to Student Needs Whom are At-Risk: Student Discipline. IDEA 2004 states that school personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a student with a disability who violated a code of student conduct, Section 615(k)(1)(A). Therefore, the Executive Director/Principal or designee at IHS

will consider each set of unique circumstances in deciding whether to seek a long-term disciplinary removal of a student with a disability. A long-term disciplinary removal is 10 or more school days.

Manifestation Determination Requirements. Should the school recommend a change in the student's placement due to a disciplinary offense, the school, parents, and relevant members of the IEP will review all information in the student's file, including the child's IEP, any teacher observations and relevant information provided by the parents to determine:

- If the conduct in question was caused by, or had a direct and substantial relationship to the child's disability; or
- If the conduct in question was the direct result of the school's failure to implement the IEP.

Should the manifestation determination conclude that the conduct in question was not caused by the child's disability; the IEP is charged with determining an interim alternative education setting for the student. (Section 615(k) (2)).

If it was determined that the child's behavior was related to the disability, the IEP team is to return the child to the placement from which the child was removed, unless the parent and the school agree to a change of placement as part of the modification of the behavioral intervention plan. (Section 615(k) (1) (F) (iii)).

*Reminder, the 504 Process also requires a Manifestation Determination Hearing (see PED Guidelines written by Phyllis Bass).

Functional Behavioral Assessment (FBA) & Behavioral Intervention Plan (BIP). A functional behavioral assess is conducted when a student's behavior interferes with his or her learning or the learning of others. Its purpose is to identify why a behavior is happening so that the IEP team can develop appropriate interventions. IHS will use the FBA and BIP forms provided by the NM PED Special Education Bureau. IHS will utilize all of the strategies outlined in the section regarding mental health before a FBA is requested. Whenever possible, IHS will consider strategies for improving emotional regulation, finding appropriate outlets for frustrations, and redirecting student behavior through modeled behavior and reflective speech as a general practice with all students.

Regarding a manifestation determination finding that a student's behavior was related to his/her disability, and then the IEP team must conduct a functional behavioral assessment and implement a behavioral intervention plan for the child, unless a FBA was already conducted prior to the behavior in question. Section 615(k) (1) (iii), if the school already had developed and implemented a BIP for the student, the IEP must review the plan and modify it, as needed to address the behavior in question.

Suspension and Expulsion of Students with Disabilities. To ensure equal treatment, all students who are responsible for their conduct will be disciplined under the same due process procedures. The law provides students with disabilities a different status than that of non-disabled students. If the determination is made through a functional behavioral assessment, that the misconduct of a student with a disability is not related to the student's disability or educational placement, then the student with a disability whose conduct may warrant suspension or expulsion will be provided appropriate due process in the same manner as all other students. If the apparent misconduct is determined through the same assessment, to result from the student's condition or educational placement, a behavioral intervention plan shall be developed and implemented. It will be IHS policy to make determinations about all student disciplinary action on a case-by-case basis, including disabled students.

Professional Verbal De-escalation Skills. Professional Verbal De-escalation practices are a priority in our school, as students with ASD can easily get over-stimulated. Verbal de-escalation techniques can calm a student quickly without need for further intervention. It is IHS's policy to avoid unnecessary physical restraint unless it is absolutely necessary, but sometimes young student's present safety issues to themselves. Therapeutic restraint is recognized in an emergency situation and only up to two minutes as Handle With Care trains its instructors that there is no benefit after two minutes for de-escalation purposes and safety issues increase the longer a child is in a physical restraint. If physical restraint is applied it should be recommended by the IEP team and written into the IEP and used only as a last resort in the menu of behavior intervention by a person who has been trained in and holds a current PED approved certification in verbal and physical de-escalation techniques. Every incident needs to be documented, if the Intervention team is used or a physical restraint occurs and the Clinical Services Director should receive a copy on a daily basis.

*Wrap-around Blanket Techniques are prohibited in any form.

One-to-One Supervision. When requesting a one-to-one teaching assistant, A One to One Supervision Form needs to be completed by a member of the Administrative Team. This form is designed to carefully scrutinize the request, examine options and ensure the student is being served in their least restrictive environment.

Treatment and Development of Records. Assessments of IEPs and all other student records will be confidential, consistent with state and federal law. IHS will assure that all records and procedures pertaining to them will comply with the New Mexico Inspection of Public Records Act including safe storage in fire-proof cabinets.

Due Process Hearing Procedures may be initiated between parent and public education agency concerning the following circumstances:

- 1) A proposal or refusal to initiate or change identification, assessment, or educational placement of a child or the provision of a free, appropriate, public education to the child.
- 2) A parent refuses consent to assessment procedures. A mediation conference may be requested at any point during the hearing process if both parties agree to mediate and are willing to extend the 45-day limit for issuing a hearing decision for a period equal to the length of the mediation process. Students previously identified as qualifying for special education services will receive the special education services outlined in their current IEP, which will be reviewed annually, or the student will be reevaluated as determined by the student's current IEP. This process will assure:

Equal access to all students
Individualized Education Plan
Free Appropriate Public Education (FAPE)
Least Restricted Environment (LRE)
Due process and parental involvement
Nondiscriminatory evaluation

Section 504

Section 504/American Disabilities Act. Section 504 (Subpart D) is a federal civil rights law that is the responsibility of the comprehensive general education system. The Law requires students with disabilities be provided with a free appropriate public education (FAPE). IHS will provide the full range

of accommodations and services necessary for student with disabilities to participate in and benefit from public education programs and activities. IHS recognizes that protections are afforded to all individuals who are disabled under the Individuals with Disabilities Act (IDEA), under Section 504/ADA. However, not all individuals who are considered to be disabled under Section 504 guidelines will meet the eligibility requirements of IDEA. These children will require a response from the general education staff for the provision of accommodations and services that may take the form of a written Section 504 Plan.

Section 504 (29 U.S.C. Sec. 706(8)) is based on the need for reasonable accommodations that effect major life activities defined as, functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. (34CFR Part 104.3)

Parent Notice Regarding 504 Services

As required by this law, the parent or guardian will be provided with notice of actions affecting the identification, evaluation or placement of the student. Parents/guardians will be invited to the meeting, and participate in the decisions made. Parents are entitled to an impartial due process hearing if they disagree with the school's decisions in these area. A Section 504 hearing will be made available by the school if requested by the parent. IHS understands that parents may choose to appeal directly to the Office of Civil Rights without notifying the school of their concerns or requesting a 504 due process hearing.

Eligibility for 504. Students may be served through a Section 504 Plan ensuring that students who qualify as a student with a learning disability or an acute or chronic disability and have reasonable accommodations afforded to them. A Section 504 Plan is designed for students who have an acute, short-term illness or injury and are generally succeeding in the regular curriculum. These students do not need significant alterations of program but have a documented disability. Students served in this way are allowed accommodations but are not assigned a Special Services Case Manager, but will be provided with General Case Manager, such as a General Education Teacher or a School Councilor. 504 Plans will be developed and conducted through the Student Assistance Team Process.

Evaluation Process for 504 Eligibility. The components of evaluation assessment for Section 504 are determined by the type of disability suspected, data required to define the impact of the disability in the education environment, and the type of services/accommodations that may be needed. There are no evaluation requirements as exist under IDEA. However, the evaluation will be sufficient to accurately and completely assess the nature and extent of the disability, and the impact of the disability on a specific major life activity.

Determination of Need for 504 Services . The determination of needed services will be made in accordance with evaluation data by professionals knowledgeable about the student. The group will review the nature and presence of the disability, how it affects the student's access to the educational process, and whether accommodations are needed to prevent discrimination. The decisions related to 504 eligibility and services will be retained in the student's file, and if services are provided, eligibility and the plan or services will be reviewed periodically, as determined by the group who developed the plan.

Many students identified as having ASD also have allergies, especially food allergies. An example of a typical student who would require a 504 Plan would be a student who is identified as having mild ASD

but does not require special education services; but they do need a 504 Plan because of a significant food allergy.

English Language Learners

Suggested Modifications to Meet Student Needs for English Language Learner (ELL). Inclusion is the central philosophy of the Indigo Hill School. IHS will comply with all applicable federal laws with regard to services and the education of English Language Learners (ELL) relative to annual notification to parents, student identification, placement, program options, ELL and core content instruction, teacher qualifications and training, reclassification to Fluent English Proficiency (FEP) status, monitoring and evaluation of program effectiveness and standardized testing requirement.

The needs of Bilingual/ELL students will be addressed utilizing differentiation of the instructional program in addressing ELL student needs, including a combination of the following: preparation of materials in Spanish or other native language, certified bilingual/TESOL teachers, English-speaking and bilingual peer, and community member mentoring, and school wide Spanish language instruction. Another very important technique is to provide additional wait time to respond to questions. Teachers should wait a little longer before moving on to another student to answer the question. In order to facilitate acquisition of academic language for English Language Learners, teachers will use vocabulary-building activities such as word walls, games, song writing, poetry, mind maps and webs to develop vocabulary concepts. The classroom teacher will differentiate instruction for students utilizing special education services by reducing assignments, providing extended timelines and alternative materials, providing peer partners, preferential seating, and augmenting instruction with visual and auditory support. Gifted students will be provided with choices for alternative methods to demonstrate competence or be challenged with alternate materials. Our program will enrich and extend the adopted curricula, taking into account our students unique gifts, interests and learning styles. IHS's instruction will promote higher-order, creative, and critical thinking skills.

Each ESL student will be assessed for English proficiency to provide information, identify needs and help the school to formulate a specific plan to meet those needs. The plan will include all areas of literacy: reading, writing, speaking and listening. The State requires the administration of *WIDA* (www.wida.us/) *WIDA* supports academic language development and academic achievement for linguistically diverse students through high quality standards, assessments and other tools. The *WIDA-ACCESS* Placement Test is an English language proficiency "screener" test given to incoming students to identify students for ELL services. *ACCESS* for ELLs® stands for Assessing Comprehension and Communication in English State-to-State for English Language Learners. Those students whose primary language at home is other than English will be given the *WIDA-ACCESS* test until they are reclassified.

For these particular learners, IHS teachers will:

- Recognize cultural and linguistic differences among students
- Provide a safe and predictable environment
Provide many opportunities for oral language practice and increase inventory of vocabulary
Incorporate differentiated instruction to adjust teaching
Utilize Sheltered Learning Strategies

The Sheltered Instruction Observation Protocol (SIOP) Model with reference from; [Making Content Comprehensible for English Learners: The SIOP Model \(3rd Edition\)](#) by Jana Echevarria (Paperback - May

5, 2007) was developed to facilitate high quality instruction for students identified as ELL's in content area teaching students, who are not yet proficient in English. The sheltered instruction protocol will be used as a reference to adequately plan support for students identified as ELL and the SIOP Model is inclusive as it is also effective with all students at large.

The Sheltered Instruction Observation Protocol (SIOP)

Preparation

Write content objectives clearly for students.

Write language objectives clearly for students.

Choose content concepts appropriate for age and educational background level of students.

Identify supplementary materials to use (graphs, models, visuals). List materials:

Adapt content (e.g., text, assignment) to all levels of student proficiency.

Plan meaningful activities that integrate lesson concepts (e.g., surveys, letter writing, simulations, and constructing models) with language practice opportunities for reading, writing, listening, and/or speaking.

Instruction

Building Background

Explicitly link concepts to students' backgrounds and experience. Examples:

Explicitly link past learning and new concepts. Examples:

Emphasize key vocabulary (e.g. introduce, write, repeat, and highlight) for students. List key vocabulary.

Comprehensible Input

Use speech appropriate for students' proficiency level (e.g., slower rate, enunciation, and simple sentence structure for beginners.)

Explain academic tasks clearly.

Use a variety of techniques to make content concepts clear (e.g. modeling, visuals, hands-on activities, demonstrations, gestures, body language.

Strategies

Provide ample opportunities for students to use strategies, (e.g. problem solving, predicting, organizing, summarizing, categorizing, evaluating, self-monitoring). List them:

Use scaffolding techniques consistently (providing the right amount of support to move students from one level of understanding to a higher level) throughout the lesson. List them:

Use a variety of question types including those that promote higher-order thinking skills throughout the lesson (e.g., literal, analytical, and interpretive questions). List them:

Interaction

Provide frequent opportunities for interaction and discussion between teacher/student and among students about lesson concepts, and encourage elaborated responses.

Use group configurations that support language and content objectives of the lesson. List the grouping types.

Provide sufficient wait time for student responses consistently.

Give ample opportunities for students to clarify key concepts in first language as needed with aide, or peer(s).

Practice/Application

Provide hands-on materials and or tangible objects for students to practice using new content knowledge.

Provide activities for students to apply content and language knowledge in the classroom.

Provide activities that integrate all language skills (i.e., reading, writing, listening, and speaking).

Lesson Delivery

Support content objectives clearly.

Support language objectives clearly.

Engage students approximately 90-100% of the period (most students taking part and on task throughout the lesson).

Pace the lesson appropriately to students' ability level.

Review / Evaluation

Give a comprehensive review of key vocabulary.

Give a comprehensive review of key content concepts.

Provide feedback to students regularly on their output (e.g., language, content, work).

Conduct assessments of student comprehension and learning throughout lesson on all lesson objectives (e.g., spot checking, group response).

Report Card. All official communication with parents will be communicated in English and Spanish. The Indigo Hill School's report card will differentiate not to just report a grade average but to identify areas that are understandable to parents and students, as to what the student is doing well, and what they can work on to improve their grasp of the subject matter. For example; a student who is tardy two times a week may be missing an important part of a lesson. If being late to class is stopped the student would be able to improve their grade, rather than just assume they have difficulty in learning the subject matter. Progress reports will fill in the gap between our four reporting periods. All parents will be informed of these important dates in our school calendar and our web-site. If parents do not return a signed copy, the parent will be contacted and arrangements will be made by the child's teacher to ensure the parent is informed of their child's progress. We will have three meetings a year on an individual basis, and more if needed to ensure student progress.

Lessons are integrated across the curriculum and many opportunities are provided for arts related activities that address the multiple intelligences. Students with disabilities as well as gifted students will be included in the general classroom setting as much as educationally possible. Students will have full access to general education curriculum in a manner consistent with federal and state laws and regulations, and consistent with the mission and vision set forth in the IHS Charter. The structure of the multiage classroom, Reggio Emilia teaching methods, arts integration and other core approaches already support personalization of the curriculum. However, if a special needs student requires more intensive or direct support, the services will be provided in a different way to be determined by the IEP team. In addition, the Cambridge International Curriculum has an entire framework dedicated to the English as a Second Language Learner as their curriculum is used in many international schools who deal with multiple students whom are identified as ESL.

Cambridge International's mission is to deliver world-class international education through the provision of curricula, assessment and services. They are committed to extending access to the benefits of high-quality education around the globe. Their programs and qualifications develop successful learners and support the economic performance of countries where they work at national level within the Cambridge ESL Framework which they provide.

To prepare our students for Cambridge International's Framework, our Kindergarten Program will be taught by Bilingual or ESL endorsed Teacher. The focus will be on academic vocabulary both, in Spanish and in English.

IHS will apply for the State Bilingual Grant to help fund partially fund K-6 bilingual instruction with at least 1 teacher with Bilingual Endorsement who will provide the required instruction. The remaining dollars will need to come from the Operational Budget.

ORGANIZATIONAL PLAN AND GOVERNANCE

Governing Board Creation/Capacity

III A. (1) Roles and Responsibilities of Indigo Hill School Governing Board.

Indigo Hill School will be governed by the IHS Governing Board ("Governing Board") and managed by its Executive Director/ Principal pursuant to the school's charter, performance contract and duly adopted Bylaws. Since the School intends to operate as a state-chartered charter school, the Governing Board must qualify as a board of finance. Indigo Hill School Founding Board will become the governing board, then transition to a board of finance following the approval of the charter school application and performance contract. The Governing Board's major roles and responsibilities will include approving all major educational and operational policies, approving all major contracts, approving the school's annual budget, overseeing the school's fiscal affairs, and selecting and evaluating the school's administrator, the Executive Director/Principal.

The legal authority of the Governing Board is derived from its own charter, the laws governing public schools and regulations promulgated by the New Mexico Public Education Department in compliance with New Mexico Law as set forth in Sections 22-2-1, 22-8-1 through 22- 8-47 and 22-8B-1 through 22-8B-17, NMSA (1978). The Governing Board will conduct its activities in compliance with the New Mexico Open Meetings Act (1978), i.e. the "Sunshine Law." The deliberations of the Governing Board will be informed by an understanding of the requirements for effective and productive public charter school governance practice, and guided by parliamentary procedures codified by Robert's Rules of Order Newly Revised (10th Edition).

The charter school is subject to all pertinent federal and state laws and regulations, as well as its own rules and bylaws, after appropriate approvals. The Indigo Hill School Governing Board Bylaws in draft are found in the appendix (Exhibit B) along with other board governance documents.

Governing Board Membership. The Governing Board will be established with no less than five (5) and no more than seven (7) members. Governance Board members shall be selected from the nominations and elected by a majority vote of the existing Board.

The terms of the Governance Board voting members shall be three-year terms, and all Board members shall be eligible to serve two successive terms.

The Governance Board members shall be nominated as follow: the Board Nominating Committee shall select the Board member nominees for the vacant positions. The Board Vice-Chairperson shall be a member of this committee. The committee shall obtain nominations by notifying community, business and/or education leaders of regular elections and/or vacancies on the Board along with a descriptions of the responsibilities of serving as a member and the date and time of the Governance Board meeting at which the position will be voted on by the Governance Board (whether new term elections or vacancies). The names and qualifications of The Indigo Hill School interested individuals recommended by the nominating committee shall be given to the Secretary of the Governance Board, by no later than ten (10) working days before the date of the regular board meeting at which the vote of the Governance Board shall be made.

Length of Term. Governing Board members will serve staggered terms of two years and may serve up to two consecutive terms. The term office will correspond with the fiscal year of July 1 to June 30 of the following year. Terms of Governing Board Members will be staggered so that approximately one third of the terms expire each year. This proposed method of filling board positions will be reviewed by the new board before ratification of the bylaws. The seats on the Governing Board will be assigned as follows:

Seat 1 term expires on June 30, 2014 and every two years after

Seat 2 term expires on June 30, 2014 and every two years after

Seat 3 term expires on June 30, 2014 and every two years after

Seat 4 term expires on June 30, 2015 and every two years after

Seat 5 term expires on June 30, 2015 and every two years after

Seat 6 term expires on June 30, 2016 and every two years after

Seat 7 term expires on June 30, 2016 and every two years after

Officers. The Officers of the Governing Board shall be a Chairperson, a Vice Chair, a Secretary, and, if deemed appropriate by a majority vote, a Treasurer. The responsibilities of Secretary and Treasurer may be combined into a single position, if deemed appropriate.

Standing Committees. The Executive Committee, School Finance and Audit Committee(s) (mandatory) are standing committees. Other committees such as Facilities and Advancement are among optional committees to be formed as needed. In addition, the governing board will be represented on the school wide Curriculum and Accountability Committee that reviews the quality of the instructional program three times a year.

Executive Committee. The Executive Committee consists of the President, Vice President, and Secretary/Treasurer. The Executive Committee is responsible for ensuring that the governing board is able to conduct regular and special meetings according to an approved schedule and agenda, which is communicated timely to the school community. The Executive Committee monitors board member attendance and participation, organizes the annual performance review and evaluation of the Executive Director/Principal; tracks and receives reports from other committees and task groups, and confers with the Executive Director as necessary.

School Finance Committee. Within ninety (90) days of approval of its charter, the Governing Board must file a separate application with the Public Education Commission seeking approval as a board of finance of a public school, pursuant to 6.80.4.12(A) and 6.80.4.16(B) NMAC [6-30-2009]. Before the end of the planning year, the Governing Board must demonstrate that it has qualified as a Board of Finance and has satisfied any conditions imposed by the PEC before commencing full operation for the remainder of its charter term, §22-8B-12(C) N.M.S.A. (1978), as amended, and 6.80.4.11(D) N.M.A.C. [6-30-2009]. Once designated as a Board of Finance by the NMPED, the Governing Board assumes responsibility for all funds distributed to, allocated to or collected for the School, pursuant to §22-8B-13 & §22-8-38 N.M.S.A. (1978), amended. Members of the Finance Committee are the President, Treasurer, and a Community Member who has experience in business and financial matters, pursuant to "H.B. 227", an Act described as "Public Schools--Local School Board Finance Subcommittee and Audit Committee--Establishment, Membership, Duties (N.M. Legis. 115 (2011)).

School Audit Committee. Annual audits will be conducted following the guidelines set forth by the NM State Auditor and the State Audit Rule. The school's annual audit will be conducted pursuant to the instructions of the PEC and Charter Schools Division. Indigo Hill will be audited as a component unit of the Public Education Department. The school is responsible for paying its proportionate share of the

audit and providing all of the requested information to the auditor at a time and place designated by the PEC/PED auditor upon reasonable advanced notice. Two members of the Governing Board shall be appointed to the Audit Committee, as well as a parent of a student attending IHS, and a community member with experience in business and financial matters. In addition, the Business Manager and the Executive Director serve as ex officio members of the Audit Committee. The assigned auditor is also a member under the statute. The Audit Committee shall:

i. Attend the entrance and exit conferences for annual and special audits; ii. Assure a corrective action plan to correct any audit findings is developed, approved and submitted to the authorizer; iii. Be accessible to the external financial auditors as requested; iv. Track and report progress on the status of the most recent audit findings and advise the Governing Board on policy changes needed to address audit findings; v. Provide other advice and assistance as requested by the auditor and Public Education Department; vi. Be subject to the requirements regarding the confidentiality of audit information as those imposed by the Audit Act and rules of the State Auditor.

Curriculum and Accountability Committee. This IHS committee facilitates the work of the entire faculty through ongoing review and critique of the instructional program and curriculum. The Curriculum and Accountability Committee reviews the results of the short-cycle and standards-based assessments and may recommend timely adjustments to the Executive Director based on its analysis. Most committees, including School Finance and Audit, will actively recruit community members, parents and staff members to ensure the widest representation and input.

Grounds for Removal from Office. Any member may be removed by a majority vote of the Governing Board whenever such removal is in the best interests of Indigo Hill School. Grounds for removal will include without limitation the following acts or omissions: 1. Violation of the Conflict of Interest Policy; 2. Violation of Governing Board Member Agreement; 3. Failure to attend three consecutive scheduled meetings of the Governing Board, except when such absence is due to exigent circumstances; 4. Violation of the member's duty of loyalty; 5. Violation of the Governing Board's Code of Ethics; or 6. Any other grounds the Governing Board deems appropriate.

Relationship with Administrator. The Governing Board will not be involved in the daily operations of the school, but will hire and work strategically and collaboratively with the school administrator. The Governing Board and Executive Director/Principal will work collaboratively to establish Indigo Hill's strategic direction during the charter school's planning year and initial charter term. The Executive Director will have primary responsibility for all aspects of the school's operations and programs, including the day-to-day management and implementation of the school's charter and Governing Board policies. The teachers and staff of IHS will report to the Executive Director.

The Indigo Hill School Governing Board Members will:

Implement the IHS vision and mission statements, as well as the school's core values, philosophy and objectives and work to ensure the school's organizational viability and academic success.
Become strong advocates for Indigo Hill and charter schools, in general.

Establish policies for the Governing Board's operation of IHS, and ensure that provisions of the approved charter and performance contract, as well as agreements with other government entities, are being followed.

Establish working committees and ensure that governing board members are actively involved in appropriate committee assignments. All governing board members are expected to serve on at least one such committee.

Ensure effective organizational planning and implementation in collaboration with the principal, staff and school community.

Establish fiscal policy and accountability measures, including, but not limited to, budgets and financial controls for the schools.

Manage operational and financial resources effectively to support and sustain Indigo Hill's mission and ensure that proper financial controls are in place consistent with state and federal laws.

Monitor IHS's programs and services to ensure compliance with state and federal statutes and regulations.

Sponsor periodic evaluations of IHS, consistent with the school's philosophy and goals, as stated in the vision and mission statements.

Conduct a written annual evaluation of the performance of the charter school administrator, and, in collaboration with the school administrator establish annual performance goals for the following year. Assess the Governing Board's own performance, including knowledge of governance best practices, school operations and finance, and participate in regular professional development and governance training.

Maintain complete and accurate minutes of governing board meetings.

Maintain a policy repository so that governing decisions made over a period of years are readily available to subsequent governing board members and administrators.

Enhance the charter school's public image and maintain effective relationships with constituents, stakeholders and the community at large to connect students and school programs to external resources and opportunities.

Understand their proper role as a member of a collective board and acknowledge the statutory authority inherent in the role of school administrator.

III A.(2) DESCRIPTION OF FOUNDERS' EXPERTISE AND PROSPECTIVE GOVERNANCE EXPERTISE

All members of the Indigo Hill Governing Board serve in the public interest and are obligated to conduct affairs of the school in a manner consistent with this role and all applicable state and federal laws and rules. Decisions of the Governing Board must be made on the basis of a desire to promote the best interests of the school. Board members shall reflect the qualities, qualifications, and diversity determined by the needs of the Board. The governing board may not discriminate against potential members on the basis of age, sex, sexual orientation, race, national origin, ancestry, religion, marital status, or non-disqualifying handicap or mental condition. Board members should bring diverse perspectives and talents to their work and be prepared to devote the resources and energy that will be necessary for IHS to fulfill the challenge it has set for itself.

Stephan Slota is a native New Mexican, having grown up in Albuquerque and Santa Fe. He is a Father and a graduate of St Michael's High School in Santa Fe; Tulane University in New Orleans, LA with a BA in Economics; and, the University of New Mexico with an MBA in Business Administration. Stephan's professional background is in operations and retail management, with 14 years of hospitality-related opportunities in New Orleans and New Mexico. Stephan was also a financial advisor in Albuquerque who specialized in assisting Parents whose children were disabled and/or ASD and needed to be advised on long term care options and trusts for their children for 8 years. He is passionate about contributing to his community and he is the first founder of the Indigo Hill Charter School.

Stephan has been very active in the community in Albuquerque since returning from New Orleans in 1993. He was the Chairperson for the Albuquerque Technical Vocational Institute's Culinary Arts program for two years, an AYSO coach for three years and as a swimming official for high school, age group and college swimming for the past 5 years. He has also participated on the boards for the Homebuilders Association of Central New Mexico, as Membership Chair for two years, and the board for the New Mexico Bio-Park Society for the last four years. Stephen has plans to be a governing board member.

Sara Livingston, Ph.D., has been a teacher and scholar of the Psychology of Language for over 35 years, working in both Private and Public Secondary Schools and Universities. Some key highlights of her career include a dissertation on students' Development of Scientific Concepts. Dr. Livingston's research interests include linguistics, psychology, English and research writing. She is the recipient of the New Mexico Arts Commission grant for reinstating the Arts in the Schools and the recipient of the outstanding achievement award for a UNM Doctoral graduate in Education. She has worked with Intern Teachers, and taught Psychology, English and Linguistics at several universities. Dr. Livingston is a licensed public school teacher K-12 in New Mexico and in 13 other states. She is also proud of the fact she is a Mother of wonderful son and has developed three on-line courses in psychology and education with Embry-Riddle Aeronautical University's Worldwide campus. Dr. Livingston also has plans to be a governing board member.

Orlando Lucero was elected to the Sandoval County Commission in January 2007-Present. His service area includes eighteen separate communities with specific needs. His priority is the health and safety of residents of the county. Education is an important part of Mr. Lucero's mission and building a charter school and serving as a founder and a board member to meet the needs of his community is a task that Mr. Lucero takes seriously and considers it a very important honor, and he is humbled that he got the opportunity of building a school with his values and input based on his educational expertise.

Kaylock Sellers is a New Mexico licensed School Business Manager and also licensed in Math. Mr. Sellers has several years of experience as a School Business Manager in New Mexico, and he strongly values fiscal responsibility to maximize financial support for students. Mr. Sellers also has taught in South America. Mr. Sellers also has considerable training and experience working with a Governance Board and is prepared to be an effective board member and advisor to the board in fiscal matters.

Dr. Joe McCarty, is a licensed Psychologist in New Mexico and has published in several journals. Dr. McCarty also has skills as a Behavioral Expert, and has designed our Social Skills Curriculum with an emphasis on Anti-bullying intervention for all students. He also was the Indigo Hill School's consultant in the areas of Gifted and Autism. He is currently a Day Treatment Director and enjoys spending time with his wife.

Joseph Yar is a former successful lawyer who practiced corporate Law in New York and is currently practicing law in New Mexico. He is also a parent of two children and his wife is a teacher. Mr. Yar is also the owner of a large apartment complex located in Albuquerque. Mr. Yar will also be a founding board member.

Rob Crandall is happily retired as a former Education Administrator and Director of Special Education including a Student Services Director for several years of a charter school. He is also licensed in New Mexico as a School Administrator. Mr. Crandall's areas of expertise include; the Individual Education Program (IEP) Process and proactive quality special education compliance. Mr. Crandall will act in the capacity of an advisor in the area of special education.

SELECTION OF FUTURE MEMBERS

Governing Board members will be selected from nominations and elected by a majority vote of the existing Board. Several founders will have committed to being board members for the Indigo Hill Charter School, such as Stephen Slota, Kaylock Sellers, Joseph Yar, Sara Livingston, and Orlando Lucero. Board members will be selected based on commitment to the mission and vision of Indigo Hill School and qualities/criteria identified by the board itself. As board positions become available when vacancies occur, the current board will form a recruitment committee to coordinate publicity through school community announcements and the school website.

Interested individuals will be asked to submit a board member application summarizing their experience and reasons why they wish to join the board. Board members will also reach out to individuals who have demonstrated prior interest in charter governing board service and determine their willingness to apply for a position. Potential board members will represent a cross-section of the community at large according to: gender, ethnicity, life circumstances including organizational/business background, parental status and experience in the ASD (autism spectrum disorder) community. The names of interested individuals recommended by the recruitment committee will be delivered to the Secretary of the Governing Board, no later than ten (10) working days before the date of the regular board meeting at which the vote of the Governing Board will vote on the appointment.

B. Governing Board Training and Evaluation

As school management becomes increasingly complex and boards are responsible for more accountability requirements than ever before, effective charter school governing board practice requires active, knowledgeable board members who can meet their obligations to the school and larger community. Attention to understanding of the regulatory and compliance environment is critical. Governing board members will be expected to participate in continuing education and professional development activities essential to Indigo Hill's successful operations. IHS will budget, annually, for training expenses for all governing board members.

Indigo Hill governing board members will participate in board orientation initially provided by staff and outside consultants. As board members are replaced, this process will be conducted by the Governing Board Chair or designee and the Executive Director/Principal. IHS governing board members are expected to become familiar with the school's founding documents and policies. Every board member will be assigned a Board "Book", i.e. notebook with compact disc, containing information about Governing Board roles and responsibilities, bylaws and performance expectations, Indigo Hill's charter application, performance contract, policies, and other relevant documents.

Each board member must complete a minimum five hours of approved continuing education, annually, and available through New Mexico Coalition for Charter Schools (and online), New Mexico School Board Association, NM Public Education Dept. including Annual Spring Budget and Finance Workshop (school finance). Board governance training will address such topics as: governance process; performance contracts and monitoring; educational program development and performance assessment; strategic planning; Open Meetings Act/ Inspection of Public Records; NM State Procurement Code; School Budgeting and Financial Management; School Personnel Act and related employee issues. Board members may also consider other relevant professional development in autism, facilities management, and community engagement. Also, the board will receive training in parliamentary procedure, the Open Meetings Act, New Mexico charter law, financial oversight, and ethics/conflict of interest issues. In addition, board members will participate in an annual retreat and planning session. These work sessions will also incorporate training topics.

Governance Evaluation. The Governing Board is the charter school's primary link to the community, including constituents, the public, and the media. The Indigo Hill School Governing Board is responsible for ensuring that the school organization is effective in achieving its mission and efficient in using its resources. The governing board remains accountable to the charter authorizer, parents and students, its donors, supporters and the general public in all respects. The governing board should begin its annual discussion by evaluating its success as a board in addressing the IHS mission. By assessing its performance in fulfilling its responsibilities, the governing board can recognize its accomplishments and reach consensus on which areas need to be improved.

Board evaluation should include a method for self-assessment with metrics that generates data and opinion regarding board members' individual contributions and expectations, and the collective board's effectiveness and impact of its committees. The governing board requires answers regarding a series of questions. For example: How effective is the governing board's organizational planning? How effective is the board's support to the Executive Director/Principal? Are school resources adequate? Have school resources been managed appropriately and effectively? Has the school complied with all requirements? What is the perception of Indigo Hill School in the community? The governing board should also receive a school community assessment from the school's stakeholders (parents, staff) regarding the board's communication, financial management, and policy development, dedication to the mission and vision, and relationship building ability. This in-depth evaluation will provide a useful foundation for the governing board's next period of strategic planning.

III C. Leadership and Management

III C. (1) Monitoring. The Governing Board is responsible for monitoring the operational, financial and academic progress of Indigo Hill as outlined in the charter, strategic plan, and performance contract. The focus on governing board accountability entails periodic review of the school's mission statement for accuracy and validity as the school evolves and progresses in its development. Each individual member should fully understand and support the mission as the foundation for the school's operations. The Governing Board should continuously examine how its decisions will support and enhance the school's mission. The board will perform ongoing assessments of the school's programs and operations based on the short- and long-range plans developed with input from school administration and stakeholders, as part of the comprehensive strategic plan. Working with the Executive Director, the Governing Board will establish that internal control systems are in place and functioning appropriately. The Executive Director and Business Manager will report regularly to the Governing Board on all operational and fiscal matters.

It is a function of the Governing Board to establish that adequate supervision of personnel and other monitoring activities are occurring to support the reliability of accounting and/or operational controls and identification of errors, omissions, exceptions and inconsistencies in the application of procedures. In addition, the Governing Board will also be represented on the Curriculum and Accountability Committee to allow for timely review of the academic program and student performance and growth.

III C. (2) Head Administrator Selection

Criteria and Selection of the Indigo Hill School Principal Executive Director

The Executive Director will demonstrate the following qualifications:

Administrative Licensure, M.A./M.S. or higher;

Knowledge of and commitment to the educational principles of inclusive education for students of differing abilities and appreciation for Indigo Hill's unique mission and vision;

Ability to plan, schedule and coordinate the efforts of multiple groups and numerous projects simultaneously;

Ability to hire, supervise, delegate responsibility to, evaluate, apply due process, and dismiss personnel;

Ability to work with groups of people from diverse backgrounds and interests;

Educational leadership in the areas of curriculum, instruction, student conduct, student development, and professional development;

Experience with managing school budgets and implementing financial policy and procedures in an educational setting.

Effectiveness and persistence as a creative problem-solver.

Process and Timeline. The Governing Board will coordinate a public recruitment campaign involving news media, electronic media, school personnel employment sites, and referrals to find the most suitable candidate for Executive Director. This position and all other employees will be hired in accordance with the New Mexico Charter Schools Act and the School Personnel Act, consistent with all state and federal employment rules and regulations. Following the governing board's formation and completion of the charter performance contract, Indigo Hill founders will organize a hiring committee in late October-early November 2012.

The position will be published, shortly thereafter, followed by identification, screening and interviewing of candidates. The hiring committee will interview the top candidates for the position, and then invite a broader group of supporters to also meet with the top candidates. The hiring committee will ensure that all candidates have the necessary qualifications and commitment, and that all potential conflicts of interest and other potential areas of noncompliance are avoided. In late January, the hiring committee will present its recommendation to the governing board which will select the candidate by a majority vote. If the selection process has been successfully accomplished, the decision will be voted on and announced at the February 2013 Governing Board Meeting.

Head Administrator Evaluation. The Charter School will evaluate its licensed teaching staff and licensed administrator staff in accordance with the School Personnel Act, and directives from the New Mexico Public Education Department. The Principal Executive Director will be evaluated annually based on professional goals mutually determined by the Governing Board and Principal Executive Director. Currently, Dr. Hanna Skandera, the Secretary of Education Designate is leading an effort to develop a new statewide performance-based evaluation system for teachers and administrators as required under the Flexibility Waiver awarded by the US Department of Education. The Indigo Hill School Governing

Board will apply the new evaluation procedure when it becomes available. As an interim tool, the governing board will use HOUSSSE (High, Objective, Uniform State Standard of Evaluation) to evaluate administrator competencies and performance, with additional data collected through school community surveys.

Governing Board Performance Expectations:

The Indigo Hill School has identified three governing board performances goals, Specific, Measurable, Ambitious and Attainable; Reflective of the School's Mission, and Time-specific with Target Dates (SMART) goals.

Governance Board Performance and SMART Summative Goals:

The Tri-alignment Five Year Strategic Governance Planning Tool for
The Indigo Hill School Governance Board

GB SMART GOAL #1. This is a Priority Organizational Goal. The Indigo Hill School Governance Board will further develop the goals of the school, to supervise, support and professionally develop themselves through the Tri-alignment Strategic Planning Tool to ensure goals are met through coordination and maximize efforts and purpose throughout The Indigo Hill School's Five Year Plan. This Planning Tool will be completed by February 28, 2013. The Governance Board understands that this a working document and must be reviewed at least four times a year and recorded into public minutes, progress or lack of it.

Governance Council Responsibilities *Relevant	Principal Executive Director *Accountable	School-wide Goals for 2013-2018 *Measureable	Specifically How? *Specific	By When? *Timely	Evaluation Of Progress
Supervision of Principal Executive Director					
Supervision of Academic Performance					
Governance Board Development and Self-Evaluation					
Real Estate (Facilities)					
Finance					
Community					
Performance Contract					
Policy and Procedures					

GB SMART GOAL #2. The Governing Board of the Indigo Hill Charter School will hold its Principal Executive Director accountable for fiscal responsibility, consistent growth in Academic Achievement and ability to maintain quality community relationships and give consistent feedback and evaluation regarding progress with the compiled information presented in the Principal Executive Director's HOUSSE Evaluation as required.

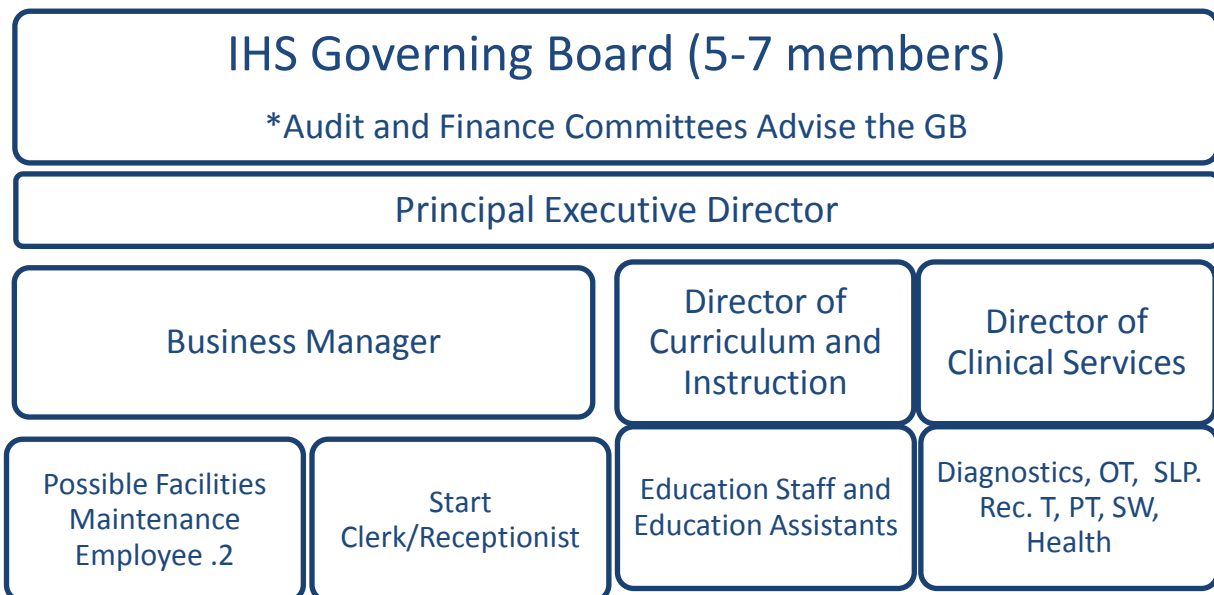
GB SMART GOAL #3. The Governing Board will recognize excellence in a quality school when evaluating the Principal Executive Director by completing all required Governing Board Trainings, Workshops and Retreats as the PED dictates and the further independent agreed upon professional development. The GB will demonstrate this by completing the HOUSSE requirements as directed.

Accountability Reporting to Community

GB SMART GOAL #4. The Indigo Hill School Governance Board will provide a written annual status report and public presentation that details our school's mission, programs, board members, academic achievement, policy and procedures, and financial condition by May 10th of each year. The Indigo Hill Governing Board will attend Autism Spectrum Disorder, Gifted and Dual Exceptionality training to further understand the students we serve.

GB SMART GOAL #5. Other concerted efforts to create an effective Governing Board are to have a reading group. We have chosen Brian Carpenter books; first, as the books are recommended reading for operating an effective charter school. The GB plans to refer to them when the board needs to focus on what is important, so we plan to revisit this author as our first priority. We will choose other authors to study thereafter.

D. Organizational Structure of the Indigo Hill School



E. Employees

Personnel Policies are developed in draft form in Appendix E. Our policies have all the necessary components. After we complete our draft, and two GB meetings to discuss it with the public, we will consistently review our policies at least annually to meet changes in federal and state regulations.

INDIGO HILL SCHOOL PERSONNEL 200X

Our Draft Personnel Policies address section E. in application, as we used the application to drive Policy development (see below). The Governing Board will have an attorney review all personnel policies before they are adopted and we will have at least two GC Meetings Readings to approve them. All policies have been adopted or revised effective Month XX, 2013 unless another date is listed at the end of an individual policy.

Personnel Policy Statement 20XX

The personnel policies of a charter school are an essential part of the program of public education in a community. The philosophy of a school and the community is generally reflected in these policies. Through its personnel policies, the Governing Board wishes to establish conditions that will attract and hold the highest qualified personnel who will devote themselves to the education and welfare of our students.

The Governing Board encourages cooperative efforts by the administration and employees or their representatives in the development of personnel policies and regulations. Provisions for the implementation of adopted personnel policies should include channels of communication and procedures for the handling of professional and ethical problems, through which all persons or groups affected, may voice their opinion.

To keep its personnel policies and the corresponding regulations in the highest state of effectiveness to achieve the above purposes, the Executive Director/Principal is directed to establish the procedures needed.

Employee Professional Conduct

The mission of Indigo Hill School requires that all staff actively participate in a collaborative effort to carry out the important work entrusted to our governing board and employees in serving children. It is reasonable to insist on a high degree of mutual, professional and personal respect and mutual support. We hold our teachers, staff and volunteers in the highest regard and encourage their active discussions of issues and input with respect to decisions affecting our school. The school values diversity in perspectives leading to a deeper understanding of organizational purpose and a greater foundation for decision making.

As a community of individuals, i.e. students and employees, who interact in a compliance-driven environment, the school requires respect for individual privacy with attention to confidentiality. If an employee must be informed about something in order to carry out school responsibilities, the information should be held closely. Therefore, all personnel matters should be treated with utmost confidentiality and professionalism. Indigo Hill School emphasizes the extraordinary degree of care that

employees (including volunteers) must take in maintaining the confidentiality of all school matters, including information about children and families as well as employees.

Indigo Hill School will actively cultivate a parent-friendly and welcoming environment. This is an important component of our mission to share training, information and resources in order to strengthen our community relationships and long-term impact. However, the needs of our students remain our highest priority. While Indigo Hill School is expected to have frequent visitors to our campus, this will occur under terms and conditions that do not disrupt the activities of the school or the work of our teachers and students.

Employee-Employer Relations 201

This policy is adopted to:

- A. Promote harmonious and cooperative relationships between the employer and employees.
- B. Promote and protect the public's interest at all times by assuring the continuance of a quality educational program without interruption, conflict, or confrontation between the employer and its employees.
- D. To protect the rights of the employer.

In the event of conflict with other school policies, the provisions of this Employee-Employer Relations Policy shall supersede all other previously enacted policies.

EMPLOYEE COMPLAINTS AND PROBLEM SOLVING

The following grievance procedure is established for resolution of problems and disputes not described under other provisions in this handbook. This process does not apply to termination or discharge from employment. See Section 217 for procedures to follow when protesting termination actions.

Careful documentation is important to successful resolution of a conflict pursued under this policy. All documentation is to be included in the personnel file:

1. Good Faith Effort. The employee will make a good faith effort to work with the immediate supervisor to resolve the conflict. This effort will consist of problem identification, possible solutions, selection of resolution, process for implementation of resolution and scheduling follow-up. In the event that the complaint involves the immediate supervisor, the employee will work with that individual's supervisor.
2. Written Grievance. If the issue is not resolved after a good faith attempt as outlined above, the employee may submit the grievance in writing to a designee (see #4 below for the procedure to follow) when the Executive Director/Principal is the subject of the unresolved complaint and the Governing Board is the next level at which to seek problem resolution. The written grievance may include documentation and other evidence.
3. Mediation. Upon receipt of a written grievance, the Executive Director/Principal may interview witnesses and other parties in interest, meet with the complainant and/or the parties in interest and conduct an internal mediation of the dispute. If any party in interest, including the appointed mediator, can demonstrate a conflict of interest, another mediator will be appointed. Any party may request that an outside professional mediator be hired. The Governing Board has final authority to determine if a professional mediator will be hired.
4. Hearing. If the problem remains unresolved, the complainant has the option to seek a hearing before the Governing Board by submitting a written complaint, this time to the Governing Board President, with documentation of the problem and all steps taken to resolve the problem. Legal council will not be admitted to participate in such a hearing. The hearing process will proceed as follows:
 - a. Each party presents an oral statement and documentation.
 - b. A designee of the Council will ask questions and examine witnesses if deemed appropriate and necessary.
 - c. No recordings or transcripts of the meeting will be produced.

- d. Within two (2) weeks of the hearing, a Council designee will render the Council's decision with recommendations in writing.
- e. Procedures will remain confidential unless the complainant pursues remedies outside this internal grievance procedure.
- 5. Final Decision. Within five (5) business days of the hearing, the Governing Board President will submit a written decision concerning the complaint. The Governing Board's decision is final.

Nondiscrimination Policy 203

The IHS School is an Equal Opportunity employer. It is the policy of the school to not discriminate against any employee or applicant for employment because of race, color, religion, age, sex, national origin, ancestry, disability, marital status or political affiliation. The school promotes the principle of equal employment opportunity.

Accordingly, all recruiting, hiring and promoting for all job classifications is made without regard to race, color, religion, age, sex, national origin, ancestry, disability, marital status or political affiliation, except where age, sex, or disability is a bona fide occupational qualification. The school makes diligent efforts to assure that all personnel actions, such as recruitment, job advertising, employment, rates of pay or other forms of compensation, promotion, transfer, demotion, layoff, termination, discharge, or selection for training, will be administered without regard to race, color, religion, age, sex, national origin, ancestry, disability, marital status, or political affiliation, except where age, sex, or disability is a bona fide occupational qualification.

Applicant Background Investigations 205

This policy is issued by the Governing Board to all administrators and employees involved in employment and personnel functions.

All applicants for employment with the school are subject to work history, education history, and reference investigations, including but not limited to substitutes and temporaries. Each finalist or applicant recommended for employment will be subject to a criminal background investigation, including mandatory fingerprinting, at his or her expense, as a condition of employment or of further consideration for employment.

Effective immediately, all applicants for employment will be required to read and sign an Authorization and Agreement form, a copy of which is attached. All background checks on applicants will be conducted through the central office.

All offers of employment shall be expressly contingent upon the satisfactory completion of background investigations. Criminal convictions shall not automatically bar an applicant from employment, but pursuant to the Criminal Offender Act, NMSA 1978 28-2-4 and 28-2-5, may be the basis for refusing employment. Information from background checks shall not be disclosed except to persons directly involved in the certification or employment decision regarding the applicant or employee.

The administration may also conduct the referenced background investigations of incumbent employees if it becomes aware of facts, circumstances, or conduct that give rise to a reasonable suspicion that undisclosed aspects of the employee's background might disqualify him or her to continue in employment with the school.

Pursuant to state law, the Executive Director/Principal will report to the State Department of Education any known conviction of a felony or misdemeanor involving moral turpitude of a certified school employee that results in any type of action against the school employee. All certified

All administrators and employees involved in employment and personnel functions shall acknowledge this directive by returning a signed copy to the Executive Director/Principal.

Qualifications for Licensed Employees 206

All persons employed to administer, teach, supervise, counsel or provide special instructional services in the Indigo Hill School shall hold and present to the school within ninety (90) days after the beginning of the school year a valid New Mexico license authorizing that person to perform that function. Failure to present such license within the prescribed time leads forfeiture of all claims to compensation rendered thereafter.

Each licensed employee shall comply with and enforce all laws, regulations and policies applicable to the Indigo Hill School; if instructing, teach the courses prescribed; exercise supervision over students on Indigo Hill School property and while students are under the control of the Indigo Hill School; and furnish such reports and attend such meetings as may be required.

See policies 222-2, 230, 231.

See policies 290, 291, 292, 293.

Job Descriptions 207

The Executive Director/Principal is charged with the responsibility for creating job descriptions for all classes of employees. It is the board's desire that the job descriptions will:

- 1) assist employees to meet their duties and responsibilities,
- 2) assist employees and supervisors in the employee evaluation process, and 3) encourage the cooperation and collaboration among and between employees needed for maximum efficiency and effectiveness in achieving the work of the school.
- 4) to assist the school to meet its responsibilities, for example; the Americans with Disabilities Act, and all other state and federal guidelines.

Executive Director Principal 208

The Executive Director Principal of IHS is employed as the chief executive officer administrative head of the school.

The Executive Director/Principal shall be qualified to hold office under the current Rules and Regulations Governing Licensure of Teachers and Administrators, and the State Department of Education.

The Executive Director/Principal shall assume the responsibility and be given the authority for the operation of the schools. This responsibility extends to business administration, educational leadership, personnel management, public relations, organization of resources, both material and personnel, delegation of duties and authority, and supervision of all delegated tasks and of all individuals to whom authority and responsibility are assigned.

The board will meet at least twice each year with the Executive Director/Principal to discuss the Executive Director/Principal's job performance.

The board will take action on the Executive Director/Principal's contract no later than the month of February in the year in which the Executive Director/Principal's contract expires, but may also extend the contract in the intervening year of a one-year contract. The Executive Director/Principal's salary shall be determined annually by the board. However, in the year in which a regular school board election is held no action may be taken on the Executive Director/Principal's contract, including extension, until the meeting at which any newly-elected board member(s) takes office.

See policy 209.

Delegation of Authority to Executive Director/ Principal 209

State law vests complete supervision and control of the Indigo Hill School in the Governing Board (NMSA 1978, Section 22-5-4) and specify the several powers and duties of the board. The board also has other powers and duties imposed on it by state law, judicial decisions or regulations of the state Governing Board.

Recognizing that board members cannot provide full-time management of the Indigo Hill School and that state law directs the board to delegate all administrative and supervisory functions to an Executive Director/ Principal, the board hereby delegates to the Executive Director/ Principal the authority and responsibility to act as its chief administrative officer and to perform all acts and carry out all functions reasonably necessary to assure the efficient and effective operation of the school.

The board expressly delegates to the Executive Director/Principal the power:

1. To act as hearing officer or hearing authority for the purposes of hearing or reviewing facts, deciding appropriate disciplinary action, or reviewing disciplinary actions of other designated or authorized administrators, consistent with procedures established by state law or regulation or board policy. Instances in which the Executive Director/Principal may exercise such delegation of authority include, but are not limited to, acting as hearing authority, review authority, or disciplinarian in hearings involving long-term supervision or expulsion of public school students pursuant to the State Governing Board Regulation No. 81-3, or such successor regulation as the State Board may adopt.

The Executive Director/Principal may designate other administrators to perform any of such functions.

2. To effect the immediate and temporary suspension with pay of public school employees, whether licensed or non-licensed, or to accept employee resignations, where the Executive Director/Principal in the exercise of his/her sole discretion determines such immediate action to be, in the best interests of the school, necessary to preserve the health, safety, or welfare of the students, or other employees of the school, or to assure the continued efficient operation of the school. No appeal to the board from such action may be had unless the Executive Director/Principal also recommends board action to suspend such employee without pay or to terminate or discharge such employee.

3. To make needed decisions regarding the complete or partial operation or cancellation of the schools on bad-weather days or in emergency situations.

4. To offer employment to prospective school employees in the interim between school board meetings where such offer is necessary to obtain qualified staff for school programs, so long as all such offers are expressly conditional on the subsequent recommendation to and approval by the school board.

5. To act as the school spokesperson to the media or in specific situations to name a designee as spokesperson. The delegation of authority provided herein may not be used in a manner contrary to state law or regulation or to deny any student or employee rights to which he or she may otherwise be entitled. The board may expand the delegation prescribed herein in appropriate circumstances. The enumeration of delegated authorities to the Executive Director/Principal shall not be construed to limit the authority of the Executive Director/Principal to take such further actions as may be necessary to administer school programs or to execute school board policy, unless such authority is reserved to the school board by state law.

Executive Director/Principals of School: Employment and Functions 212

The executive director/principal is the chief administrative officer of the individual school.

The executive director/principal is responsible to and shall serve under the direction of the Governing Board.

The executive director/principal is responsible, in accordance with state standards, regulations and statutes and local school policies, for the organization, administration, supervision and outcomes of the school.

The Executive Director/Principal shall meet New Mexico State Licensure requirements for the position for which they are elected and salaries shall be determined subject to budgetary allowances and salary schedules, if in force.
See policy 217.

Salary Schedule Transfer of Steps 213

An employee of the school who is assigned to a new job classification and salary schedule shall be placed on the new schedule at the same step as on the salary schedule for the previous job, as indicated below until the end of their contract and then the new transferred position and its salary schedule will be in effect.

Nothing in this policy shall be construed to prevent awarding credit on the new salary schedule for any previous out-of-school experience properly related to the new position which had not been recognized for the position from which the employee is being reassigned, nor shall this policy be construed to change in any way existing school practice for awarding credit for out-of-school experience.

Evaluation of Employees 215

The Executive Director/Principal shall provide a system of periodic evaluation for all employees of the school, with written reports prepared and reviewed with each employee and kept on file in the Executive Director/Principal's office. The plan for evaluation for each class of employees shall meet any state regulatory or statutory requirements and shall be reviewed by the board. No evaluation report shall be placed in an employee's file without review and discussion between the employee and the employee's supervisor. An employee in disagreement with the contents of the evaluation report may submit a written rebuttal to be attached to the report and kept on file. Such a rebuttal must be submitted within ten (10) school days of the evaluation review.

Employment, Assignment, Re-Employment, Termination of Employees 217

The employment, re-employment and termination of employees is the responsibility of the Executive Director/Principal, as provided by law. The assignment of employees is delegated to the Executive Director/Principal with specific policy guidance in the matter of transfers of employees from one location to another as set out in policy 218.

The following schedule shall prevail for re-employment of employees:

1. Licensed administrative and supervisory employees other than the Executive Director/Principal (see policy 208) shall have their status reviewed by the board in March of the year in which each such employee's contract expires, with action taken no later than the last day of April.
2. All other personnel shall be given written notice of re-employment or termination on or before the 14th day before the end of the school year of the existing employment contract, but shall have their status reviewed for possible action by the board in April.

See policies 218, 219, 220.

Reemployment/Termination/Discharge of Licensed School Instructors 219

On or before the 14th day before the end of the school year of the existing employment contract, or earlier as may be provided by the State Governing Board Rules and Regulations, the board shall serve written notice of reemployment or termination on each licensed school instructor (teacher, counselor, librarian, therapist, and coordinator) employed by the school. The notice of reemployment shall be an offer of employment for the ensuing school year. A notice of termination shall be a notice of intention not to reemploy for the ensuing school year. Failure of the local school board to serve a written notice of

reemployment or termination on a licensed school instructor shall be construed to mean that notice of reemployment has been served upon the person for the ensuing school year according to the terms of the existing employment contract but subject to any additional compensation allowed other licensed school instructors of like qualifications and experience employed by the school.

Each licensed school instructor shall deliver to the board a written notice of acceptance or rejection of reemployment for the ensuing school year within fifteen days of the following:

- A. The date written notice of reemployment is served upon the person; or
- B. The last day of the school year when no written notice of reemployment or termination is served upon the person on or before the last day of the school year.

Termination

All procedures and required time-lines regarding the rights of terminated licensed school instructors referred to in the following paragraphs are detailed in NMSA 1978, 22-10-14, copies of which are on file and available in the Executive Director/Principal's office. A licensed school instructor who has been employed by the school for three consecutive years may be terminated only for a reason that is rationally related to the employee's competence or turpitude or the proper performance of duty and that is not in violation of the employee's civil or constitutional rights. The employee may request an opportunity to make a statement to the board and may also request in writing the reasons for the termination action, as provided by law. Neither the administrator nor the governing board shall publicly disclose its reasons for termination.

The employee shall be granted a hearing before the Governing Board, as provided by law, under the contention that the decision to terminate was made without just cause. If the employee is still aggrieved by the decision of the board following the hearing, the law provides that an appeal may be made to an independent arbitrator for a de novo hearing. The arbitrator shall decide whether there was just cause for the decision to terminate.

The board may decline to re-employ a licensed school instructor with less than three years of consecutive service in the same classification for any reason it deems sufficient. Upon the written request of the licensed school instructor, the Executive Director/Principal or administrator shall provide written reasons for the decision to terminate. The reasons shall not be publicly disclosed by the Executive Director/Principal, administrator, local school board or governing authority. The reasons shall not provide a basis for contesting the decision.

Discharge

A licensed school employee may be discharged only for a reason that is rationally related to the employee's competence or turpitude or the proper performance of duty and that is not in violation of the employee's civil or constitutional rights.

The Executive Director/Principal shall serve a written notice of intent to recommend discharge on the licensed school employee in accordance with the law. The notice shall state the intent to recommend discharge and the cause for the recommendation, and shall advise the employee of the right to a discharge hearing before the governing board.

The employee may exercise the right to a hearing by giving the Executive Director/Principal written notice of that election within five working days of the receipt of the notice to recommend discharge.

All details pertaining to the employee's rights and the procedures to be followed are detailed in NMSA 1978, 22-10-17, 17.1, copies of which are on file and available in the Executive Director/Principal's office.

Reemployment/Termination of Other Employees 220

This policy and the statutes upon which it is based do not pertain to licensed school instructors employed to fill a position of a licensed school instructor entering military service or a person employed as a licensed school administrator, or a non-licensed school employee employed to perform primarily school-wide management functions.

The Executive Director/Principal may terminate an employee with fewer than three years of consecutive service for any reason it deems sufficient. Upon the written request of the employee the Executive Director/Principal or administrator shall provide written reasons for the decision to terminate. The reasons shall be provided within ten working days of the request. The reasons shall not be publicly disclosed by the Executive Director/Principal, administrator or the governing board. The reasons shall not provide a basis for contesting the decision.

All procedures and timelines regarding the rights of terminated non-licensed school employees referred to in the following paragraphs are detailed in NMSA 1978, 22-10-14, 14.1, copies of which are on file and available in the Executive Director/Principal's office.

Before terminating a non-licensed school employee, the Executive Director/Principal shall serve the employee with a written notice of termination. Termination of a non-licensed school employee who has been employed for three consecutive years shall be only for a reason that is rationally related to the employee's competence or turpitude or proper performance of duty and that is not in violation of the employee's civil or constitutional rights. Any such employee who has been employed for three consecutive years may request an opportunity to make a statement to the board and may also request in writing the reasons for the termination action. Neither the Executive Director/Principal or administration nor the board shall publicly disclose the reasons for termination.

If the employee is still aggrieved by the decision of the board following a hearing with the board, an appeal may be filed to request a de novo hearing with an independent arbitrator. The arbitrator shall decide whether there was just cause for the termination.

Resignations of Employees 221

Licensed employees shall provide the Executive Director/Principal with at least thirty (30) days notice of the intent to resign. Non-licensed employees shall provide at least two (2) weeks notice of the intent to resign. Under extenuating circumstances, the Executive Director/Principal may waive these notice requirements.

Drug-Free Schools and Campuses and Drug-Free Work Place 222

The Governing Board for the Indigo Hill School realizes that on-the-job substance abuse is a pervasive problem throughout the American society. The school recognizes that drug abuse in the work place can seriously injure the health of employees, adversely impair job performance, and endanger the safety and well-being of other employees, students and members of the community. In addition, increased health care problems arising from substance abuse can cause increased health care costs to the employee and school in the form of treatment costs and increased insurance costs. Therefore, in response to this significant problem, the board has adopted this policy and will make a good faith effort to maintain a drug-free work place.

For policy relating to student substance abuse, see policies XXXXX.

Prohibited Practices

Substance abuse in the work place, on school premises, during school programs, or while on school business is prohibited. The unauthorized manufacture, distribution, dispensation, sale, possession, or transfer, use or being under the influence of controlled substances (as proscribed by the Controlled Substances Act or identified in Schedules I through V of this Act as described below) or any other substance abuse in the work place, on school premises, during school programs, or while on school business constitutes a violation of this policy. Also prohibited is possessing, selling, giving away or using any equipment or apparatus used for measuring, packaging, distributing or facilitating the use of drugs.

Disciplinary Actions

Any violation of these prohibited practices by an employee may result in disciplinary action up to and including dismissal, reprimand, suspension with or without pay, termination or discharge from employment and referral for investigation and/or prosecution by law enforcement agencies. A disciplinary action may also include the satisfactory completion of a rehabilitation program at the individual's expense.

The following definitions are used in this policy:

1. "Substance abuse" means the unauthorized possession, distribution, dispensing, manufacture, sale, or use or being under the influence of controlled substances that are identified in Schedules I through V of Section 202 of the Controlled Substances Act, 21 USC, Statute 812 (United States code, Title XXI, Chapter 13) or its implementing regulations, 21 CFR Sections 1308.11 to 1308.15 where the use is neither authorized by law nor a valid prescription, or the misuse of a legal substance, including but not limited to prescription drugs, that may affect an individual's ability to perform his or her job in a safe, adequate and secure manner. Controlled substances include, but are not limited to marijuana, barbiturates, anabolic steroids, cocaine, (including crack), amphetamines, heroin, PCP, . hallucinogens, and certain prescription drugs. Substance abuse shall also include the unauthorized use or possession of, or being under the influence of, alcohol or alcoholic beverages on school premises or during school programs and look-alike drugs. Also included are solvents or inhalants used for intoxication and any substances that are represented to be controlled or illegal substances.
2. "School premises" means any school building and any school property, any school-owned vehicles and any other school-approved vehicle used to transport students to and from school activities or for school business.
3. "School programs" means any school sponsored or approved activity, event or function, on or off school premises where students are under the jurisdiction of the school; or during any period of time school employees are supervising students on behalf of the school or are otherwise engaged in school business. Collectively, school premises and school programs constitute the work place.

Use of Authorized Prescriptions and Drugs

Authorized prescription drugs and "over the counter" legal drugs may be used at the work place so long as prescribed dosage and recommended use is not exceeded and the use of these drugs do not adversely affect the employee's ability to perform required work in a safe and secure manner. When such legal drugs are to be used at the work place and will affect performance, employees should inform their supervisors.

Federal Funding Requirements

Indigo Hill School is a recipient of federal funding and is subject to the Federal Drug Free Work Place Act of 1988. As a condition of employment each employee shall notify his or her employer of such employee's conviction of any criminal drug statute for a violation occurring in the work place no later than five (5) days after such conviction.

As a condition of employment, each employee shall abide by the terms of this policy. Any employee who violates the terms of this policy may be disciplined, up to and including dismissal, reprimand, suspension with or without pay, termination or discharge from employment and referral for investigation and/or prosecution by law enforcement agencies for violation of the standards of conduct or may be required to participate in and satisfactorily complete a drug abuse assistance or rehabilitation program approved by the school at the employee's expense. Employee Assistance

The IHS is committed to a safe working and learning environment for its employees, students, and the public. Substance abuse affects employee performance, conduct, and/or reliability, and students' ability to learn and complete assigned tasks.

The school strongly encourages employees who engage in any form of substance abuse, including alcohol or other drug-related problems, to voluntarily refer themselves for assistance. The school will provide information or referral for employee assistance, rehabilitation, and/or counseling.

The Executive Director/Principal will appoint Screening Committees/Employee Support for employees (Employee Support Team). The Employee Support Team will report to the Executive Director/Principal. The function of this team is to intervene and guide (within the limits of its members' professional competence as substance abuse counselors), make referrals to the other resources (internal and external) and monitor the progress of the subject towards a return to a healthful lifestyle. The team shall, as much as possible, consist of employees who possess a degree of expertise in substance counseling and treatment. The immediate supervisor and/or others in the line of supervision may be added to the team.

Employees are encouraged to participate in employee assistance. Referrals may be provided for employees who request medical help or rehabilitation. Therefore, employees who voluntarily seek such assistance, termed self-referrals, will be accorded different treatment than supervisor referrals described below. Information regarding the employee who is participating in the program will be treated as confidential and will be accorded the protection required by applicable state and federal law. Employees who have entered into rehabilitation must comply with the terms of the program. Employees entered into inpatient rehabilitation as a part of a prescribed program will be placed on appropriate leave status for that period. Fees and expenses incurred are the responsibility of the employee.

Employee Performance/Supervisor Referrals

Supervisors will observe employee performance and on-the-job conduct to detect behavior that could compromise the health or safety of the employee or others. When that observation indicates cause to believe that substance abuse is a factor, supervisors are to take appropriate action as directed in this policy when:

- 1) Behavior is observed that may pose an immediate threat to the health and safety of the employee or of others and the supervisor reasonably suspects that substance abuse may be a contributing factor.
- 2) The use of controlled substances, the misuse of legal substances, or unauthorized use of alcohol has been observed in the work place; or,

3) A work-related accident or incident occurs where the supervisor reasonably suspects that substance abuse, misuse of legal substances, or alcohol abuse may be a contributing factor.

In substance abuse cases the employee's supervisor will report the matter to the designated Employee Support Team who will outline the course of action with the respective supervisor of the employee and take the necessary steps in compliance with this policy. The employee's supervisor may refer the employee the professional evaluation for substance abuse and report the referral to the Executive Director/Principal.

Where there is a misconduct and/or substandard performance and there is uncertainty as to whether substance abuse is a factor, the supervisor will refer the employee for substance abuse assessment through the Employee Support Team.

Standards of Conduct

All employees are expected to cooperate fully with the school's object of maintaining a Drug-Free Work Place. Failure to do so is deemed to be a violation of this policy and the standards of conduct prescribed therein. Accordingly, in the event that an employee violates this policy, refuses to submit to a required evaluation for substance abuse, refuses rehabilitation, fails to complete a prescribed rehabilitation program, fails to submit required documentation relative to evaluation, or falsifies any record relative to abuse of any substance, such employee will be subject to disciplinary action up to and including discharge.

Random Drug Testing

The obligation of employees in certain positions to perform their duties unimpaired holds direct consequences for the safety of the students of the school and of the general public. Examples would include any positions that involve driving a motor vehicle as a prime and regular duty. As to such employees, in addition to the enforcement procedures set forth above, the board reserves the right at any time to require the submission of blood, breath, or urine samples by any such employees for testing by an authorized testing laboratory. (See policy 223.)

Education Program

A. The Executive Director/Principal shall arrange for periodic (at least annual) training and education in the dangers and risks to physical and mental health, economic welfare, and civil status from the use of illicit drugs and abuse of alcohol and tobacco.

B. The principal or designee will post notices regarding drug-free work place on major bulletin boards at the school site and administrative building and will likewise post notices in prominent areas frequented by students at all school sites. C. This policy shall be included with the orientation package of materials for each new employee. The Executive Director/ Principal school will distribute the policy to each employee under his/her supervision and will maintain records signed by the employee substantiating this distribution and stating that compliance with the policy is mandatory. This policy shall be incorporated also in student handbooks.

Confidentiality and Due Process

Employees and students are assured that every effort will be taken to protect their confidentiality.

Actions taken in enforcement of this policy shall comply with such hearing or due process procedures as may be required by school policy or state law.

Policy Review

A biennial review of this policy shall be conducted to determine its effectiveness, to implement changes as needed, and to ensure that disciplinary sanctions are consistently enforced.

This policy is adopted in accordance with Public Law 101-226, Drug-Free Schools and Communities Act Amendments of 1989, for receipt of federal program funds.

See policies 223, 224

Bus Drivers Drug Testing 223

The Indigo Hill School and its transportation contractors shall require that all applicants for employment as bus driver be tested for the use of substances which could lead to impaired performance as a driver.

As noted in policy 222-4, drivers may be required to undergo such testing at any time during their employment by the school or a school contractor. Refusal by the employee to undergo such testing upon request will be considered insubordination and shall automatically disqualify the employee from further employment as a driver.

Unless required by law, the Indigo Hill School and its contractors shall not disclose individual drug testing results to anyone other than the applicant without a written release from the applicant or employee requesting the disclosure.

All procedures followed regarding the drug testing of drivers shall be consistent with the Regulations of the United States Department of Transportation.

Tobacco Policy 224

The use of tobacco products by employees and any other persons is forbidden in school buildings, on school property, in any school-owned vehicle or in any vehicle used to transport students. The Executive Director/Principal will post notices regarding smoke-free work place at each school site and the administration building, including all prominent places frequented by students.

See policy 369.

Issuing School Keys Agreement 226

A Key Agreement Form, listing assigned keys, will be signed by all individuals who are issued Best Lock keys for the Indigo Hill School. Please ensure that such keys are kept in good condition and secure. Keys will not be loaned, transfer, give possession of, misuse, modify or altered. If such keys are lost, the charges will be enforced. No additional keys will be issued until lost key charge is collected.

LOST KEY CHARGE:

GRAND MASTER AND MASTERS \$50.00

FRONT & OUTSIDE DOORS \$25.00

ROOM KEYS \$ 25.00

KEYS NEED TO BE RETURNED ANNUALLY TO THE CENTRAL OFFICE TO BE RECORDED AS RETURNED.

Reduction-in-Force (R.I.F.) 227

Pursuant to NMSA 1978 § 22-5-14 (2003), the Executive Director/Principal has the authority to discharge licensed school personnel during the term of their contracts or to terminate licensed school instructors and non-licensed school employees with rights created by NMSA 1978, Section 2210-14(C), (hereafter "tenured employees"), after notice and a hearing when a reduction in such personnel is required as a result of decreased enrollment or a decrease in or revision of educational programs. Reduction-in-force (R.I.F.) is "just cause" for discharge of licensed school personnel and terminations of tenured employees, when established pursuant to this policy. This policy is adopted as the procedure by which reductions in

personnel who are covered by the policy may be accomplished, within the context of the school's general personnel policies.

The board is vested with the discretion to develop educational policies for the school, so long as the state Governing Board's educational standards and statutorily required standards are met. The Executive Director/Principal in carrying out the educational policies of the board and administering and supervising the school shall exercise his or her discretion in accordance with this policy in determining when decreased enrollment, financial exigency or other causes justify a reduction in personnel.

I. GROUNDS JUSTIFYING REDUCTION IN FORCE

Situations that justify a R.I.F. shall include, but are not limited to, the following:

- A. decrease in student enrollment;
- B. decrease in revenue:
 - 1. because of decrease of student enrollment;
 - 2. because of loss or reduction of tax revenues;
 - 3. because of reduction of state, local, or federal financial support; or
 - 4. because of inflation reducing the value of revenues received;
- C. change in the educational program of the school, as determined by the board in its good-faith exercise of discretion;
- D. consolidation or de-consolidation involving the school;
- E. court orders; F. orders of the state Governing Board;
- G. legislative mandates.
- H. unanticipated financial or programmatic exigencies identified by the Executive Director/Principal which warrants initiation of a RIF process.

II. GOOD FAITH DETERMINATION

The Executive Director/Principal shall exercise discretion in good faith, and determinations that a R.I.F. is necessary shall be based on bona fide educational considerations and not be a subterfuge for discharging or terminating licensed personnel without good or just cause or for impermissible reasons.

III. TIMING OF REDUCTION IN FORCE

A R.I.F. may occur at any time during the calendar year when the principal/Executive Director/Principal, in his or her discretion, determines that it is justified and the procedures prescribed herein are applicable and are followed. A R.I.F. may be based upon projections of future enrollment, revenues or expenses, and the subsequent receipt of more revenue than expected or a subsequent saving of projected expenses shall not invalidate any actions previously taken in good-faith reliance on such projections or require the reemployment of any employees who were released on the basis of such projections.

IV. DETERMINATION OF NEED FOR REDUCTION IN FORCE

Except as required by legislative mandate or orders of the state Governing Board and to the extent that circumstances permit, the principal/Executive Director/Principal, with the assistance of the administrative staff, shall report to the board any circumstances which may ultimately require a R.I.F., in order that notice be given to licensed personnel of the possibility of a R.I.F. and so that consideration be given to means by which a R.I.F. may be avoided.

A. Preparation of R.I.F. Plan

When the Executive Director/Principal concludes that a R.I.F. is necessary, a plan for R.I.F. shall be developed for presentation to the board. The R.I.F. plan shall not identify individuals to be discharged or

terminated, but rather shall focus upon the total educational program of the school and how it may be modified to reduce costs, programs and personnel while still providing the educational program required of schools and the particular educational needs of the school. Where circumstances warrant, a R.I.F. plan may address particular programs, departments, school sites, content areas or activities if the causes for the R.I.F. predominately impact that aspect of the educational program. Such impact shall be described in the R.I.F. plan. The R.I.F. plan shall include, but need not be limited to, the following:

1. a detailed description of the cause or causes requiring a R.I.F.;
2. a description of all adjustments already made by the administration in an attempt to avoid a R.I.F., if any (e.g. reduction by attrition, cuts in non-licensed staff, abolition of non essential services or activities such as extra-curricular activities, etc.)
3. a designation of the part or parts of the total educational program or particular program or activity in which the R.I.F. is proposed and the number of positions proposed to be reduced in each program or activity;
4. a designation of non-essential services or activities which are to be retained, with a justification for retaining such programs; and
5. a discussion of alternatives (if any) considered by the Executive Director/Principal with an explanation as to why such alternatives were rejected.

The Executive Director/Principal shall include in the R.I.F. plan a listing of all extra-curricular, co-curricular and athletic programs or activities which may be considered for rating points in the proposed R.I.F. rating sheet and proposed weight to be given each category of such programs or activities for discussion at the public meeting at which the R.I.F. plan is considered.

B. Board Considerations. The board shall consider the recommendations of the Executive Director/Principal for the adoption of the R.I.F. plan at a duly-called board meeting, the public notice of which announces that a R.I.F. will be considered. The discussion and action on the plan shall be in open session; however, nothing herein shall restrict the board from holding portions of those discussions in closed session, if such discussion would be proper under the New Mexico Open Meetings Act. The board may allow such review, consultation, and comment by employees and members of the public, as the board, in its discretion, deems appropriate. The board may propose modifications to the plan recommended by the Executive Director/Principal as it deems appropriate provided that the Executive Director/Principal shall be the final decision maker on the content and scope of the plan after giving due consideration to the Board's proposals.

Any final plan for a R.I.F. shall be made available to all staff, by providing copies thereof in the office of each building principal and at the principal/Executive Director/Principal's office, within two (2) work days after the final plan has been approved by the principal/Executive Director/Principal.

C. Adopted Plan

If a R.I.F. plan is adopted, the Board shall not be required to deplete its operational cash balances maintained or carried over as permitted by NMSA 1978 § 22-8-41C and Section 71, Laws 2003, Ch. 153 in order to avoid the R.I.F., if the Board in its discretion determines that the cash balance must be maintained at a level to be determined by the Board, in order to cover other permitted expenditures or as a contingency for unforeseen expenditures.

Based upon the R.I.F. plan approved by the board, the administration shall perform a study of the school's personnel to determine which person or persons must be wholly or partially terminated or discharged in order to implement the plan. The primary concern to be applied in making the R.I.F.

selections shall be the Board's interest in maintaining a sound and balanced educational program which is accredited and meets statutory and State Board requirements or standards, as well as the educational and extra-curricular program of the School.

CRITERIA FOR SELECTION OF EMPLOYEES

A. Licensed Personnel

1. Substandard licensure is inferior to full licensure, and a person who is fully licensed for the available position(s) shall be retained in preference to a person holding a substandard license. A person holding a "waiver" of licensure or certification requirements approved by the Department of Education shall be treated as having substandard licensure for the purpose of this policy.

2. Licensed personnel possessing certification endorsements recognized by the Department of Education beyond those requested as qualifications for the individual's current assignment or content area shall receive an additional 1 (one) point per current valid endorsement, up to a maximum of 1 (one) point.

3. Training and experience in the extra-curricular or co-curricular activities which are to be retained as an integral part of the school's overall program for its students may be considered as a qualification requirement, in addition to licensure status, in making selection of personnel to be released under this policy. Such specialized knowledge, training or expertise may be awarded up to 1 (one) point.

4. Where licensure/qualification status is equal between two or more licensed school instructors being considered for termination or discharge, tenured licensed school instructors shall be retained in preference to licensed school instructors who have been employed by the school for less than three consecutive school years.

5. If two or more licensed individuals are equal or equivalent in licensure and qualification and tenure status (if any) and it is necessary to decide which shall be discharged or terminated, the following selection criteria shall be applied:

individual considered for termination or discharge shall be awarded one (1) point for each year of full-time service during the most recent period of uninterrupted service with the school, prior to the current year, excluding approved leaves, up to a maximum of fifteen (15) points.

of credit for education shall be determined based on degree and additional hours:

(1) B.A. 1 point (2) B.A. + 15 1 point

(3) B.A. + 45 or M.A. 1 point

(4) M.A. + 15 1 point

(5) M.A. + 45 and higher 1 point

(6) Ed.D. and Ph.D. 1 point

The current supervisor of each licensed school instructor considered for termination or each licensed person considered for discharge shall rate the relative performance of each such person on a rating form to be prepared by the Executive Director/Principal, or under his/her direction. Such rating form may be based on the school's standard evaluation form(s) rating teacher competencies but may include additional competencies identified by the Executive Director/Principal which reflect his or her judgment as to the attributes necessary for success in the particular program(s) affected by a R.I.F. The rating form shall include not more than a total of ten standard and specific competency areas, shall specify the score for each performance category or attribute, and shall allow for a maximum score of seventy-five (75) points. The supervisor(s) may consult with the Executive Director/Principal concerning the implementation of the evaluation. The supervisor(s) shall complete the rating forms and return them to the Executive Director/Principal within the time specified for completion of the evaluations.

If different individuals considered for a R.I.F. have a different supervisor, the supervisor may consult with the Executive Director/Principal to insure that the rating system is applied uniformly. There shall be

no requirement of observation of performance by a supervisor specifically for the purpose of completing the rating form; however, each supervisor shall review prior evaluations of the individuals considered for a R.I.F. for a period of the three (3) years immediately prior to the R.I.F, if available. Where a supervisor lacks familiarity with an individual's performance (e.g., a new supervisor), the Executive Director/Principal may assign the valuation to a present or past school administrator or supervisor who has greater familiarity with the individual's performance. The Executive Director/Principal may devise such other measures as he or she sees fit to deal with situations where implementation of the performance rating cannot occur in the normal manner, so long as such measures are rationally designed to award points to licensed personnel based on best performance.

B. Selection Based on Scores

The Principal shall total the points for service, education, and performance. The person with the lowest score shall be the person who is released by termination or discharge unless such action would have a serious detrimental effect on the total educational program. In such event, the Executive Director/Principal may select a higher scoring person for termination or discharge but shall prepare a written justification for such action in the best interests of the school, along with the rating sheets for such positions. The computations of the Executive Director/Principal, plus the rating forms on the persons considered for release, shall be available for review by the person released.

C. Transfers/Reassignment

If, as a result of the application of the selection criteria, a person is selected to be released from the affected program, but such person ("the affected person") is also licensed and qualified for another program(s) within the school, the person shall be considered for transfer or reassignment to such program(s). The fact that there are one or more other licensed employees within the program affected by the R.I.F. who scored higher than the affected person, and that such person(s) may be licensed and qualified to teach or administer in other programs in the school, shall not require that the higher scoring persons be transferred or reassigned to the other program or programs, even if there is a vacancy in the other program or programs. The transfer/reassignment obligation shall not arise until after the selection of the person or persons to be released from program affected by the R.I.F. and shall only apply to the person or persons selected for release. Consideration of transfer or reassignment of the affected person shall be governed by the following criteria:

1. Existing Vacancy. If, upon the effective date of the termination or discharge due to a R.I.F., there is an existing vacancy in another program for which the affected person is licensed and qualified, he or she shall be transferred or reassigned to that vacant position. There shall be no obligation to create a vacancy to accommodate such person.

2. No Existing Vacancy. Where the affected person is licensed and qualified for another program or programs in the school, but all such positions are currently filled, the selection criteria described above, subject to the modifications described below, shall be applied to determine whether the affected person will be transferred or reassigned to another program and another person, currently employed in the other program, shall be released.

a. If the person is fully licensed for a position in another program or an administrative position but has not actually taught in such program or held such an administrative position during any part of the preceding five (5) school years, such person shall not be considered qualified for transfer or reassignment to the other positions and Executive Director/Principal or designated supervisor of the program has observed the person being considered for transfer or reassignment performing the duties of the other program, it is impossible for the relative performance of the person being considered for transfer or reassignment and the person or persons currently teaching or administering in the program

to be rated based on direct observation. Under such circumstances, the Executive Director/Principal or his/her designee shall make judgment as to the likely performance of the person being considered for transfer or reassignment and assign the performance score which will be used in the selection process in comparison to the person or persons currently employed in the other program. The Executive Director/Principal or designee shall consider the affected person's performance in other programs and his/her knowledge of all persons in the program in question in making the judgment, and may consult with other knowledgeable persons in making this determination.

Each licensed instructor or administrator discharged and each tenured teacher terminated pursuant to this policy shall be entitled to the procedural rights provided under the applicable statutes and regulations of the State Governing Board governing discharge of licensed school personnel or the termination of tenured teachers. The written decision of the Executive Director/Principal, to the extent required by statute and regulation, shall clearly specify that the termination or discharge resulted from a R.I.F. and not from any cause personal to the person released.

D. Non-Licensed Personnel

Where two or more non-licensed employees are being considered for termination, the employee(s) with three or more consecutive years of service shall be given preference to employees who have been employed by the school for less than three consecutive years.

If two or more non-licensed employees have been employed by the school for at least three consecutive years and it is necessary to decide which shall be terminated, the following selection criteria shall be applied:

The employee shall be awarded one (1) point for each year of full-time service during the most recent period of uninterrupted service with the school, prior to the current year, up to a maximum of eight (8) points.

Specialized training or licensing directly related to the current job duties of the non-certified employee, such as an electrician's license, may be awarded up to 1 (one) point. The current supervisor of each non-licensed employee considered for termination shall rate the relative performance of each such person on a rating form to be prepared by the Executive Director/Principal or under his/her direction. Such rating form may be based on the school's standard evaluation form(s) but may include additional performance categories which reflect the Executive Director/Principal's judgment as to the attributes necessary for success in the particular program(s) affected by the R.I.F., shall specify the score for each performance category or attribute, and shall allow for a maximum score of forty-three (43) points. The supervisor(s) may consult with the Executive Director/Principal concerning the implementation of the evaluation. The rating forms shall be completed and returned to the Executive Director/Principal within the time specified for completion of the evaluations.

If different individuals considered for a R.I.F. have different supervisors, the supervisors may consult with each other and/or the Executive Director/Principal to insure that the rating system is applied uniformly. There shall be no requirement of observation of performance by a supervisor specifically for the purpose of completing the rating form; however, each supervisor shall review prior evaluations of the individuals for a period of three years immediately prior to the R.I.F., if available. Where a supervisor lacks familiarity with an individual's performance (e.g. a new supervisor), the Executive Director/Principal may assign the evaluation to a present or past supervisor who has greater familiarity with the individual's performance. The Executive Director/Principal may devise such other measures as

he or she sees fit to deal with situations where implementation of the performance rating cannot occur in the normal manner, so long as such measures are rationally designed to select the best non-licensed employee for retention. The Executive Director/Principal shall total the points for service and performance. The person with the lowest score shall be the person who is released. The computations of the Executive Director/Principal, plus the rating forms on the persons considered for release, shall be available for review by the person released.

Non-licensed employee terminated pursuant to this policy shall be entitled to the procedural rights provided under the applicable New Mexico statutes and regulations governing the termination of non-licensed personnel. The written decision of the board, to the extent required by statute and regulation, shall clearly specify that the termination resulted from a R.I.F. and not from any cause personal to the person released.

E. Appeal

Appeals to an independent arbitrator from termination or discharge pursuant to this policy are governed by the provisions of NMSA 1978, Section 22-10-14.1 or NMSA 1978 22-10-17.1, respectively and any applicable regulations of the State Governing Board.

F. Recall of Released Staff

For a period of one year after the effective date of the discharge or termination of any employee pursuant to this policy, the Executive Director/Principal shall offer to such person any position(s) which becomes available for which such person is licensed and qualified, provided that such person has complied with the requirements specified below.

Every person discharged or terminated under this policy who wishes to be considered for recall, in the event that an opening occurs, must file with the Executive Director/Principal, within thirty (30) days after the effective date of the discharge or termination, a written statement indicating a desire to be considered for recall and providing an address at which the person may be contacted. Such person must notify the Executive Director/Principal of any change in address within ten (10) days after changing residences in order to insure proper notification in the event of a recall.

In the event that more than one interested person who was discharged or terminated within the calendar year prior to recall is qualified for the position by experience, training, and/or licensure to which a person will be recalled, the selection criteria of this policy will be applied to determine which person is to be recalled. The points accrued for "Service in School" and "Performance" shall be the same as when the persons were discharged or terminated, but additional points for any additional education earned after the discharge or termination which is directly related to the School's educational program shall be credited and considered.

The person selected for recall hereunder shall receive written notification of the recall, by certified mail, at the address provided. The recalled person must accept the position offered through recall in writing. Such acceptance must be received in the Executive Director/Principal's office within fifteen (15) calendar days after mailing of the recall notice to the person. Rejection of the offer, in writing or by failure to timely respond, shall result in forfeiture by the recalled person of any further recall rights under this policy. Thereafter, an offer of recall will be made to the next person qualified to be recalled, of if there is none, the position will be filled by another applicant.

The person recalled pursuant to this policy shall have all accrued but unused sick leave restored and be given credit for all years of actual service in the school for salary purposes.

If the one-year recall period has expired, any person discharged or terminated under this policy shall no longer have any right to be recalled. Such persons who wish to be reemployed thereafter shall file applications for employment and will be treated as would any other applicant for a vacant position. In the event legislation is passed which requires the Executive Director/Principal to reduce licensed school personnel, for any reason, the Executive Director/Principal shall follow the legislative procedures, if any, in lieu of this policy.

Notwithstanding the foregoing, the termination or discharge of school employees in compliance with a state board order shall be governed by NMSA 1978, Statutes 22-10-14, 22-10-14.1, 22-10-17, and 22-10-17.1. Sexual Harassment 230

The policy of the Governing Board of the Indigo Hill School forbids discrimination against any employee or applicant for employment on the basis of sex. The Governing Board will not tolerate sexual harassment activity by any of its employees. This policy similarly applies to non-employee volunteers, and to any other persons who work subject to the control of school authorities.

A. Definitions

1. Conduct of a Sexual Nature

Conduct of a sexual nature may include, but is not limited to, any unwanted physical, verbal or visual sexual advances, including subtle pressure for sexual activity; touching, pinching, patting or brushing against; requests for sexual favors and any other sexually-oriented conduct which is offensive or objectionable to the recipient; comments regarding physical or personality characteristics of a sexual nature; other sexually-oriented conduct such as epithets, derogatory or suggestive comments, slurs or gestures, "kidding", "teasing", double entendres and jokes; use of offensive cartoons, posters, pictures or drawings, and objects; and any harassing conduct to which an employee would not be subjected but for the employee's gender.

2. Unwelcome Conduct of a Sexual Nature

- a. Verbal or physical conduct of a sexual nature may constitute sexual harassment even if the allegedly harassed employee has not indicated that it is unwelcome.
- b. An employee who has initially welcomed such conduct by active participation must give specific notice to the alleged harasser that such conduct is no longer welcome in order for any such subsequent conduct to be deemed unwelcome.

B. Sexual Harassment Prohibited 1. For the purposes of this policy, unwelcome sexual advances or requests for sexual favors, and other unwelcome conduct of a sexual nature, constitute prohibited sexual harassment if:

- a. submission to the conduct is made either an explicit or implicit condition of employment; or
- b. submission to or rejection of the conduct is used as a basis for an employment decision affecting the harassed employee; or
- c. the conduct substantially interferes with an employee's work performance, or creates an intimidating, hostile, or offensive work environment.

2. Specific Prohibitions

a. Administrators and Supervisors

- 1. It is sexual harassment for an administrator or supervisor to use his or her authority to solicit sexual favors when the subordinate's failure to submit will result in adverse treatment, or when the subordinate's acquiescence will result in preferential treatment.

2. Administrators and supervisors who either engage in sexual harassment or tolerate such conduct by other employees shall be subject to sanctions, as described below.

b. Non-administrative and Non-supervisory Employees

1. It is sexual harassment for a non-administrative and non-supervisory employee to subject another such employee to any unwelcome conduct of a sexual nature. Employees who engage in such conduct shall be subject to sanctions as described below.

C. 1. It is the express policy of the Governing Board to encourage victims of sexual harassment to come forward with such claims.

a. Employees who feel that administrators or supervisors are conditioning promotions, increases in wages, or continuation of employment upon agreement to unwelcome conduct of a sexual nature, are encouraged to report these conditions to the appropriate administrator, including members of the school board. If the employee's direct administrator or supervisor is the offending person, the report shall be made to the next higher level of administration or supervision.

b. Employees are also urged to report any unwelcome conduct of a sexual nature by supervisors or fellow employees if such conduct interferes with the individual's work performance, or creates a hostile or offensive working environment.

c. Confidentiality will be maintained and no reprisals or retaliation will be allowed to occur as a result of the good faith reporting of charges of sexual harassment.

2. In determining whether alleged conduct constitutes sexual harassment, the totality of the circumstances, the nature of the conduct, and the context in which the alleged conduct occurred will be investigated. The Executive Director/Principal or other appropriate official has the responsibility of investigating and resolving complaints of sexual harassment.

3. Any employee found to have engaged in sexual harassment shall be subject to sanctions, including, but not limited to, warning or reprimand, suspension or termination, subject to applicable procedural requirements.

See policies 231, 290

Sexual Misconduct 231

Sexual misconduct by school employees involving students strikes at the heart of the educational process. In addition to the potential damage to the immediate victims, sexual misconduct damages or destroys relationships in the school community between teachers and students, parents and schools, and others.

Sexual misconduct can result in criminal prosecution by law enforcement authorities. In addition, however, the school has an independent basis as employer for receiving and investigating charges of such misconduct by employees and for taking appropriate action against those culpable of such misconduct. Accordingly, the reporting and investigation procedures prescribed herein are to be conducted by the school in addition to any criminal investigation that may be conducted by law enforcement authorities. In conducting investigations of charges of sexual misconduct by school employees, school personnel should take care to avoid prejudicing any criminal investigation.

In a normal school environment, it is impossible to prevent all such instances of misconduct by employees. Prompt and thorough investigation of information suggesting misconduct by employees provides an additional measure of deterrence, however, thereby helping to protect the welfare of students. In addition, not all charges of misconduct against employees are true or verifiable. Prompt and thorough investigation of such information additionally protects innocent employees, who may otherwise be the victims of wrongful accusations or rumors.

All employees, as part of their regular duties, shall therefore be watchful of the welfare of students, particularly with respect to circumstances that suggest sexual victimization of students by school employees, as described in greater detail below. All reports of possible sexual misconduct against students by school employees shall be promptly and fully investigated by the administration according to the procedure set forth herein.

The Executive Director/Principal prescribes the following procedures for investigating information suggesting sexual misconduct by employees against students.

1. Definition of "Sexual Misconduct": As used herein, "sexual misconduct" means any sexual or romantic contact between any employee of the school and any student of the school.
2. Duty to Report Information: All employees of the school, including counselors, shall report to the Executive Director/Principal any information from any source concerning a threat or potential threat to the welfare of a student, including any information concerning sexual misconduct. In the event the employee implicated by the information is the building principal, then such report shall be made to the Executive Director/Principal. If the Executive Director/Principal is implicated, the report shall be made to a member of the school board.

School personnel may have a direct personal obligation, imposed by state statute, to provide a report to social services or law enforcement agencies immediately upon knowledge or a reasonable suspicion that a child is abused or neglected. The duty to report imposed by this policy, however, is independent of, and in addition to, any such statutory obligation.

3. Duty to Investigate Reports: Administrative employees shall promptly and fully investigate all reported information concerning sexual misconduct. The Executive Director/Principal, in consultation with school legal counsel, shall oversee investigations conducted by building administrators.
4. Cooperation with Investigations: Non-administrative staff are neither authorized nor responsible for conducting investigations with respect to such information, but will be expected to cooperate in the school's investigation by providing information they have received.
5. Failure to Report: A failure of an employee in possession of such information promptly to provide the report described in paragraph 1 may result in discipline of that employee.
6. The Role of School Counselors: School counselors are frequently in the delicate position of being the recipients of information from students that students wish to remain confidential. Regardless of any other commitments the school counselor makes in his or her work with students, no school counselor is authorized or permitted to agree not to disclose information indicating sexual misconduct by a school employee.
7. Notification of Central Administration: A staff member who has received information regarding any school employee shall immediately notify the Executive Director/Principal of such information.
8. Investigation of Reports--Initial Investigation: Upon receiving information regarding sexual misconduct by a school employee, the Executive Director/Principal or designee, who shall be referred to herein as "the investigator," shall promptly seek preliminarily to determine whether a reasonable suspicion of sexual abuse by a school employee exists, and whether a full investigation of the information should be conducted.
 - a. Interview of Affected Students: The initial interview of the student or students involved shall be conducted by a psychotherapist experienced in work with sexually abused children and minors. The psychotherapist shall be engaged at the school's expense and shall be chosen with the consent of the parents of the student or students involved. The initial interview shall be conducted as promptly as reasonably possible after receipt of information by the Executive Director/Principal indicating sexual misconduct by a school employee, and in any event, shall be conducted within forty-eight (48) hours of receipt of such information. If, for any reason, an interview of the student or students involved cannot

be conducted according to this paragraph within the forty-eight (48) hour period, the matter shall be immediately reported to the office of the local school attorney and social services agency.

b. Bases for Initial Determination: The investigator's initial determination should be made on the basis of the findings of the psychotherapist, upon contacts with any other original sources of the information, and by otherwise seeking information from other sources. Such determination shall be made by the investigator within seventy-two (72) hours of the receipt of the reported information by the Executive Director/Principal.

c. Termination of Initial Investigation: If the investigator determines that a full investigation is not warranted because the reported information was false or unreliable, or that the reported information could not be verified, the investigator shall immediately provide an oral report to the Executive Director/Principal, and shall also, within twenty-four (24) hours of the oral report, submit a written report to the Executive Director/Principal, stating the information or accusation initially reported and the source of the report, describing how the initial investigation was conducted, discussing additional information discovered during the initial investigation, stating the investigator's conclusions and identifying the bases for the conclusions in the reported and discovered information, and providing the investigator's recommendations.

d. Suspension of the Accused Employee: If, on the basis of the initial investigation, the investigator determines that a full investigation of the information is warranted, the investigator shall notify the accused employee of the accusation against him or her, that he or she is suspended with pay during the pendency of the investigation,, and that he or she is to leave school premises immediately.

e. Notification of Law Enforcement Authorities: In all cases in which the investigator has made a preliminary determination that a full investigation is warranted, the Executive Director/Principal shall notify law enforcement authorities of the report and the initial findings, regardless of whether any employee may have previously reported the matter.

9. Investigation of Reports--Further Investigation: If, on the basis of the initial investigation, the investigator determines that a full investigation of the information is warranted, the investigator shall notify the Executive Director/Principal of that determination and shall discuss with the Executive Director/Principal how the investigator intends to conduct his or her further investigation of the matter. The investigator shall conduct and conclude his or her further investigation of the matter as promptly as reasonably possible. Once the investigator determines, on the basis of further investigation, that reasonable grounds do or do not exist to believe that the accused employee is culpable of sexual misconduct, the investigator shall provide an immediate oral report to the Executive Director/Principal, and shall also, within twenty- four (24) hours of the oral report, submit a written report to the Executive Director/Principal, stating the information or accusation initially reported, describing how the further investigation was conducted, summarizing and discussing all information compiled during the investigation, stating the investigator's conclusions and the basis for the conclusions in the information, and providing the investigator's recommendations.

10. Initiation of Disciplinary Proceedings: Upon consideration of the investigator's report and upon any additional consultation with the investigator, with the psychotherapist, or with school legal counselor, the Executive Director/Principal shall determine whether to initiate disciplinary or discharge proceedings against the accused employee.

11. Confidentiality: Consistent with the legal obligation to report criminal activity, and consistent with the requirements of a comprehensive investigation the activities prescribed by this procedure shall be carried out in such a way as to protect the identities of those involved from unnecessary public disclosure. See policy 290.

Employee Assault 233

A. The purpose of this policy is to express to the employees of this school the commitment of the Governing Board to provide its employees with a safe working environment and to assisting employees who, when acting within the scope of their duties, are subjected to assault, battery, physical confrontation or resulting physical or mental injury or property damage and to prescribe procedures for provisions of such assistance.

B. It is the policy of the board to provide the safest possible working environment for its employees, within the resources available to the school and the restrictions of applicable law and regulations. Although the board is not an insurer of the safety of its employees, the board is committed to take such actions as are reasonably necessary to create and maintain an environment where its employees can function without undue fear of injury or loss.

C. The board recognizes that it is impossible to guarantee the absolute safety of its employees from assaults, battery or physical or mental injury resulting from confrontations with parents, students or other persons or loss or injury to property in connection with their work. The board is committed, however, to do the things listed hereafter to assist its employees who may suffer loss or injury in connections with their work.

Definitions

As used in this policy:

A. "Employee" means any person authorized to act and acting on behalf of the school, with or without compensation, including but not limited to, licensed school instructors and administrators, coaches, sponsors, volunteers, board members and non-licensed staff members, but shall not include independent contractors providing services to the school;

B. "Scope of duties" means the range of actions that are undertaken by an employee in the performance of any duties which such employee (as defined above) is requested, required or authorized to perform by the board or its administration regardless of the time and place of performance;

C. "Assault" means

1. an attempt to commit a battery upon the person of an employee while he is lawfully acting within the scope of his duties;

2. any unlawful act, threat or menacing conduct which causes an employee lawfully acting within the scope of his duties to reasonably believe that he is in danger of receiving an immediate battery.

D. "Battery" means the unlawful, intentional touching or application of force to the person of an employee while he is lawfully acting within the scope of his duties.

E. "Injury" means any physical or mental harm to the employee or to the employee's property resulting from an assault, a battery or other physical confrontation occurring while the employee was lawfully acting within the scope of his duties.

F. "Incident" means an occurrence governed by this policy.

Summary of Programs for Protection of Employees

The board provides or makes available the following programs or insurance coverage to assist employees suffering physical or psychological injury or loss as a result of their lawful actions within the scope of their duties:

A. Workers' Compensation Insurance

Pursuant to New Mexico statutes, all employees of the school are covered by workers' compensation insurance, which will compensate them for job-related injuries, including medical expense.

Compensation payments are based upon the length and the degree of the disability suffered by the employee and upon a percentage of the employee's salary.

B. Paid Leave As per policy

C. Medical Insurance

As per policy

D. Security Guards

When necessary

E. Liability Insurance Coverage (civil rights, personal injury, property damage, etc.)

Pursuant to the Tort Claims Act, the school purchases insurance through which all liability risks are covered. The insurance provides every employee with a defense in any legal action arising out of his or her employment and pays the cost of any settlement or judgment against the employee, including punitive damages.

F. Attorney Consultation

See Employee Assistance, p. 5, below.

G. Make-Whole Program to Cover Losses Resulting from Insurance Deductibles or Losses Not Covered by Insurance

See Make-Whole Program, p. 8, below.

H. Reimbursement for Criminal Defense Attorneys' Fees after Dismissal or Acquittal**Self-Defense or the Defense of Others**

All employees have the right to use such force as is necessary to protect themselves, students or other employees from physical injury which they reasonably believe might result from an actual or threatened physical attack upon themselves, students or other persons or employees.

Mere verbal statements do not justify the use of force by an employee, unless such statements provide reasonable belief that the employee, a student or another person is in danger of receiving an immediate batter. In the face of mere verbal statements, an employee shall, if possible, withdraw rather than engage in further verbal confrontation.

In the event of an assault, an employee shall, if possible, withdraw. If withdrawal is not possible, an employee may defend himself or others with reasonable force. No disciplinary action shall be taken against an employee who acts in self-defense or for the defense of others, if the Executive Director/Principal or the board is satisfied, after investigation, that the defensive action, including the amount of force used, was appropriate under all the circumstances. If a student presents with a pattern of aggression, the staff members that are in frequent contact with the student must become certified in a recognized, organized program in verbal and physical de-escalation techniques and strategies.

Reporting Procedures

In the event that an employee is subjected to an assault, a battery, or a physical confrontation while acting within the scope of their duties, the following procedures shall be followed:

A. As soon as possible under the circumstances, the employee shall verbally report the incident to his supervisor.

B. The supervisor shall be responsible for investigating the incident as soon as is reasonably possible and submit a written report to the Executive Director/Principal.

C. The employee shall also submit to the Executive Director/Principal a written report on the incident as soon as it can be done.

D. In the event that an assault or a battery has occurred, the incident is to be reported to the police authority having jurisdiction where the assault or battery occurred. The report should be made by the employee, but if the employee is unable or unwilling to do so, the immediate supervisor or the Executive Director/Principal shall make the report.

E. The employee shall not be charged with leave time nor with the cost of substitutes, if necessary, while the employee is preparing any required reports or participating in the investigation of the incident.

Investigation and Determination of Employee Freedom from Fault

A. Investigation

After an incident has been reported, the Executive Director/Principal or his designee shall conduct an investigation of the circumstances surrounding an incident of assault, battery or physical confrontation involving an employee acting within the scope of his duties. Such investigation shall be conducted in a timely manner after the incident is reported.

B. Determination

Upon completion of his investigation, the Executive Director/Principal shall render to the employee, in writing, this determination as to whether the employee acted properly or improperly with regard to the incident. A determination of proper action shall entitle the employee to the benefits described in this policy; a determination of improper action shall deny the employee the benefits described in this policy.

C. Appeal

Any employee determined to have acted improperly shall have the right to appeal the Executive Director/Principal's determination to the board, which shall conduct an informal hearing to review the matter. Notice of such appeal shall be in writing and must be delivered to the Executive Director/Principal within ten (10) calendar days after his determination was provided to the employee. The informal hearing shall be scheduled at the convenience of the board. The decision of the board shall be final and binding on the issue of entitlement to the benefits hereunder.

D. Disciplinary Action

In the event that the Executive Director/Principal determines that the employee acted improperly in the incident, the Executive Director/Principal shall take such disciplinary action as he deems appropriate; provided, however, that any deprivation of a property right shall be preceded by the requisite due process, including, if necessary, a hearing before the board.

Employee Assistance

A. An employee who has been the victim of an assault, a battery or a physical confrontation while acting within the scope of his duties may receive the following assistance at the expense of the school.

1. Attorney

Consultation with the school's attorney concerning any issues arising out of the incident, including but not limited to:

- a. rights under this policy;
- b. workers' compensation benefits to which he may be entitled as a result of the incident;
- c. medical insurance benefits and procedures;
- d. victims' rights under statute or regulation;
- e. procedures and obligations in connection with filing and prosecution of criminal complaint against the person or persons assaulting, battering or injuring the employee;
- f. civil remedies available to the employee as a result of the incident; provided, however, that the board shall not provide the attorney for the employee wishing to bring any civil action for damages arising out of the incident; and
- g. assistance in connection with the employee's appearance as a witness in criminal or civil legal actions.

2. Protection

The school shall cooperate with local enforcement authorities in providing protection to the employee and his immediate family, to the degree that such protection is necessary and the need arises out of the incident. Such protection may include, but not be limited to, the following:

- a. meeting with law enforcement authorities to explain the need for protection and to solicit police protection for the employee;
- b. utilizing school security personnel to protect the employee; and
- c. seeking such judicial orders as may assist in protecting the employee.

3. Counseling

The board shall provide psychological counseling to any employee who is the victim of an assault, a battery or other physical confrontation while acting within the scope of his duties, subject to the following conditions:

- a. a licensed mental health professional (psychologist or psychiatrist) determines that such counseling is necessary or desirable and the need results from the incident.
- b. the expense of such counseling will be paid first by worker's compensation insurance (if applicable), then by the employee's medical insurance carrier (if any) and the school will only be responsible for any remaining expenses.
- c. the employee will be provided with paid leave from work to receive such counseling and such time will not be charged against the employee's sick leave or other leave provided by the school.
- d. the employee receives counseling from a psychologist or psychiatrist acceptable to the school, which acceptance shall not be unreasonably withheld.
- e. the employee agrees to allow the psychologist or psychiatrist to reveal to the Executive Director/Principal the nature and extent of the psychological injury to the employee, the treatment being provided, the progress of the treatment and notification of the termination of the counseling.

4. Paid Leave

The board shall provide any employee who is the victim of an assault, a battery or other physical confrontation while acting on duty with paid leave, in the following circumstances, subject to limitations as noted:

- a. court appearances to testify concerning the incident;
- b. interview with police or other law enforcement officials concerning the incident;
- c. consultation with the school's attorney pursuant top. 233-5, A.1., above;
- d. any period of medically required hospitalization, doctor-prescribed convalescence or follow-up visits resulting from the incident; provided however that:
 1. if the employee receives workers' compensation benefits as a result of the incident, the employee shall only be paid the difference between the workers' compensation benefit paid and the employee's full salary and such obligation shall not exceed the remainder of the school year in which the injury occurs;
 2. the attending physician is directed by the employee to provide such reports to the Executive Director/Principal as the Executive Director/Principal requests, describing the employee's condition, treatment being provided, prognosis and estimates as to when the employee will be released to return to work.
- e. any other absences from work approved in advance by the Executive Director/Principal which are related to the incident and the activity to be done during such absences cannot reasonably be conducted during non-work hours.

B. Defense in Civil Cases

The school, to the extent that such risks are covered by its insurance, shall provide any employee who is involved in an assault, a battery or other physical confrontation, while acting within the scope of his duties, with a defense in connection with any lawsuit arising out of such incident, as required by and to the extent allowed by the New Mexico Tort Claims Act. In the event that a final judgment is rendered determining that the employee's actions were improper in connection with the incident, the employee shall not thereafter receive any further benefits provided under this policy and the school may, at its discretion, recover the value of any benefits provided to the employee prior to such determination.

C. Defense in Criminal Cases

1. In the event that criminal charges are filed against the employee arising out of an incident covered by this policy, the employee shall be responsible for defending himself in such action.

If the criminal action is dismissed or if the employee is acquitted, the employee may request reimbursement for attorney's fees and expenses incurred in successfully defending against the charges. subject to any required budgetary approval by the State Department of Education, the board shall reimburse the employee, provided that it has sufficient funds within its budget, the supporting documentation as to such fees and expenses is provided to the board and the fees and expenses are found by the board to be reasonable.

2. In the event that the employee pleads guilty or is convicted of wrongdoing in connection with the incident, the employee shall receive no further benefits under the policy and the school shall have the right to recover the value of any benefits provided to the employee prior to such determination.

D. Make-Whole Program

When an employee suffers an injury or loss as a result of an incident covered by this policy for which injury or loss the employee is not reimbursed or compensated under other elements of this policy, the employee may petition the board for compensation to make the employee free from financial loss as a result of the incident. In petitioning the board, the employee shall demonstrate that all other means of compensation (such as insurance) have been exhausted. Employees may be reimbursed for deductible and co-payment amounts under insurance policies. The board shall determine what portion, if any, of the amount petitioned for shall be paid and its determination shall be final.

Grievance Procedure 236

The purpose of this procedure is to secure, at the lowest possible administrative level, equitable solutions to problems which may arise. All grievances shall be processed as provided herein.

A. Definitions:

A "grievance" is an allegation by an employee, group of employees, or the Union, that there has been inequitable or unfair treatment due to a violation, misinterpretation, or misapplication of any provision of this Agreement or Indigo Hill School policy, regulation or practice, or applicable law or regulation of the State of New Mexico. Time lines may be extended by mutual consent. Employees who are party to any grievance may always be accompanied by a Union representative(s) to the meeting. Supervisors may be accompanied by a representative(s) of their choice.

The term "day" when used in this Article shall mean working days of the grievant and supervisor involved in the grievance.

A "grievant" or aggrieved" shall mean the employee, group of employees, or the Union.

The "immediate supervisor" is the lowest level management personnel having jurisdiction over the grievant and/or has been designated by the Executive Director/Principal to adjust grievances.

“Group grievance” is a grievance which involves the same or similar allegations of employees filing a group grievance and the same supervisor, provided such claim is signed by those individuals in the group grievance.

B. The grievant shall be required to exhaust the grievance procedure set forth in this Article before seeking alternative remedies, where there is a specific method of review by law (i.e., EEOC, HEW, and OSHA).

C. Matters not grievable are identified within this Agreement and include the refusal to reemploy an employee, or the termination of an employee; or to discharge an employee; and actions to challenge or change the Agreement. Employees terminated or discharged shall have the right, as guaranteed by law, to request a hearing with the Board with an appeal right of arbitration.

D. At all levels of the grievance procedure, an employee may discuss the matter with the appropriate management personnel.

E. No grievance shall be initiated unless it has been discussed by the aggrieved with the immediate supervisor. Prior to initiating a grievance at the Executive Director/Principal’s Level, if the immediate supervisor does not have the authority to remedy the situation, then an informal conference will take place between the aggrieved and/or representative(s) and the Executive Director/Principal or designee. In the event the aggrieved is unable to meet and discuss the matter with the immediate supervisor or Executive Director/Principal or his designee, due to illness, injury, or because the issue deals with a personal relationship problem with the supervisor or Executive Director/Principal, the aggrieved may authorize in writing such reasons and request an approved designee to discuss the matter at the Discussion Level and have the authority to resolve the issue.

F. All grievances, responses, and appeals must be filed on appropriate forms as provided by the School. The parties shall collaboratively develop all forms.

G. The processing of a grievance will be accomplished at times agreed to by the parties to the grievance. The employees requested to participate in a grievance meeting shall not bear any loss of pay as a result of this participation.

H. All written materials related to the processing of a grievance will be filed separately from the School’s personnel files.

I. The School agrees to make available to the aggrieved, all information in its possession or control which is relevant to the issues raised by the grievance as allowable by law or Indigo Hill School Policy.

J. The Board and Executive Director will agree that any grievance meetings will be kept informal and that the specific information excluding outcome will remain confidential.

K. No party shall take reprisals on any member of the unit, supervisor, administrator, or Board members, or other participant in the procedure by reason of such participation.

L. Procedure:

Since it is important that grievances be processed as quickly as possible, the number of work days indicated at each level shall be the maximum.

The time lines specified may be extended if mutually agreed to in writing by the parties to the grievance.

The aggrieved must meet with the immediate supervisor at the Discussion Level within twelve (12) days of the act or discovery of the act that caused the grievance. An ongoing act can be discussed within twelve (12) days of the latest occurrence.

Failure to file a grievance or appeal a decision within the time limits specified herein shall result in the dismissal of that grievance.

Failure to submit a decision in writing within the time limits specified herein will cause the grievance to proceed to the next level.

M. Steps of Grievance:

1. Discussion Level.

i. Prior to filing a grievance, the employee shall meet with the immediate supervisor in an attempt to resolve the issue. The potential grievance will be identified by the employee and the solution sought discussed.

ii. If the matter is not resolved, the employee may proceed to Supervisor Level of the Grievance Procedure.

2. Supervisor Level.

i. If the grievance is not settled at the Discussion Level, the aggrieved may, within twelve (12) days, submit a formal written grievance to the immediate supervisor. ii. The grievance statement shall identify the section of the Agreement alleged to have been violated, the circumstances involved, the specific remedy sought, and the date of the alleged act.

iii. The immediate supervisor shall communicate a decision in writing within twelve (12) days after receiving the grievance.

3. Executive Director/Principal Level.

i. If not satisfied with the decision at the Supervisor Level, the grievant may, within twelve (12) days, appeal the grievance in writing to the Executive Director/Principal.

ii. The Executive Director/Principal shall meet with the grievant and the supervisor involved in the grievance to review the record of the prior steps and other information that may be presented. The Executive Director/Principals shall render a decision on the grievance within twelve (12) days following receipt of the appeal.

4. Arbitration Level.

i. If the aggrieved is not satisfied with the disposition of the grievance at the Executive Director/Principal Level, the grievant may within twelve (12) days submit the grievance to advisory arbitration.

ii. Within five (5) days following the appeal to advisory arbitration, the parties to the grievance shall meet to prepare a joint letter to the Federal Mediation and Conciliation Service requesting a list of five (5) arbitrators.

iii. The parties will strive to mutually agree upon the Arbitrator. If the parties fail to mutually agree upon the Arbitrator each party will strike one name followed by the other party striking one name until a single name remains and that person shall become the Arbitrator. The party required to strike the first name will be determined by a flip of the coin. The process of striking names shall occur within ten (10) days of receipt of the list by both parties.

iv. The Arbitrator shall conduct the hearing in accordance with the voluntary arbitration rules of the American Arbitrators Union and the provisions of this Article.

v. The Arbitrator shall conduct a hearing as soon as possible.

vi. If any question arises as to the alterability of the grievance, such questions shall be ruled upon by the Arbitrator.

vii. The Arbitrator shall have no authority to add to, subtract from or modify the terms of this Agreement, and the Arbitrator shall interpret this Agreement in accordance with accepted arbitral standards of contractual interpretation.

viii. The Arbitrator's decision will be in writing and will set forth the Arbitrator's findings of fact, reasoning and conclusion of the issue submitted. The Arbitrator will be without power or authority to make any decision which requires the commission of an act prohibited by law or which is in violation of the terms of this Agreement. A copy of the award will be submitted to the Executive Director/Principal, and the aggrieved. All costs of the services of the Arbitration, including, but not limited to, per diem expenses, travel and subsistence and the cost of any hearing room will be borne equally by the Board and the aggrieved. All other costs will be borne by the party incurring them. The Board may require that the aggrieved party post the party's share of the expenses in advance of the hearing.

ix. If any party requests a transcript of the proceedings, the party shall bear the full costs for the transcript.

Americans with Disabilities Act Grievance Procedure 237

This grievance procedure shall provide for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations implementing Title II of the Americans with Disabilities Act. Title II states, in part, that "no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination" in programs or activities sponsored by a public entity. Complaints should be addressed to the Executive Director/Principal of the Indigo Hill School, who shall coordinate ADA compliance efforts.

1. The complaint should be filed in writing and contain the name and address of the person filing it, and a brief description of the alleged violation of the regulation.
2. A complaint should be filed within thirty (30) days after the complainant becomes aware of the alleged violation, (Processing of allegations of discrimination which occurred before this grievance procedure was in place will be considered on a case-by-case basis.)
3. An investigation, as may be appropriate, shall follow a filing of the complaint. The investigation shall be conducted by the Executive Director/Principal of schools or designee. These rules contemplate informal but thorough investigation, affording all interested persons and their representatives, if any an opportunity to submit evidence relevant to a complaint.
4. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the Executive Director/Principal of schools or designee and a copy forwarded to the complainant no later than thirty (30) days after its filing.
5. The Executive Director/Principal or designee shall maintain the files and records of the Indigo Hill School relating to the complaints filed.
6. The complainant can request a reconsideration of the case in instances where there is dissatisfaction with the resolution. The request for reconsideration should be made within thirty (30) days to the Executive Director/Principal with a copy forwarded to the President of the IHS Governing Board.
7. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of an ADA complaint with the responsible federal department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.
8. These rules shall be construed to protect the substantive rights of interested individuals to assure that the Indigo Hill School complies with the ADA and implementing regulations.

Substitute Teachers 239

The Executive Director/Principal shall maintain an active list of persons approved by the State Department of Education to act as substitute teachers. Only persons on this approved list or persons holding a New Mexico teaching license or persons assigned to the classroom in question as student teacher, intern, co-op student, or instructional assistant may be employed as substitutes. The employment of substitutes is to be made by administrators only, not teachers.

The Executive Director/Principal is directed to establish administrative procedures which will enhance the school's ability to maintain the best possible roster of substitutes.

Substitutes will be paid according to their education status at the standard daily rate.

Employment for less than half the work day will be compensated fully at half the daily rate, and employment for more than half the work day but less than the full day will be compensated at the full daily rate.

Tutoring of Students 242

The Governing Board believes that by maintaining an instructional staff of high quality and providing for a rich and varied curriculum the need for individual tutoring is minimized.

When paid tutoring of a student by an employee is deemed necessary, such tutoring will be conducted outside the employee's regular work hours. Such paid tutoring is to be arranged between families or other agencies and the employee, and the school assumes no responsibility for the arrangements or the performance thereof.

Employees are not to enter into a tutoring arrangement with their own students during the school year, unless prior approval has been given by the Executive Director/Principal or designee.

Travel, Per Diem and Mileage Payments 245 The Executive Director/Principal or designee shall be responsible for determining the necessity for reimbursable travel by employees.

Approved travel shall be reimbursed by mileage and per diem amounts allowed under New Mexico statute or regulation, except when lesser payments are agreed to by the employee(s) and the approving administrator. Reimbursement for travel on public conveyance shall be at the most economical rate. See policy 261.

Soliciting and Selling by Employees 248

Employees are prohibited from soliciting from children on school premises during school hours.

School employees are prohibited from conducting any business transactions for political campaigns or candidates or for personal profit during school hours and on school premises.

School employees engaged in the sale of raffle tickets or other items for support of student-related organizations shall do so in a manner and time that will not interfere with the proper conduct of any school function or interfere with a school employee's effective performance of duties.

For Governing Board permission to conduct a school-wide all schools charitable fund-raising drive, application should be made to the Executive Director/Principal's office.

See policies 251

Gifts and Gratuities 249

Employees shall neither solicit nor accept personal gratuities, favors or anything of monetary value from contractors as merchants with whom Indigo Hill School is conducting business or who are attempting to sell goods or services to the schools. This policy does not preclude acceptance of food or drinks of a social nature or participation in a social event. It also does not preclude vendor assistance with an activity or trip whose purpose is to enable school employees and officials to examine programs, products, equipment or services being considered for purchase by the school, so long as the same opportunity to assist is given potentially competing vendors.

Political Activities by Employees and Others 251

Employees seeking political office, as well as other candidates, are prohibited from conducting campaign activities during regular working hours on school premises. Under no circumstances will a candidate be permitted to use students during school hours in any campaign activity. Similarly, candidates are prohibited from using school machines or materials to produce campaign literature.

Those seeking to promote themselves or another candidate for election are to observe the following rules.

1. Candidates or their supporters may not place campaign materials in the schools.
 2. Candidates, if invited by the faculty, will be permitted to address the group after school hours. Attendance for faculty members will not be mandatory. Otherwise, no campaigning will be allowed in the buildings. No visits to classrooms or lounges for campaigning purposes will be permitted.
 3. Students are not to be asked to take home campaign literature for individual candidates.
 4. School phones will be left free for school business.
 5. Sale of tickets for campaign fund raisers will not be permitted on the premises.
- No school-sponsored group may provide entertainment as a school-connected entity for or appear at any political campaign function for any office.

Academic Freedom 252

The board desires that discussion and study of political and social issues be undertaken in a dispassionate atmosphere free from bias. In this spirit, teachers shall serve as impartial moderators and shall not attempt directly or indirectly to limit or control the opinion of pupils on such issues. Teachers are encouraged to foster the study of issues rather than teach particular viewpoints with regard to them.

The board recognizes that teachers have the right and responsibility to exercise professional judgment, within the limits of the previous statements, when such issues are under study. Teachers must obtain prior approval by the principal of guest speakers and the nature of the presentation prior to the speaker's appearance in their classrooms.

Employee/Immediate Family Members Conducting Business With the School 254

Pursuant to the provisions of the Procurement Code and the Public School Code, no school employee or member of an employee's immediate family (as defined in NMSA 1978, Section 13-1-62) shall directly or indirectly sell or be a party to any transaction to sell any instructional material, furniture, equipment, insurance, school supplies, or work under contract to the school with which they are associated or employed when the employee or member of the employee's immediate family has a financial interest in the transaction.

No employee of the school shall receive any commission or profit from the solicitation or sale of investment securities or insurance to any other employee under their supervision.

The provisions of this policy shall not apply to any employee making a sale in the regular course of the employee's business when the sale is in compliance with all applicable provisions of the Procurement Code.

The Governing Board reserves the right to grant a waiver of unlawful employee participation in a procurement process, pursuant to Section 163 of the Procurement code (NMSA 1978, Section 13-1-190), upon making the following findings:

- A. The contemporaneous employment or financial interest of the employee has been publicly disclosed;
- B. The employee will be able to perform the procurement functions without actual or apparent bias or favoritism; and
- C. The employee participation is in the best interest of the school.

In the event that the Governing Board determines that it is in the best interest of the school to waive unlawful employee participation, an affidavit stating the terms of the waiver have been complied with shall be completed by the participating employee(s) and appropriate school official(s) and remain on file in the school's business/finance department and in the procurement file for the applicable transaction.

As noted in policy 150, the term "employee" includes all persons receiving a salary, wages or per diem and mileage from a state agency or local public body whether elected or not and any non-compensated individual performing personal services as an elected or appointed official or otherwise for a state agency or a local public body.

SCHOOL-WIDE ACCEPTABLE USE OF INFORMATION TECHNOLOGY 256

Introduction

Indigo Hill School strives to offer technological opportunities for the purposes of enhancing the educational environment of its students, staff, and administrators. The school's goal is to promote educational excellence by facilitating safe and effective use of technology including the Internet and local resources. The effective operation of IHS' systems relies upon the proper conduct of all its users.

Employees when using internet communications with parent and/or students, employees are only allowed to communicate through official school sponsored emails and web-sites, unless specifically noted in writing by the Executive Director or their direct supervisor, which includes the explanation and rationale why this exemption can occur.

User Responsibilities

Access to technological resources is a privilege (not a right) provided to all staff and students. Technological resources must be used in a proper legal and ethical manner that supports the goals set forth by the Indigo Hill School Governing Board and site administrators. Users are required to respect the rights of others, abide by the regulations/procedures set forth by the Board, site administrators, and Children's Internet Protection Act (CIPA). 47 U.S.C. Sections 25 By using technological resources, the user agrees to share the responsibility for safeguarding the technological environment at Indigo Hill School. Following are usage expectations that apply when using any and all school technological resources.

General Usage of School Technological Resources

1. The IHS School has the right to place reasonable restrictions on the use of equipment, resources and materials users' access or post through the system. In their use of technology resources, users must observe and comply with all other policies and guidelines of IHS.
2. Teachers will be directly responsible for monitoring their students' behavior and acceptable use of the Internet resources and school network. A student is not allowed to use the Internet without a teacher present and accepting responsibility to monitor use. This does not in any way make the teacher or staff member liable for the student's inappropriate actions.
3. Users may not install software, alter machine configurations or system files, or disconnect any cables on computers or any other equipment, or attempt to perform diagnostics or repairs on school machines. Diagnostics and repairs must be performed by authorized personnel only. If you encounter a problem with a piece of equipment, report it to the systems' manager as soon as possible.
4. Users may not deliberately perform acts that waste computer resources or unfairly monopolize resources to the exclusion of others. These acts include, but are not limited to, downloading or listening to online music, downloading and saving large files that are not for educational purposes, sending or forwarding jokes, engaging in online chat groups, printing multiple copies of documents, or otherwise creating unnecessary network traffic.
5. Users will only print what is necessary and related to an academic purpose.
6. Food and beverages are not allowed in any computer lab.

7. Users must respect all notices posted in the labs. For example: lab rules, lab seating charts, and lab sign-up charts.
8. Only school-related technology use will take place as directed by the classroom teacher/technology teacher.
9. Viewing and printing sexually explicit, violent, or drug related material is unacceptable.
10. In their use of computer resources, users must comply with all software licenses, copyrights, all other state, federal, and international laws governing intellectual property and online activities.
11. Users may not do any of the following: (1) copy software for use on their home computers; (2) provide copies of software to any third person; (3) install software on any school workstation or server; (4) download any software or run executable files from the Internet, email, or other online service to any school workstation or server. Users who become aware of any misuse of software or violation of copyright law must immediately report the incident to the system's manager.
12. Users may not indirectly or directly make connections that create "backdoors" to the school, other organizations, community groups, etc. that allow unauthorized access to the school's network.
13. 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".
14. Users will avoid the inadvertent spread of computer viruses. All material received on an external disk, portable drive or optical medium and all material downloaded from the Internet or from computers or networks that do not belong to IHS MUST be scanned for viruses and other destructive programs before being placed onto the computer system or network. Users should understand that their home computers and laptops may contain viruses. All media transferred from these computers to the IHS network MUST be scanned for viruses.
15. Users may not connect unauthorized wireless devices to the school network. Wireless devices include, but are not limited to: wireless access points, wireless routers or any type of wireless gateway device.
16. Users do not have an expectation of privacy in anything they create, store, send, or receive on the computer system. The computer system belongs to IHS and any use by staff or students must be in compliance with this policy.
17. Access to the school's electronic communications system, including the Internet, shall be made available to users primarily for instructional and administrative purposes and in accordance with administrative regulations. Limited staff personal use of the system shall be allowed if the use:
Imposes no tangible cost on the school;
Does not unduly burden the school's computer or network resources; and
Has no adverse effect on an employee's job performance.
18. Users expressly waive any right of privacy in anything they create, store, send, or receive on the computer or through the Internet or any other computer network. Users consent to allowing personnel access to review all materials users create, store, send, or receive on the computer or through the Internet or any other computer network. Users understand that IHS may use human or automated means to monitor use of its computer resources. Users will not use technological resources to promote unsanctioned, commercial activity.

Ethical Usage

1. Users may not intentionally seek information on, obtain copies of, or modify files, other data, or passwords belonging to other users. A user's ability to read, alter, or copy a file belonging to another user does not imply permission to read, alter, or copy that file. Users may not use the computer system to "snoop" or pry into the affairs of other users or IHS operational systems by unnecessarily reviewing their files and e-mail without authority.

2. A user's ability to connect to other computers systems through the network or by a modem does not imply a right to connect to those systems or to make use of those systems unless specifically authorized by the operators of those systems
3. Users may not plagiarize works that they find on the Internet or other resources.
4. Attempts to log on to the school's private network or any other network as a system administrator are prohibited.
5. Users will abide by security measures set forth by the systems manager and site administration.

Legal Usage

Information technology resources must not be used for illegal or harmful purposes including (but not limited to):

1. harassment of others
2. destruction or damage to equipment, software, or data
3. disruption or unauthorized monitoring of electronic communications
4. breach of personal information

Account Login (usage)

1. Each student and staff member at Indigo Hill School will be issued a network login. Account holders will use only their own personal accounts (log-in) to access any school computer.
2. Users are responsible for taking reasonable precautions to safeguard their passwords for access to the computer system. Individual passwords should not be printed, stored online, or given to others. Users who have not taken reasonable precautions to safeguard their passwords shall be responsible for all transactions made using their passwords. No user may access the computer system with another user's password or account.
3. Use of passwords to gain access to the computer system or to encode particular files or messages does not imply that users have an expectation of privacy in the material they create or receive on the computer system. IHS has global passwords that permit it access to all material stored on its computer system, regardless of whether or not material has been encoded with a particular user's password.
4. Users may not re-post a message that was sent to them privately without permission of the person who sent them the message.
5. 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 email distribution lists. Acts of abuse include, but are not limited to: forwarding non-school/work related emails, advertising and solicitation.
6. Notwithstanding anything in this policy to the contrary, staff email messages or staff accounts may be accessed and read only under the following circumstances:
 - a. Pursuant to a court order, subpoena or the bona fide emergency request of a licensed police officer.
 - b. Upon the joint agreement of the school Executive Director/Principal and the president of the school board. If either the Executive Director/Principal or president shall not be accessible, the individuals designated to act in their absence shall make the determination.
 - c. Any individual whose email has been accessed under paragraph shall immediately be advised of the access.
 - d. At the request of the account holder.

Internet Usage

As required by law and in recognition of the need to establish a safe and appropriate computing environment, the school will use filtering technology to prohibit access, to the degree possible, to objectionable or unsuitable content that might otherwise be accessible via the Internet.

1. All users of the Internet must comply with the Children's Internet Protection Act (CIPA), 47 U.S. C 254. Access by minors to inappropriate matter on the Internet and World Wide Web is prohibited on the IHS network.

Using unauthorized electronic mail, chat rooms, and other forms of direct electronic communications is prohibited on the IHS network. (Select students may be supplied with an Indigo Hill School CIPA certified email account. These students will only use the email account for specified educational purposes as directed by the student's teacher or administrator.)

Unauthorized access including "hacking" and other unlawful activities by minors online is prohibited on the IHS network.

Unauthorized disclosure, use, and dissemination of personal information regarding minors are prohibited by IHS.

Measures designed to restrict minors' access to materials harmful to minors are in place at IHS.

2. Material that is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, threatening or potentially violent, defamatory, racially offensively proselytizing inappropriate or otherwise unlawful, or in violation of school board policy may not be created, accessed or sent by e-mail or other form of electronic communication (such as bulletin board systems, newsgroups, chat groups) or displayed on or stored in computers. Users encountering or receiving this kind of material should immediately report the incident to appropriate personnel.

3. 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.

4. Users may not use any type of Internet proxy service or proxy server to bypass school filters.

5. Users will promptly disclose to their teacher or other appropriate school employee any message received that is inappropriate.

Consequences of Violating the Acceptable Use Policy

1. Violations of the school Acceptable Use Policy will be handled in accordance with law, school board policy, or collective bargaining agreement(s), as applicable. Violation of this policy may result in loss of access to network resources, and possible legal and disciplinary action.

2. Network auditing that shows a teacher or other staff member habitually committing or allowing violations to the Acceptable Use Policy by their students will be documented. Campus and school administrators will impose appropriate consequences for related instances.

3. The school will cooperate fully with local, state, or federal officials in any investigation concerning or relating to any illegal activities conducted through the school's private network.

Disclaimer

Indigo Hill School makes no guarantees of any kind, neither expressed nor implied, for the network activity and Internet access it is providing. The school will not be responsible for any damages users suffer, including (but not limited to) loss of data resulting from delays or interruptions in service. The school will not be responsible for the accuracy, type, or quality of information stored on school hard drives or servers; nor that gathered through school-provided Internet access.

Additional Information for Parents

The school's intent is to make Internet access available in order to support educational goals and objectives. The technology department has set up systems that safeguard student use. Unfortunately, no system is infallible which can result in students gaining access to inappropriate information.

Ultimately, parents/guardians are responsible for setting and conveying the standards that their children should follow when using media/information resources. Those standards must support the regulations

of Indigo Hill School. Therefore, parents are given the option of requesting (in writing) their child use alternative activities not requiring Internet use.

Indigo Hill School is pleased to offer its student's access to the Internet. The Internet is an electronic highway connecting hundreds of thousands of computers and millions of individual users all over the world. Parents should be aware that some material accessible via the Internet may contain information that is illegal, defamatory, inaccurate, or potentially offensive to some people. In addition, it is possible to purchase certain goods and services via the Internet which could result in unwanted financial obligations for which a student's parent or guardian would be liable.

Agreement of Policy

The use of Indigo Hill School Technological Resources is considered an agreement to abide by this policy.

Governing Board Approval Month XX-XXXX

INDIGO HILL SCHOOL

ACCEPTABLE USE POLICY FOR TECHNOLOGICAL RESOURCES

STAFF FORM

Last Name: First Name:

Please Print; Please Print

School Site: Please Print

I have read, understand, and will abide by the conditions stated in the Indigo Hill School Acceptable Use Policy for Technological Resources. I further understand that any violation of this policy may result in disciplinary action.

Signature: Date:

Personnel Records 257

The Executive Director/Principal shall maintain personnel records for all school employees, the records to include but not limited to: official transcripts, birth certificates, health certificates, licensure documents, experience records and evaluation reports.

These records shall be stored in such a manner as to provide reasonable protection against fire and theft.

Personnel records shall be open to inspection only to:

1. the employee concerned, but only in the presence of an administrator or the person in charge of the records. References will not be open to the employee unless the record indicates that the person providing the reference has signed an agreement permitting the employee to see the reference, and
2. the Executive Director/Principal, the Executive Director/Principal's staff or other administrators on a need-to-know basis, and
3. the Governing Board during executive personnel sessions, and
4. representatives of regulatory or accrediting agencies as required for the conduct of their official business.

Indigo Hill School strives to balance its need to obtain, use, and retain employment information with each individual's right to privacy. To this end, it attempts to restrict the personnel information maintained to that which is necessary for the conduct of its business or which is required by federal, state, or local law. Personnel records will not be made available to other persons without the consent of the employee. No material shall be removed from the record except for review. No record shall be removed from the Executive Director/Principal's office.

The Executive Director/Principal (or designee) is responsible for overseeing the record keeping for all personnel information. Employees have a responsibility to ensure their personnel records are up to date and should notify the Executive Director/Principal (or designee) in writing of any changes in name; address; contact phone numbers; marital status (for benefits and tax withholding purposes only); number of dependents (for benefits and tax withholding purposes only); addresses and telephone numbers of dependents and spouse or former spouse (for insurance purposes only); beneficiary designations if applicable; and emergency contact information.

See policies 258, 259.

Release of Personnel Information 258

It shall be the policy of the board and administration of the Indigo Hill School to protect the privacy of current, former and prospective employees to the extent permitted by law. Accordingly, all personnel information retained by the school shall be considered confidential unless the Inspection of Public Records Act requires otherwise.

Confidential personnel information will not be released without the affected person's written consent unless an administrator 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. The Act and decisions interpreting it provide that the following types of personnel information may be treated as confidential:

- 1) Letters of reference concerning employment, licensing or permits;
- 2) Letters or memoranda which are matters of opinion in personnel files, including documents concerning infractions and disciplinary actions, performance evaluations, and related materials, opinions as to whether a person should be rehired or reasons why an applicant was not hired, and any other material expressing an opinion as to a current or former employee or an applicant for employment;
- 3) Medical and related information pertaining to illness, injury, disability to perform a job task, or sick leave;
- 4) Names or other identifying information on applicants for positions with the Indigo Hill School until and unless one or more persons outside the school are contacted for further information regarding a particular applicant; and
- 5) Other types of personal information, such as military discharge or arrest records,
 - (a) which is solicited by the school;
 - (b) which is considered vital to the employment procedure;
 - (c) which was furnished after a promise to keep the information confidential; and
 - (d) for which disclosure would not appear to serve any identifiable public interest.

These types of information will be treated as confidential to protect the privacy of current, former and prospective employees and to encourage qualified persons to apply for positions with assurance that the mere fact of their application for another job need not become public information.

The school shall be entitled to ask persons seeking disclosure of personnel records to provide reasonable justification for such disclosure.

See policies 257, 259.

Disclosure of Employee Names 259

Pursuant to State Regulation 93-17, no school employee, board member or school volunteer shall sell or use employee lists or disclose the name of any employee for the purpose of marketing goods or services directly to employees or their families by means of telephone or mail.

The exceptions to this policy are when an employee authorizes the name release for any of the following legitimate educational purposes:

- 1) Regionally accredited colleges and universities
- 2) Accredited post-secondary and vocational educational entities
- 3) Accredited public educational entities providing adult basic educational opportunities
- 4) Educational entities offering continuing education opportunities for licensed and/or non-licensed faculty and staff
- 5) Educational entities offering tour/travel opportunities which result in educational credits through a regionally accredited college or university, or an accredited post-secondary or vocational school.
- 6) The Armed Forces of the United States offering educational programs and/or opportunities within the military.

See policies 257, 258.

Leaves from Duty 260

The Governing Board provides authorized leaves from duty as follows:

Annual Leave Military Leave

Extended Leave Personal Leave

Family and Medical Leave Professional Leave

Funeral Leave Sick Leave

Jury Duty/Subpoena Leave Voting Time Leave

All leaves, with or without pay, require advance approval except in emergency situations. Full pay will be deducted from an employee's salary for each unauthorized absence or for any absence not meeting the criteria specified in the policy covering the leave for which the absence was authorized. The following paragraphs apply in all cases unless specifically modified in the individual leave policies.

An employee granted leave of absence will be returned to a position comparable to that held at the time the leave was granted unless otherwise noted in the applicable leave policy. Employees who are granted extended leave for a portion of the school year must notify the Executive Director/Principal of their desire to return to duty at least fifteen (15) school days prior to the date of return. Those granted leave for an entire year must notify the Executive Director/Principal of their desire to return to duty no later than March 15 of the school year in which the leave was taken.

Renewal of leaves extended beyond one year will be made only with the understanding that there is no guarantee for return to employment.

Employees on unpaid leave of more than one month of consecutive work days may continue group insurance by timely payment of the full premium, with no board contribution, unless the leave is under the provisions of the Family and Medical Leave Act

Leave without pay does not count toward attainment of accrued benefits.

Professional Leave 261

Leaves from duty without deduction may be granted for professional visitation and attendance at job-related meetings, conferences and training sessions or other activities which in the principals/Executive Director/Principal's judgment would be beneficial to the work of the employee or to the school as a whole. Such leaves may or may not involve the reimbursement of expenses, including substitutes, depending upon the mutually agreeable arrangements made prior to approval of the leave. Any expenditure proposed beyond the amount budgeted for such purposes must receive prior approval of the Governing Board.

Sick Leave 262

Although IHS encourages our staff to work their contract days at a capacity of 95% or higher we recognize that some individuals may genuinely ill. Sick leave shall be granted to employees for illness of self, spouse or dependent children. Sick leave may be used also, with prior approval of the immediate supervisor, for illness of an employee's relative who is dependent upon the employee for care.

Twelve-month employees shall earn sick leave of ten (10) days per year, at the rate of two days in July and August each and one day in each of the other ten months. All other employee's shall earn sick leave of ten (10) days at the rate of one (1) day per month for nine months beginning with August. Three of these allocated sick leave days shall be set aside as potential personal leave days, usable for either personal or sick leave during the employee's work year. At year's end, any unused personal leave set-aside days will be credited to the employee's accumulated sick leave.

Sick leave may be accumulated without limit. Accumulative sick leave shall not be reduced or lost by the employee during officially-approved leaves of absence. All accumulative sick leave is forfeited upon termination from employment by the school for any reason, with no payment in lieu thereof. Sick leave is not transferable from one individual to another.

At the beginning of each annual work period, each employee shall be credited with the total number of sick leave days stipulated for the length of the contract. In all cases, when an employee terminates during the annual work period, the appropriate salary deduction will be made from the final paycheck for any used but unearned sick leave.

For periods of sick leave longer than three consecutive days, the Executive Director/Principal may require a physician's statement attesting to the reason for absence.

Sick leave benefits shall not be paid during any period for which an employee is eligible for worker's compensation payments unless the employee has elected in writing to assign or pay his worker's compensation payment to the school for the period during which the sick leave benefits are paid. In no event shall an employee be entitled to both sick leave benefits and worker's compensation payments during the same period. As used in this policy, "worker's compensation payments" refers only to wage replacement benefits under any worker's compensation act. In the event an employee receives both sick leave benefits and worker's compensation payments for the same period, the school will deduct the amount of sick leave benefits paid (in the event no election has been made) or the amount of worker's compensation payments received by an employee (in the event an election has been made) from the next amount due the employee from the school.

Sick leave may be used for maternity or adoption leave, along with Family and Medical Leave. See policies 263, 264.

Family and Medical Leave, 263

This policy is adopted to implement the federal Family and Medical Leave Act of 1993 (FMLA) pursuant to the terms, conditions, and limitations of the Act. In the event of any conflict between the provisions of this or any other leave policy of the school and the provisions of the FMLA, the latter shall prevail.

A. To be eligible for leave under the Act an employee must have worked for the school for a total of twelve (12) months, (months on duty) during which the employee must have worked a total of 1,250 hours.

B. Pursuant to the Family and Medical Leave Act, employees are permitted up to twelve (12) work weeks of unpaid leave per year during any 12-month period. Family and medical leave can be requested 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 (entitlement to leave for birth or placement of a child expires 12 months after the birth or placement of the child);

3. care of the employee's spouse, son or daughter or parent with a serious health condition; and
4. the inability of the employee to perform his or her job duties due to his or her own serious health condition, or the necessary absence from work of an employee to receive medically necessary treatment.

The 12-month period within which each employee may take twelve (12) weeks of leave under the FMLA shall be a "rolling" 12-month period, measured backward for each employee from the first time each such employee uses leave under the FMLA.

C. A "serious health condition" is an illness, injury, impairment, or physical or mental condition that (a) requires in-patient care in a hospital, hospice, or residential medical care facility, or (b) requires continuing treatment by a health care provider and which, if left untreated, would likely result in an absence from work of more than three days, or (c) The Pregnancy Act which provides additional protection for pregnant workers, and includes pre-natal care. A "serious health condition" does not include voluntary cosmetic treatments, unless inpatient care is required or routine physical examinations.

D. An employee requesting leave shall submit a "Request for Leave" form to the immediate supervisor.

E. If an employee requests leave for treatment of an employee's serious medical condition or for that of a child, parent, or spouse, the employee must make a reasonable effort to schedule the treatment at a time that is not unduly disruptive to the school.

F. An employee seeking leave for a foreseeable reason such as the birth or placement of a child or for planned medical treatment shall provide the school with at least thirty (30) days advance notice of the leave. If thirty (30) days advance notice is not possible under the circumstances, e.g. in the case of a premature birth, the employee shall give such notice as is practicable, e.g., within one or two business days of the day the employee learns of the need for leave. If an employee's reason for seeking leave was unforeseeable, such employee shall give such notice as is practicable. An employee who fails to give notice of leave as required herein may be denied such leave until the notice requirements are met. If less than thirty (30) days notice of leave is provided, the employee must schedule an appointment with the Director of the Human Resources Department for approval.

G. An employee seeking leave on the basis of the serious medical condition of the employee or the employee's spouse, son or daughter, or parent, must provide certification issued by the health care provider of the employee or of the employee's spouse, son or daughter, or parent, stating

1. the date the condition began,
2. its probable duration,
3. appropriate medical facts, and
4. that, for a specified time, either

(a) the employee is unable to perform his or her job functions or will be unavailable to do so while receiving necessary medical treatment, or

(b) the employee will be needed to care for the sick family member. If the adequacy of medical certification is questioned by the school, the school may require the employee to seek the opinion of a second health care provider, who is not regularly employed by the school, at the school's expense. If the opinions of the first and second health care providers differ, the school may require the employee to obtain a third opinion at the school's expense, from a health care provider agreed upon by the employee and the school. The third opinion shall be final and binding.

H. Spouses employed by the school are limited to a combined total of twelve (12) work weeks per year for the birth or placement of a child, or to care for a parent. However, for other covered leaves, such as to care for a spouse or child, or for the treatment of the employee's own serious health condition, each spouse may take up to twelve (12) weeks a year.

I. Intermittent leave and reduced work schedules are allowed when such are medically necessary; however, employees may not take intermittent leaves or go on reduced work schedules that reduce the number of hours worked per week or per day for childbirth/infant care or adoption leave.

J. If an eligible "instructional employee" seeks intermittent leave or reduced-schedule leave for the care of a spouse, son or daughter, or parent, or for the employee's own serious health condition, and the leave is foreseeable on the basis of planned medical treatment, and the employee would be on leave for more than twenty (20) percent of the work days during the period, the employee must choose either to:

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

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

K. If any employee requests intermittent leave or leave on a reduced work schedule to care for a seriously ill family member or for the employee's own serious health condition, and the need for leave is foreseeable based upon planned medical treatment, the employee may temporarily be transferred to an available alternative position with equivalent pay and benefits, if the employee is qualified for the position and the position better accommodates recurring periods of leave than the employee's regular job.

L. The responsibilities of instructional employees near the end of academic terms--examinations, grading, etc.--requires that the school be able to limit leave taking by instructional employees at such times as follows:

1. Leaves beginning more than five weeks before the end of a semester:

If an instructional employee starts a leave more than five weeks before the end of a semester, the school may require the employee to continue the leave until the end of the semester if: (a) the leave is of at least three weeks' duration; and

(b) the employee would return from leave during the three-week period preceding the semester's end.

2. Leaves beginning five weeks or less before the end of a semester:

If an instructional employee begins a leave five weeks or less before the end of a semester, the school may require the employee to continue the leave until the end of the semester if:

(a) the leave will last more than two weeks; and

(b) the employee would return from leave during the two-week period before the term's end.

3. Leaves beginning three weeks or less before the end of a semester:

If an instructional employee starts a leave three weeks or less before the end of a semester, the school may require the employee to continue the leave until the end of the term if the leave will last more than five working days.

M. All requests for family/medical leave must be approved by the employee's supervisor and the Executive Director/Principal or designee.

N. Employees who take family/medical leave must utilize any available paid leave they have accrued under another of the school's leave policies when the reason for leave corresponds with the basis for leave under the other policy. Accrued vacation or personal leave shall be substituted for any FMLA-qualifying purpose. If the requested leave period extends beyond the employee's accrued number of paid leave days, the remaining leave days will be unpaid.

(Example A: An employee, who sought leave due to his or her own serious medical condition and inability to perform his or her job duties, has accrued six weeks sick leave. The employee must use the six weeks of paid sick leave and may thereafter use the remaining six weeks of unpaid leave available under this policy;

Example B: An employee wishes to use four weeks of leave under this policy for birth or adoption of a child. The employee may substitute paid maternity or paternity leave, but is not required to, and may not, substitute paid sick leave, except to the extent allowed by the maternity/paternity leave policy.) Any employee seeking leave shall explain the reasons for the needed leave on forms provided by the school. It shall be the school's responsibility to identify the requested leave as covered by the FMLA and as paid or unpaid on the basis of leave time accrued under or during such leave, on the basis of information provided by the employee.

O. During the period of leave, the school will maintain the employee under the school coverage group health plan if enrolled; however, the employee is responsible for continuing to pay the employee's monthly portion of the premium. If an employee fails to make payment of the employee's share of health insurance premiums for thirty (30) days after such payment is due, coverage of such employee for benefits shall be discontinued. If the employee fails to return to work following leave under the FMLA for any reason (1) other than the continuation of the FMLA-qualifying circumstances upon which the need for leave was originally based, or (2) circumstances beyond the control of the employee, the employee shall be required to reimburse the school for the cost of health insurance premiums the school paid to maintain coverage for the employee during the leave period.

P. Employees will not accrue leave or other benefits during the family/medical leave period.

Q. An employee other than a "key employee", who has taken family/medical leave, will be restored to his or her previous position or to a position of equivalent pay, benefit, and other terms and conditions of employment. Equivalency of positions shall be determined on the basis of school policy. A "key employee" may be denied reinstatement if it would create a substantial and grievous economic injury for the school. A "key employee" is one whose compensation is within the highest ten percent of the work force of the school. R. In each school building there shall be posted a notice to employees, describing the provisions of the FMLA, provided and approved by the Wage and Hour Division of the United States Department of Labor.

Personal Leave 264

Two (2) days of personal leave deducted from sick leave may be granted to all employees for personal business which cannot be handled except during work hours. Personal leave will not be granted on the last work day prior to or the first work day following a holiday, or on an in-service day, or during the first or last five days of the school year except in an emergency situation and prior approval has been granted. Use of personal leave requires advance approval by the Executive Director/Principal or designee, with exceptions only in case of emergencies.

Any unused days of personal leave shall revert to the employee's accumulated sick leave days. See policy 262.

Annual Leave 265

Full time eleven month employees shall be entitled to ten paid annual leave days earned at the rate of 1 day per month served as an eleven-month employee.

Annual leave cannot be earned while the employee is on another leave without pay. Annual leave may be accumulated to a maximum of thirty (30) days. If an eleven-month employee transfers within the school to a non-eleven-month position or upon death, retirement, resignation, termination or discharge, the employee shall be paid for a maximum of twenty (20) earned and unused annual leave days.

If an eleven-month employee leaves the position for any reason and then again becomes an eleven-month employee, "years completed with the school" as an eleven month employee shall be calculated only from the initial date of employment as an eleven-month employee from the beginning of the most recent employment.

Annual leave will not be granted in advance of the number of days earned by the employee at the time of leave. Eleven-month employees must complete an initial period of 10 months service before taking annual leave. Authorization will be granted only for such times as will least interfere with the efficient operation of the schools. Annual leave with pay shall not be granted to part time employees. The board reserves the right to negotiate a separate annual leave agreement with the Executive Director/Principal.

Jury Duty/Court Subpoena Leave 266

Absence with pay will be granted when an employee is subpoenaed to appear in an official proceeding, if such proceeding does not involve self employment or employer and does not concern the employee's own personal affairs.

Leave with pay will be granted to an employee for appearance in court as a witness, to serve on a jury, or to respond to an official order from another governmental jurisdiction for reasons not brought about through the connivance or misconduct of the employee.

Employees must notify their immediate supervisor of their desire to apply for such leave as soon as possible prior to the date serve must be rendered.

Bereavement Leave 267

In the case of death in the immediate family at any time during an employee's annual work period, the employee shall be allowed leave with pay for up to three (3) working days immediately following the date of such death. The immediate family is defined to include: husband, wife, child, grandchild, parents, grandparents, sister, brother, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, and sister-in-law.

In extenuating circumstances, additional days may be granted by the principal/Executive Director/Principal; such days will be charged to earned sick leave/personal leave.

Bereavement leave is not cumulative.

Funeral Leave 268

Employees may be excused by the immediate supervisor without loss of pay, for a period up to four hours, to attend funeral services of relatives or friends provided no substitute is required.

If a paid substitute is required, the employee may take personal leave to attend the funeral.

Military Leave 269

Any employee, who is a member of an organized unit of the National Guard, or a reserve unit of any of the military branches, shall be given military leave not to exceed fifteen (15) days annually when ordered to active duty training with such organized units.

Such leave is to be in addition to other leave or vacation time to which the employee is otherwise entitled, with no deduction of pay.

Any employee who is drafted or called into duty by the armed forces of the United States shall be considered as on leave without pay, eligible for return to duty for the first available position for which the employee is licensed, or for non-licensed employees, the first available position of the kind held by the employee at the time of induction into the armed forces.

Extended Leave 270

Extended Leave Extended Leave of Absence without pay is a discretionary leave and may be granted for a period up to one (1) calendar year, at the discretion of the Executive Director/Principal. Personal reasons include, but are not limited to, family emergency, educational, Public Service, etc. The approval of such leave shall largely depend upon the circumstances, specialization, or critical nature of the

employee's position, as well as the practicality of replacing the employee for a temporary period. Assurance of the employee's return is required if such a leave is to be granted. Approval of requests for Extended Leave of Absence constitutes an agreement by the school to return the employee to his or her job classification or to a comparable position at a pay rate not less than the former rate, contingent upon the availability of funds.

5. Eligibility: An employee who meets each of the following conditions shall be eligible to request a Extended Leave of Absence:

x. Satisfactory completion of twenty-four (24) months of continuous employment by the school.

xi. Assurance of the employee's intent to return to school employment at the expiration of the Extended Leave of Absence.

xii. Approval of the employee's request for Extended Leave of Absence by the Executive Director/Principal.

6. Continuous Service: Continuous School service shall not accrue during a period of Extended Leave of Absence.

7. Benefits: An employee who is on an approved Extended Leave of Absence and who wishes to retain existing insurance benefits coverage shall make arrangements with the school business office prior to commencement of the leave to pay both the employee and the school premiums for such coverage.

8. Vacation and paid sick time hours shall not accrue during the period of unpaid Extended Leave of Absence.

9. Unused accrued leave shall remain in place for the employee upon their return from an approved leave.

See policy 260.

Voting Time Leave 271

On election days, school employees shall be given two hours leave to vote. The two hours leave shall be on a schedule determined by the immediate supervisor.

Employees whose workday begins after 10:00 a.m. or employees whose workday ends no later than 4:00 p.m. shall not be eligible for such leave.

Employee Eligibility for Fringe Benefits 275

All full-time employees of the Governing Board are eligible for all benefits provided by statute or regulation and by the Governing Board. "Full-time" is defined as not less than twenty (20) hours weekly. Employees in any capacity working less than twenty (20) hours weekly are ineligible for any insurance coverage paid for in part or in whole by the Governing Board. Part-time employees will be provided any fringe benefit required by state or federal law or regulation.

See policies 239, 260, 263-5.

Safe Harbor Policy 277

Improper deductions prohibited

It is Indigo Hill School policy to comply with all federal regulations with respect to the Fair Labor Standards Act. Every effort is made to ensure that compensation and paychecks are properly computed and calculated. We prohibit all School Supervisors from making any improper deductions from the salaries of exempt employees. Exempt employees are those employed in a bona fide executive, administrative, or professional capacity and who are exempt from the FLSA's overtime pay requirements.

What To Do If An Improper Deduction Occurs

If you are an exempt employee and believe that an improper deduction has been made to your salary, you should immediately report this information to the payroll department. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made.

Assignments and Contracts, Extracurricular Activities 285

This policy is adopted to ensure that the IHS is able to provide an extracurricular activities program as an integral part of the educational program.

For any employee contract signed after the adoption of this policy, where the board minutes and an offer of employment indicate that an individual has been initially employed for a position which includes both teaching and extracurricular activity responsibilities, offers of reemployment to that person shall include both the teaching and extracurricular activity assignments unless the board, upon the Executive Director/Principal's recommendation, deletes the extracurricular assignment.

Reporting Illegal or Improper Conduct 290

The Governing Board affirms its commitment to adherence to proper and legal conduct by all employees of the Indigo Hill School. As part of this commitment, the board requires that an employee who has reliable information that another employee is engaging in illegal or improper conduct shall report such information to an appropriate supervisor or administrator. The employee making the report shall be held safe from any retaliation by the school, unless the employee acted in bad faith or with malicious purpose. Any employee who retaliates against an employee who makes a proper report of illegal or improper conduct shall be subject to discipline.

It is the duty of appropriate administrative officials to investigate any report of illegal or improper conduct by an employee. The employee making the report has no duty to investigate, but shall cooperate with the investigating administrator(s). During the investigation the originating report shall be held confidential, consistent with the requirements of an effective investigation. Upon the conclusion of the investigation, a determination shall be issued.

If the charge(s) of illegal or improper conduct is supported by the investigation, appropriate disciplinary action shall be taken including, but not limited to, warning or reprimand, suspension, termination or discharge, subject to any applicable procedural requirements.

If the charge(s) is found to be without merit, the only record retained by the school shall be on file in the Executive Director/Principal's office and not be part of the employee's personnel file.

See policies 231

Reporting Student Abuse of Alcohol or Drugs 291

New Mexico law (NMSA 22-5-4.4) requires that school employees who know or in good faith suspect any student of using or abusing alcohol or drugs shall report such use pursuant to procedures established by their local school boards. So long as such report is made in good faith, the reporting school employee shall be immune from civil damages for his or her action. This policy is enacted to provide a procedure to be followed by all school employees in reporting known or suspected use or abuse of alcohol or drugs by students.

All employees have a mandatory, nondiscretionary duty to report known or suspected alcohol or drug use or abuse by any student of the school.

All reports made shall be on a uniform reporting form, available from the principals, and shall be given to the principal of the school in which the student is enrolled.

Reports shall be made within a reasonable time after the employee learns or suspects the use or abuse of drugs or alcohol by a student.

It is not the duty of the school employee making the report to conduct an investigation to determine whether the student identified has in fact used or abused drugs or alcohol. The duty to investigate shall be upon the principal to whom the report is made; provided, however, that the reporting employee shall cooperate with responsible school officials during the course of any investigation.

The failure of any school employee to report knowledge or suspicion of student alcohol or drug use in a timely manner may be cause for discipline of the employee.

See policy 222.

Reporting Acts of Violence, Vandalism 292

New Mexico law (NMSA 22-1-7) requires that any school employee who observes or has direct knowledge from a participant or victim of an act of violence upon any employee of the board engaged in the lawful discharge of duty or of vandalism to public school property shall file a report describing the incident pursuant to procedures established by the State Department of Education. Any person who files such a report shall not be discriminated against in any manner or discharged because he/she has filed that report.

Reporting Child Abuse and Neglect 293

New Mexico law (22-5-4.2) requires that school employees who know or suspect that a child is an abused or a neglected child shall immediately report the matter to

1. the Human Services Department, or
2. the probation services office of the judicial school in which county the child resides, or
3. the criminal prosecution division of the office of the school attorney.

So long as such report is made in good faith, the reporting school employee shall be immune from civil liability or criminal sanctions for their action. Any school employee who permits a member of a law enforcement agency or an employee of the human services department to interview the child with respect to that report without the permission of his parent, guardian or custodian is presumed to be acting in good faith and shall be immune from civil and criminal liability that might otherwise be incurred, unless the employee acted in bad faith or with malicious purpose.

All employees have a mandatory, nondiscretionary duty to report known or suspected abuse or neglect of a child. It is not the duty of the school employee making the report to conduct an investigation to determine whether the child identified has in fact been abused or neglected. The duty for the state to investigate the report is set forth in Section 32-1-15 of New Mexico Statutes.

The failure of any school employee to report knowledge or suspicion of child abuse or neglect will be cause for criminal prosecution and may be cause for discipline of the employee.

Operational Policies 294

The Indigo Hill School may add additional operational policies to this document when necessary.

Attendance

All employees are expected to report to work on time and be prepared to work as scheduled. Chronic or excessive absence and tardiness is disruptive to the school. For this reason, whether the absence is due to illness or other reasons, an employee is subject to discipline, up to and including discharge for excessive absences.

Duty Day

The normal work day will be eight (8) hours and includes a thirty (30) minute lunch break ("Duty Day"). Teaching staff are expected to be at school thirty (30) minutes before and after the school day, or on

such alternative schedule as the Executive Director/Principal and that staff agrees upon in writing. The Executive Director/Principal will announce annually the school day time schedule.

Abandonment.

An employee who fails to report to work without notice to the Executive Director/Principal or the employee's immediate supervisor for any period of time greater than one (1) regularly scheduled work day, will be deemed to have abandoned his/her position and to have voluntarily resigned. Reinstatement will be at the sole discretion of the Executive Director

Dress Code and Personal Appearance of Employees.

Indigo Hill School employees will serve as positive role models for students and set good examples of conduct, manners, dress and grooming. All personnel are expected to be neat, clean and appropriately dressed while representing School for the Arts. Professional personnel are expected to dress in a manner that projects a professional image for the employees and Indigo Hill School. Extremes in personal appearance or dress is not considered to be in good taste. In no case will the standard for employees be less than that prescribed for students as published in the Indigo Hill School Student Handbook. The Executive Director/Principal is expected to counsel staff on appearance and conduct, if necessary. Failure to comply with the obligations set forth in this Section may result in disciplinary action.

Conferences and Seminars.

Indigo Hill School will provide, within the parameters of the school's annual budget, either full or partial payment for approved professional development for instructional staff and non-licensed staff; e.g., business manager. Staff should make their requests in writing and each request will be considered on an individual basis. Unless approved by the Executive Director/Principal (or designee), all expenses will be the responsibility of the requesting employee and are not subject to reimbursement.

Solicitation.

In the interest of efficiency and security, Indigo Hill School's general policy is to restrict solicitations or distributions by employees to non-work areas during non-work time. Employees are prohibited from soliciting or distributing literature in work areas during work time. Solicitation or distribution of any kind by non-employees is not permitted on Indigo Hill School premises at any time.. **Maintenance of Work Areas.**

All work areas must be kept clean and orderly at all times. Because orderly equipment and classroom maintenance is necessary for implementing the School for the Arts curriculum, all staff, including teachers, are expected to keep their work areas clean and organized.

Use of School Property.

Indigo Hill School will maintain all forms to document an employee's use of school property away from school premises. School property will be returned upon demand, but in no event will this be later than the employee's last day of employment. Failure of an employee to return school property on demand may be turned over to the proper authority for investigation and appropriate action. Employees will be financially responsible for school property they have signed out, but have not returned to the school or that was damaged while in the employee's possession or control away from school premises.

Family on premises and personal business.

Faculty should keep personal business to a minimum during the Duty Day. In extraordinary and unusual circumstances, teachers may have children on the premises for short periods of time during the Duty Day.

Family members are encouraged to be active members of the school community, may participate in the events at the school in the same manner as all other members of the community, and participate in all events in which families and friends of the school community are invited. Families may be on the premises during extended work time for faculty members, such as during student performances as long as the family members do not interfere with the work that is being conducted. The Executive Director/Principal and the Dean of Curriculum may set appropriate protocols for family attending post-Duty-Day activities.

Professional Development for Staff

1. Licensed Personnel.

All licensed personnel are hired by the Executive Director/Principal. The staff is expected to follow the directives of the Executive Director/Principal consistent with the Indigo Hill School charter and school policies.

2. Evaluation of Licensed Personnel.

The Executive Director/Principal and the direct supervisor of that employee will be responsible for evaluating licensed personnel in accordance with the New Mexico School Personnel Act. The Executive Director/Principal or the direct supervisor of that employee may initiate a special evaluation if deemed appropriate to assess improvement or progress towards implementing the school's curriculum or classroom management skills. All licensed staff will be evaluated based on the "Competencies and Indicators for Licensed Personnel" in compliance with NMSA §22-10A-19 (2003) and NMAC 6.69.4.1., and 6.62.4.1, et seq., or otherwise, as required by New Mexico law and the Indigo Hill School Charter.

3. Professional Development Plan for Licensed Personnel.

All professional development completed by licensed personnel will reflect the mission, goals and objectives of Indigo Hill School. Licensed Personnel will devise a professional development plan that includes, but is not limited to, the following components:

A development plan based on evaluations and his/her individual career goals;

b. Achievement of required competencies;

c. Continuous learning and growth in relation to the School for the Arts community and school program;

d. Team work and collaboration with the administration and staff.

Accomplishment of the goals in the professional development plan will be considered when completing the licensed professional's evaluation.

4. Professional Development for the Staff.

All professional development courses completed by licensed personnel will reflect the mission, goals and objectives of Indigo Hill School.

5. Professional Development for Ancillary and Support Staff.

All professional development courses completed by the ancillary and support personnel will reflect the mission, goals and objectives of Indigo Hill School.

Revised and Adopted by the IHS Governing Board on Month XX, 2013.

F. Community/Parent/Employee Involvement in Governance

Student Policies, included below and in Student Discipline and Anti-Bullying Policies.

Complaint Resolution. Any and all concerns that are not resolved at a non-administrative level regarding staff, parent, student or community members are to follow in this order, the courtesy for the Principal Executive Director and/or the designee, and if satisfaction is not achieved, the IHS GB will hear the concerns with special attention to FERPA., according to our policies and procedures.

G. Student Policies, included below and in Student Discipline and Anti-Bullying Policies located in the Appendix section.

Student Recruitment and Enrollment

IHS will comply with the requirements of NMAC 6.80.4.8 [12-14-01] Section P. IHS operates as a non-sectarian, non-religious, public school and will comply with all applicable federal, state and local laws, rules and regulations including, without limitation, the constitutional provisions prohibiting discrimination. IHS does not charge tuition to any student.

Recruitment and Enrollment Timeline

October-January 2013 - Phone numbers, mailing address and website established

December-January 2013 Marketing begins. PSA's created, school information;

Two public meetings scheduled to generate community interest.

Enrollment period opens: February 2013

Lottery selection March 2013

Interview and registration August 1st through the start of school

Indigo Hill School will recruit students in a manner that ensures equal access to the school and does not discriminate against students on the basis of race, color, national and ethnic origin, disability, age, creed, gender, sexual orientation, religion or ancestry. Furthermore, IHS' Enrollment Policy, described below, is designed to: 1. Meet the requirements of all New Mexico and federal statutes; 2. Ensure equal access to the school, particularly for students with special needs; and, 3. Serve at-risk (defined as those eligible for free and reduced lunch) as well as all other students.

Recruitment

Due to funding restrictions during the planning year, marketing materials and resources will be limited unless supplemental funds can be identified. Of necessity, we will use more cost-effective strategies to help promote our program. These include our website, blogs, social media and word-of-mouth; radio and TV public service announcements, and scaled-down flyers to distribute. In addition, we hope to generate interest in Indigo Hill through contacts in the autism and homeschooling communities, presentations to local organizations, and community groups, press releases for area media, and through active parents and their networks. Parents interested in enrolling their child at IHS may also request an appointment with the Executive Director/ Principal.

Open Enrollment

The Indigo Hill Open Enrollment period begins on February 1, 2013 and will end on February 29, 2013. During this period, Indigo Hill representatives will schedule two community informational meetings and distribute lottery applications to interested parents and students. To register for the lottery, IHS will

request only the applicant name, grade level, verification of age and parent contact information. Each parent who submitted an application will be contacted to confirm participation in the lottery. If certain classes are filled to capacity, at that time a lottery will be held to prioritize students for admission. If grades are not filled to capacity, students will be admitted to each grade, and students that apply after the end of the enrollment period will be admitted on a first come, first serve basis.

After all slots are filled, an applicant may be placed on a waiting list. Registration will be held within ten working days of the first enrollment date. Families that do not respond will be notified by e-mail and phone, and given twenty-four hours to confirm interest. If they do not respond within the twenty-four hours the slot will be given to the next family whose name is drawn. Names on the waiting list will expire at the end of the school year.

Registration

Following the lottery, the Educational Director will contact the student to schedule an enrollment interview, registration and placement testing. The following documentation is required for registration:

- a. Student's immunization records. Students must have up to date immunization records in order to be registered per New Mexico Law.
- b. Original birth certificate or certified copy – Proof of Guardianship (if the student is living with someone other than his/her parent/guardian, a notarized power of attorney from the parent/guardian is required).
- c. Proof of residence that shows parent/guardian name and address (utility bill, lease agreement, purchase agreement). If a student is living with another family, the hosting family must submit a notarized letter stating that their residence is the primary residence of the student, and a document showing proof of residence (address) must be provided.
- d. If the student is currently enrolled at another school, a copy of the current class schedule.
- e. An official withdrawal from the previous school.
- f. 504 or Individualized Education Plan (IEP) if applicable.

Other Admission Policies:

Students who live in New Mexico may apply for admission through the IHS lottery process. Students who have been expelled or suspended from a New Mexico public or private school will not be eligible for admission. Any student attending IHS is automatically admitted for subsequent school years based on completion of an Intent to Return Admissions form, and will be designated defined as a continuing student. Siblings of IHS students are automatically admitted as space is available. No preference for admission to IHS is given beyond continuation of enrollment for enrolled students and their siblings. IHS does not charge tuition, have admission requirements, or admit only a selected population of students, except as otherwise provided in the Public School Code.

J. Partner Evidence: Not applicable

3rd Party Relationships Not applicable

K. Waivers: None requested

L. Transportation and Food

Transportation

Indigo Hill founders do not intend that Indigo Hill School will transport students to and from school. It will be the responsibility of the parent/guardian to arrange transportation to and from school for his/her children. In the future, the Indigo Hill School Governing Board may review the situation after students are enrolled, funding is determined and an approved contractor is available. Indigo Hill School will provide transportation to all Special Needs students, with an IEP that specifically calls for transportation. This transportation will be provided at no additional cost to the parent or the student and will comply with all state and federal law.

Food Service

The Indigo Hill School is committed to offering through our curriculum and fitness program current information related to the health and well-being of our student body. This includes topics related to healthy eating and sound nutritional practices.

Although Indigo Hill School's leased facility most likely will not have a kitchen unit, IHS will ensure that students have access to adequate meals at school that meet or exceed state and national standards for health, nutrition, safety, and food service. IHS plans to contract and purchase products and nutritional snacks through a certified offsite provider for those students who qualify for free or reduced lunch. All other students will be required to bring their own lunches or have the opportunity to purchase lunch from the offsite provider. Parents/Guardians will be advised to provide breakfast to students before they arrive at school. Breakfast services will only be provided if federal funding is available.

At a minimum, IHS will provide microwaves, and storage places for students to bring their lunch. For students who are unable to have breakfast or bring lunch, forget their lunch or do not have the financial resources, appropriate lunches that meet the federal and state guidelines will be afforded at no cost through our PTSA.

If a suitable facility is available or one is built, IHS will be equipped with a food preparation and storage center, including refrigerators and be fully capable to provide breakfast and lunch services.

M. Facilities

III M(1) See Appendix , unmarked PSFA-approved projected facility plan documentation

III M(2) At this time, there are no prospective sites to present for PSFA evaluation. However, the IHS founding team is hoping to locate in the northeast sector of Albuquerque, or Rio Rancho, and has examined several promising properties in those areas to acquire a better sense of potential facility costs and budget requirements. Also, the founders have engaged a real estate broker knowledgeable about charter schools to assist in identification of prospective properties for Indigo Hill, mostly likely in the greater Rio Rancho area, followed by Albuquerque. The broker assures us there are a number of properties that will meet our specifications and charter school requirements. She also has advised us that financing may be possible for lease-to-purchase arrangements. We are striving for E-Occupancy and to establish a child-friendly environment both aesthetically appealing and appropriate for special needs children.

III M(3) Funding facility costs

The primarily state lease reimbursement assistance award should cover about 95- 98 percent of the lease costs.

IV. BUSINESS PLAN

Budgets, see Appendix.

Financial Policies, Oversight, Compliance and Sustainability

LEGAL COMPLIANCE

Legal Compliance

III.J.(1) Conflict of Interest. Conflict of Interest Statement and disclosure policy is included in ARTICLE VII CONFLICTS OF INTEREST AND CODE OF ETHICS GOVERNING BOARD BYLAWS as Exhibit B.2 in the Appendix. A sample governing board application and disclosure form of any real or potential conflict of interest is included as Exhibit G.3

III.J.(2.) Transparency

Indigo Hill School Governing Board Members will adhere to the following principles of fiscal, administrative and governance responsibility. These standards will be posted in the IHS offices and reviewed annually by all governing board members. These standards are included in the draft By Laws.

Fiscal Management

As a public charter school, IHS recognizes that charter schools have a fiduciary responsibility to tax payers and the larger New Mexico community. To ensure good fiscal management, IHS governing board members pledge to:

Full and transparent reporting of financials including monthly financial statements and an annual 3rd party audit. Regular financial statements including a balance sheet and income statement are available to all stakeholders.

Ensure the prohibition of any form of pecuniary gain by the Governing Board or school administrators as a result of decisions made by or for the school.

Disclose and require Board approval of all related-party transactions, including the hiring of relatives, granting of contracted work to relatives, executive compensation and the ownership/leasing of properties.

Public Governance

IHS Governing Board Members are committed to transparent and responsible decision-making and governance. Each Member pledges to:

Comply with IHS' Conflicts of Interest Policy which conforms to New Mexico rules and regulations directing the official actions and ethical conduct of public officials and employee.

Ensure that the Executive Director receives an annual evaluation from their Board of Trustees;

Ensure that the Executive Director is accountable to the Governing Board and to the school and families of our school community in following the requirements of law and ethics;

Follow the requirement of the Open Meetings Act ("Sunshine Law") in which discussions and decisions are always made in public and with ample information to the public that such meetings are to take place; and

Provide the opportunity for public comment at each board meeting.

IV Business Plan

A.(1) Budget 910B can be found in our Appendix

A.(2) Proposed 5-year budget will be found in the Appendix titled Exhibit K

A. (3) Detailed budget assumptions:

Budget assumptions for the five-year plan:

The primary purpose or goal of the five-year budget plan is to support

the program parameters for the Indigo Hill special needs student population.

Teaching staff will be dual-certified in regular education and special education.

The budget reflects reasonable levels of budgeting for related services staff.

There are reasonable levels of budgeting for professional development for teachers/staff.

The facility plan allows for multipurpose space utilization: separate play areas and study/library areas for the student population.

There are reasonable levels of budgeting for technology and related equipment for program support.

Small School Size Funding Adjustment allows the school to create a more personalized learning environment and instructional services better suited to the school's special needs student focus,

A (4) Budget Control -viable strategies for meeting potential budget and cash-flow shortfalls in the first year of operation.

Indigo Hill School intends to expend funds as cautiously and cost-efficiently as possible, without sacrificing essential services. The governing board will impose strict financial monitoring and reporting requirements and prioritizing purchases and contracts. The governing board members will be involved in fundraising activities, as will the parent-staff organization.

The school foundation will maintain a 1/2 percent of operational budget as an emergency reserves fund.

A(5) Salary Schedule will be found in the Appendix as Exhibit L

IV B. (1) Financial Management

Plan Indicating How the Charter School Will Manage Fiscal Responsibilities

IHS will comply with all federal and state laws and regulations relative to fiscal procedures. It will manage its fiscal responsibilities, safeguard assets, provide reliable financial information, and promote operational efficiency through the policies and procedures described below. IHS recognizes that responsible money management establishes the foundation for the support of the entire school program. To make that support as effective as possible, the School intends:

To encourage advance planning through established budgeting procedures.

To explore all practical and legal sources of revenue.

To provide for the expenditure of funds to achieve the greatest educational opportunity for all students.

To require maximum efficiency in accounting and reporting procedures.

To provide within budget limits a level of expenditure needed to provide a high level of quality education.

Financial and Compliance Audit. Indigo Hill School will have a yearly audit performed on its financial records as required by Section 12-6-3, NMSA 1978. The school has budgeted for, and will contract with an outside auditor to provide this service. Audit fees will be charged to the appropriate funds as required by law. The completed audit report shall be presented to the Board for examination and discussion. The audit report shall be a public record, and copies shall be filed with the state and other appropriate agencies.

IV B. (2) B. Internal Control Procedures to Safeguard Assets

Budget and Finance Policy and Procedures

IHS's Finance Committee, in partnership with the school's Business Manager, will be responsible for planning, preparing, and presenting an annual school budget for the Governing Board's adoption. The Board expects the Finance Committee to work closely with the Administrator and staff to assess the needs of the school. For budgeting purposes, the fiscal year begins on the first (1st) day of July and ends on the thirtieth (30th) day of the following June.

Budget Policy

In connection with preparation of the annual budget, the charter school shall follow all procedural requirements pursuant to 6.20.2.8 NMAC.

- The school shall adhere to the budget preparation standards set forth in 6.2.2.9 NMAC.
- The school shall adhere to the budget maintenance standards outlined in 6.20.2.10 NMAC.
- The school will pay for current expenditures with current revenues. The charter school will avoid budgetary procedures that pay for current expenditures at the expense of meting future years' expenditures, such as postponing expenditures or accruing future ears' revenues.
- The charter school Business Manager shall review all purchase orders for sufficiency of budget.
- The charter school will prepare monthly financial reports comparing actual revenue and expenditures to budgeted amounts.
- The charter school Business Manager shall provide the status of the budget during a report to the Governing Board on a monthly basis.
- The charter school Business Manager shall present proposed Budget Adjustment Requests (BARs) as needed to maintain a positive balance by object code for all funds.
- The charter school Business Manager shall keep the Governing Board informed of the availability of revenue for budgeting purpose.
- If required, the charter school shall integrate performance measurement and productivity indicators within the budget.
- Procedures for Expenditure Projections
- To estimate the number of students and the grade level placement of students, prior year statistical data, as well as projections of future enrollment will be used.
- To identify staff needs and associated costs such as instructional supplies, equipment, and facility, estimates of future enrollments should be calculated.
- To understand the budgetary impact on changes in student/teacher ratios, evaluation of the number and types of new personnel needed and their associated supplies, equipment, and facilities will be conducted as far in advance as possible.
- To project the contributions to New Mexico Educational Retirement and ERA Retiree plans, historical costs will be used.
- To project IHS' contributions to NMPSIA for health insurance premiums, estimates will be calculated using historical data and future projections of staffing patterns.
- To pay for unforeseen expenditures incurred after the initial budget has been approved, IHS may, out of the operational cash balance carried forward from the previous fiscal year, budget an amount not to exceed five(5) percent of its proposed operational expenditures an emergency account. Money in the emergency account shall be used only for such unforeseen expenditures and shall not be expended without the written approval from the NM Secretary of Education.
- Pay attention to the Procedures for Revenue Projections
- The primary source of revenue for most charter school budgets is derived from the State Equalization Guarantee. The charter school shall use the ADS average of the prior fiscal year in

computing the number of students to be included in the Kindergarten/Basis Program section and the Special Education section of the State Department of Education 910B-5 and other special funding programs.

- All projections, including Ancillary FTE, shall be based on historical data only, and the charter school shall not use any estimated MEM in the computation except in the case of a grade level to be added. The charter school shall not utilize the local district's T&E Index after the first year,. We will utilize the At-Risk
- as supplied by the State Department of Education.
- Additional revenue generated through gifts, donations (non-categorical) should be projected based on bona fide funding sources. Care should be exercised in these projections to ensure to avoid an overstatement of revenue projection in this category.
- The Operational Fund cash balance from the prior fiscal year may be budgeted for any operational expenditure, exclusive of payroll, upon specific approval from the Secretary of Education.

Procedure for Receipt of Funds

The Board shall designate one or more banks as depository for the safeguarding of school state funds, student activities and revolving funds by a majority vote of the Board.

IHS shall safeguard and account for all cash and checks received, and shall deposit funds in the appropriate account at a federally insured bank within 24 hours of receipt or one banking day as required by state law NMAC 6.2.2.14.3.

Receipts shall be preprinted, pre-numbered, and kept in sequential order. The administrative secretary, or another designated employee, shall prepare a receipt in triplicate for money received from all sources. The original receipt is to be retained in the receipt book, the second copy is to be given to the person(s) making the payment, and the third copy will be given to the school Business Manager along with the respective cash/checks for proper recording in the school's accounting system. If the receipt is voided, all copies of the receipt shall be stamped VOID and retained in the receipt book.

The school Business Manager shall prepare the bank deposit in duplicate on a deposit ticket issued by the bank.

For purposes of segregation of duties, the actual bank deposit shall not be made by the individual who is responsible for preparing the deposit.

After the deposit is made, the deposit receipt shall be given to the Business Manager who shall staple it to the copy of the deposit ticket retained in the record of deposit provided by the bank.

The school Business Manager will post the revenue to the appropriate fund and revenue code.

The Board shall designate one or more banks as depository for the safeguarding of school state funds, student activities and revolving funds by a majority vote of the Board.

Authorized Signatures

There will be two signatures required on all School checking accounts. The Board shall approve the initial signatures for all checking accounts.

Procedures for Cash Disbursement

Pursuant to NMAC 6.20.2.14, IHS shall establish a cash management program to safeguard all cash in its custody and control.

The charter school shall administratively control and restrict accessibility to check stock. Only properly designated employees shall handle impressed funds and disbursement of funds.

The charter school shall utilize a computerized accounting program to print checks. The charter school's blank check stock shall be pre-numbered and adequately safeguarded.

All disbursements (including payroll) except those from petty cash will be made by check.

All checks, disbursement vouchers, and check requests shall be approved for payment by the Business Manager. All checks will be made payable to specified vendors or payees and shall not be made payable to cash.

FISCAL ACCOUNTING AND REPORTING

Pursuant to NMAC 6.20.2, the charter school shall follow Generally Accepted Accounting Principles and state laws and regulations in accounting for all funds in its custody and control. The charter school shall utilize an accounting program which will accommodate the account structure (fund, function, and object code) and chart of accounts mandated by the Public Education Department.

The charter school shall account for funds utilizing the modified accrual basis of accounting for budgeting and all reporting to the Public Education Department and full accrual (GASB) basis in the preparation of Year-end financial statements and reporting to an auditor hired by IHS, and the PED.

Financial transactions shall be entered for all revenue received, all expenditures paid, and corrections made to accurately reflect the financial position of the school. Financial statements shall be presented to IHS's Governing Board on a monthly basis.

All accounts shall be reconciled on a monthly basis. The IHS Treasurer shall review all bank reconciliations and initial his/her approval on the reconciliation.

The Administrator shall provide the Board periodic financial reports showing the financial condition of the School.

The Administrator shall present to the Board the annual report for the previous fiscal year no later than October 15 of each year.

Financial Records

- The charter school Business Manager shall be aware of and follow the financial standard pursuant to NMAC 6.20.2.
- The charter school Business Manager shall be responsible for ensuring that all financial records and supplies are safeguarded from potential theft and destruction.
- Financial records shall be kept up-to-date and available for inspection at any time after reasonable notice.
- Financial records shall be retained as required by the State Records Center Records Retention and Disposal Schedule for New Mexico Public Schools.

Financial Reports

Financial reports reflecting the financial and budget position of the charter school shall be provided to the Governing Board on a monthly basis. Financial reports required by the PED shall be submitted on a timely basis. The Governing Board shall be notified of any report which has not been submitted on a timely basis and the reason(s) for the late filing.

Procedure for Bank Reconciliation

Pursuant to NMAC 6.20.2.14 (K) the charter school shall establish a cash management program

to safeguard all cash in its custody and control, which will include reconciliation of all bank accounts. The bank reconciliation identifies the item(s) that must be recognized in order to arrive at the actual cash balance.

The charter school shall have all bank statements received on a monthly basis. The unopened bank statement will be received and opened by the Administrator. Upon review by the Administrator, all bank statements shall be forwarded to the Business Manager, who will be responsible for the reconciliation of all existing bank accounts.

The Business Manager Shall review the activity contained on the bank statement and verify that there are no errors of omissions when compared to amounts shown in the respective general ledger cash account.

Adjustments to the school's cash accounts, for items such as bank charges, must be made via a Journal Entry in the school General Ledger and must clearly identify the reason(s) for the adjustment(s) in the description.

The bank reconciliation may be prepared on a spreadsheet included as an attachment to the bank statement and copy of the general ledger for review. The reconciliation for given account shall include checks and deposits outstanding when arriving at an adjusted balance per bank when compared to the general ledger.

Deposits in transit and outstanding checks should generally clear the bank within the first few days of the following month. Any check which is more than six(6) months old shall be voided and the vendor who the check was issued to shall be informed. The bank reconciliation must be completed as expeditiously as possible after the receipt of the bank statement to ensure that the cash account balance as shown in school's general ledger is as accurate as possible.

Upon completion of the bank reconciliation for a given month, the charter school Business Manager shall inform the Treasurer, who shall indicate his/her approval by placing hi/her initials and date on each bank reconciliation. Copies of all bank reconciliations must be kept by the school's Business Office for the period prescribed by law for the retention of public school records as well as for review by external auditors or other interested parties.

Internal Control Procedures

The Business Manager is responsible for the formulation of the annual budget, while considering resources are be utilized for the most positive effect on the student learning.

The Administrator shall be responsible for reviewing budgetary requests, providing guidelines and limitations, and presenting the proposed budget and documentation for Governing Board study, review, and action. In addition, the Administrator is to take care that the educational goals and the fiscal responsibilities of the school are carefully considered during the budget development process.

The Administrator shall prepare and distribute a budget preparation calendar to accomplish all required budgetary actions for the following school year. This schedule will, as a minimum, provide specific dates for the accomplishment of all state-mandated actions.

The following items may be included in the recommended budget schedule:

- Date for initial meeting with appropriate staff members on the budget.
 - Dates for the 40th-day and 80th-day attendance reports. *
 - Date for notice of budget hearing to be published. (Must be ten (10) days prior to budget adoption.) *
 - Date for special Board meeting to hold a budget hearing and adoption. *
 - Date(s) to submit reports or information to state school offices. *
- * Indicates law requires these procedures.

Budget Hearings and Adoption Process

The Administrator shall prepare a notice fixing the time (no later than July 15) and place at which a public hearing and special Board meeting shall be held to present the proposed budget. The publishing of the proposed public hearing and notice of the meeting shall be in accordance with state law. Immediately following the public hearing, the Governing Board Chair shall call to order the Board meeting for the purpose of adopting the budget. Without creating a conflict of interest, a Board member may participate in adoption of a final budget even though the member may have substantial interest in specific items included in the budget, after properly declaring any conflict.

The Board shall adopt the budget and enter the budget as adopted in its minutes. Filing of the budget shall be according to state law.

Budget Implementation

Expenditures will be charged against the appropriate budgeted account code. A report of expenditures, encumbrances and revenues shall be presented to the State PED in accordance to the Board's direction. Variances within budget categories shall be a part of this report.

Budget Transfers

Periodically throughout the year, the budget will be reconciled with actual expenditures of the School. The Governing Board authorizes the Administrator to make such adjustments and provide a report demonstrating where transfers have occurred.

REVENUES

Revenues from Investments

The school may invest funds in accordance with law in a program approved by the Board. The Administrator shall ensure that the question is placed on an agenda for approval at a Board meeting in June. A qualified investment strategy will be implemented and accumulated interest shall be reported as a part of the approved reporting schedule. Interest revenues earned will be recognized as unrestricted funds available for use as the Board sees fit.

Revenues from School-Owned Property

Revenues collected from rental or lease of school-controlled/owned property shall be deposited and recorded in a separate fund. Monies from sale of school-owned real estate shall be deposited as allowable under state statutes.

Bonding of Employees and Officers

The Board requires bonding of the student activities treasurer and other school employees to cover fidelity and loss of money. The Board will prescribe the amount of bond, except that no revolving fund shall be established unless the designated custodian is bonded for an amount

equal to twice the amount of the fund. In determining the amount and type of other bonds, the Board will consider the amount of money in accounts during the period covered by the bond. The school shall defray the cost of bonding.

TYPES OF FUNDS

General Fund

A general-purpose fund will be established at a bank in the account name of the school. The Administrator shall sign checks drawn on the account and one other authorized designated signer. The fund will be managed as prescribed by the State Public Education standards. Funds shall be deposited as authorized by the Board in a bank account designated as the general account. All disbursements from the account shall be by check and authorized by the Board through the approval of vouchers presented at monthly Board meetings. General fund monies may be invested and reinvested by the authorized representative of the Board. All interest earned by investment shall be credited to the appropriate fund.

General Purpose Revolving Fund

A general-purpose revolving fund shall be established at a local bank in the account name of the school and designated "Revolving Fund." The Administrator shall sign checks drawn on the account and another authorized designated signer. The fund shall be managed in the manner prescribed by the State PED standards.

No revolving fund may be established unless the designated employee in charge is bonded for an amount equal to twice the amount of the fund. The cost of the bond shall be a proper charge against the school.

Financial records shall be kept up-to-date and available for inspection at any time after reasonable notice.

Financial records shall be retained as required by the State Records Center Records Retention and Disposal Schedule for New Mexico Public Schools.

Student Activity Fund Management

The student activity fund shall consist of monies raised with the approval of the Board in pursuance of, and in connection with, all activities of students through clubs, grade clusters and other student organizations. The Administrator is authorized to approve the formation of all class organizations, clubs, and associations. Fund monies shall be accounted for in accordance with the requirements of the NMPED standards.

Policy

Projects that raise student activity funds should contribute to the educational experience of students and not be in conflict with, but rather add to the existing curriculum.

Student Activity Funds should, whenever possible, be spent for the benefit of those students currently enrolled in the school who have contributed to the accumulation of these funds.

Student activities should be conducted so that they offer minimum competition to any commercial concerns, while still benefitting the student body as a whole.

All Activity Fund receipts and disbursements must be documented in accordance with established cash receipts and cash disbursements procedures.

The Administrator, or his/her designee, is responsible for the management of the school's Activity Fund.

The school Business Manager shall develop and maintain the procedures necessary to implement this policy in accordance with any applicable laws.

Procedures

The teacher or advisor in charge of the student activity will be responsible for receipting and depositing funds collected.

The teacher or advisor in charge of the student activity will adhere to the 24 hour banking rule outlined in NMAC 6.6.6.14.3.

Cash receipts for student activity funds shall be given to the front office where a pre-numbered receipt will be issued which identifies the activity for entry into the school's accounting system. In the case of off-site activity such as an intramural sports function, the teacher or advisor in charge of the activity will ensure that all cash is accounted for. It is recommended that two people independently verify cash receipts and, after arriving at the same conclusion, place their initials on a count sheet verifying that all receipts have been tallied. The count sheet shall be given to the school Business Manager for verification.

In a situation where activity fund receipts are taken after school hours, the teacher or advisor in charge of the activity shall make sure that all receipts are properly safeguarded pursuant to NMAC 6.2.2.14.1.

The teacher or advisor in charge of the activity shall adhere to the school's adopted policy regarding the Procedures for the Receipt of Funds at all times.

Student activity fund monies may be invested and reinvested by the Board. All monies earned by investment shall be credited to the student activity fund.

Inventory Procedure

The school business office will maintain an inventory of assets including, but not limited to, capital assets. Procedures for maintaining school inventories shall be developed in accordance with NM PED standards. A fixed-asset inventory system of all capital furniture and equipment items that exceed \$500 in value shall be tagged and marked. A physical inventory of all school property shall be conducted every year on such date(s) and time(s) as specified by the school business office. The Administrator shall implement the procedures providing reports as requested on the contents of their buildings. The inventory will be comprised of capital assets as defined in the school's Asset Capitalization policy and Supply Assets in excess of \$200,000, which include the following:

- Office furnishings including desks, chairs, bookcases, filing cabinets, and tables.
- Office equipment including fax machines, typewriters, and copiers
- Computer hardware including central processing units (CPUs), monitors, printers, laptops, scanners, hubs, and routers.
- Audio-visual equipment including televisions, LCD projectors, overhead projectors, recorders, video and monitor equipment and cameras.
- Laboratory equipment
- Musical instruments

- Janitorial equipment, including floor scrubbers, vacuum cleaners, and steam cleaners.
- Maintenance and grounds equipment
- Athletic equipment

The school's general ledger asset classification accounts are supported by an asset schedule that includes information for each inventory item such as item description, acquisition date, cost or basis, disposals, and accumulated depreciation for items in excess of \$1,000. The asset schedule is reconciled to the general ledger monthly.

Staff members will provide a list of all inventoried assets by location to the Business Manager at the end of the school year. The Administrator will require any employee who removes an item from a designated area for use in another to have a written request for such removal. Records shall be kept showing the name of the individual receiving the supplies, the date received, and the disposition of the supplies.

The Business Manager will conduct random test counts of inventoried items periodically.

PURCHASING

(PURCHASING ETHICS POLICY)

The following policies will be followed by all employees of Indigo Hill School in purchasing supplies or material for day to day operations of the school, equipment, furniture. (Note: Purchases made with School Activity Fund monies shall be governed by the School)

Purchasing Policies

When purchasing goods or services for IHS, diligent effort will be made to obtain the best prices possible without sacrificing necessary quality or service. Purchases will be made in a fair and impartial manner without the appearance of impropriety. The Provisions of the New Mexico Procurement Code, are adopted as the policy of IHS. It shall adhere to all rules and regulations as outlined in 13-1-21 et seq. NMSA 1978. All purchases shall be made subject to available budget and adequate segregation of duty.

Governing Board members and school employees shall not use their offices or positions to receive any things of value or benefits that would not ordinarily accrue to them in the performance of their duties. If the things or benefits are of such value or character as to manifest a substantial and improper influence upon the performance of their duties, then they must be refused.

This policy should not be construed to prohibit Governing Board members and school employees from accepting inexpensive novelty advertising items and holiday gifts or occasional business lunches.

BIDDING / PURCHASING PROCEDURES

The Administrator shall be responsible for all purchasing, contracting, competitive bidding, receiving and processing of all bid protests, in accordance with the NM school procurement rules.

Purchasing Requirements

Purchases of items \$500 or less will require the school employee or official to complete a Small Purchase Order (SPO) using a check request or an expense reimbursement process.

Purchases of goods or services valued at more than \$500, but less than \$1,500 will require the school employee or official to complete a Purchase Requisition and Purchase Order.

Purchase of goods or services valued at more than \$1,500 but less than \$5,000 will require the school employee or official to complete a Purchase Requisition and Purchase Order. Verbal price quotations will be requested from at least three vendors for a transaction. These will be obtained via telephone, fax, Internet query, or in writing. Three quotes will not be required if the purchase is made from a state approved vendor.

Purchase of goods or services valued at more than \$5,000 but less than \$10,000, and professional services under \$20,000 will require an Informal Quote process via a Purchase Order. A minimum of three quoted must be obtained via telephone, fax, Internet query, or in writing. The solicitation of three quotes does not require formal advertising, but it does require mailing to potential vendors. Proof in the form of a certificate of mailing from the Post Office must be attached to respective copies retained by the school. The school's Governing Board must approve the mailing. Three quotes will not be required if the purchase is made from a state approved vendor.

Purchase of goods or services valued at more than \$10,000 and professional services contracts in excess of \$30,000 are subject to either a sealed competitive bid or proposal process. The school is required to advertise in newspapers of general circulation, with a date of advertisement at least ten (10) days prior to due date of bid or proposal. Both processes require development and distribution of a Formal Invitation to Bid or a Request for Proposal document, as well as a public opening of all bids/proposals received.

Sole Source procurements will be based on a written determination that only one source is practically available for a particular good or service. Sole source procurement may be made without formal sealed bidding or competitive negotiation. Any purchase(s) deemed a sole source are subject to 13-1-136 and 13-1-128 NMSA 1978.

A contract may be awarded for a material, service, or construction item without competition if the Board determines in writing that there is only one source for the required material, service, or construction item. The school may require the submission of cost or pricing data in connection with an award. Sole-source procurement shall be avoided, except when no reasonable alternative source exists. A copy of the written evidence and determination of the basis for the sole-source procurement shall be retained in the procurement file by the school. The school shall, to the extent practical, negotiate with the single supplier a contract advantageous to the school.

Emergency Procurement will occur only when it fulfills the requirements identified in 13-1-127 (B) 1-3, NMSA 1978. Emergency procurement may be made in the event of an emergency involving the health, safety, or welfare of school personnel or students. In such an emergency, declared by the Administrator, emergency purchase action may be taken without price competition, if necessary. Even under emergency conditions, price competition should be sought if it will not unduly delay the correction of the condition requiring emergency procedures. If emergency purchases are made without price competition, a complete written description of the circumstances should be maintained on file in the school office. A written justification for the emergency, identification of the goods and/or services being procured, and the name and date of the contractor/entity selected should be submitted.

Purchases made from vendors on a valid State Contract through the State of New Mexico Purchasing Agency shall be deemed to have been made in conformance with the requirements for quotes or bids.

Cooperative Purchasing Agreements may be entered into, at the discretion of IHS, pursuant to 13-1-35, NMSA 1978.

The school Administrator and staff of IHS shall develop and implement any administrative procedures necessary to administer this policy.

Purchases Requiring Bidding

Bidding Procedures

All bids for supplies, materials, equipment, and contractual services in excess of the amounts listed above shall be submitted in sealed envelopes addressed to the Business Manager or his/her designee, and plainly marked with the name of the bid. Advertised bids shall be opened at the time and place specified, and all bidders and other persons shall be invited to attend.

Bids must include all pertinent information to be considered valid, i.e. scope of work, price, specifications, etc.

The Administrator must review the expenditure and make a recommendation to the Board for final action. The Board reserves the right to waive any informalities in any bid or to reject any bid, all bids, or any part of any bid. The Board reserves the right to exercise all options set forth in the Invitation to Bid documents. Any bid may be withdrawn prior to the scheduled time for the opening of bids. The bidder to whom the award is made may be required to enter into a written contract with the school. Any bid received after the time and date specified shall not be considered. The bidder to whom the bid is awarded may be required to enter into a written contract with IHS.

Pursuant to the procurement code, contracts can be let for a period not to exceed five years. Construction is defined as physical changes to land or buildings that materially alter the previous structure or physical condition, i.e. new construction, including fixed physical additions to land such as concrete, fencing, etc., structural remodeling, major renovations that are not merely maintenance in nature, and major demolitions. All such construction shall be identified, and the estimated aggregate total cost of goods and services for the project shall be made before undertaking the project. This estimated total cost shall determine which of the quoting/bidding methods as outlined is to be utilized.

Contracts

All bids, contracts and purchase orders shall be administered through the IHS Business Office by the Business Manager. Contracts and lease-purchase agreements may be submitted to IHS's legal counsel for review and approval, as considered necessary.

Cancellation of Contracts

If a person significantly involved in a school contract becomes an employee, agent, or consultant to any other party of the contract with respect to the subject matter of the contract, the School may cancel the contract within three years of execution and recapture any fee or commission

paid to such person.

Such cancellation by the school shall be effective when all other parties to the contract receive written notice from the Board, unless the notice specifies a later time.

In addition to the right to cancel a contract as provided above, the school may recapture any fee or commission paid or due any person significantly involved in initiating, negotiating, securing, drafting, or creating the contract on behalf of the school from any other party to the contract arising as the result of the contract.

Purchasing Procedures

- All purchases must be approved in advance by the Administrator and Business Manager.
- All purchase requisitions must be completed in full.
- Purchase of equipment and supplies from a family member will not be permitted.
- All purchases will be processed through IHS's business office.
- All purchases of supplies and materials will be delivered directly to the school and packing slips/receipts forwarded to the IHS business office.
- The Business Manager will confirm receipt and condition of merchandise prior to payment.
- The Business Manager will prepare a Disbursement of Funds approved by the Administrator and Business Manager.
- The Business Manager will verify that all forms have been completed and signed. If all records are complete, a check will be drawn against the IHS checking account.

Transaction Defined

A "transaction" as used in this policy is determined by application of these three conditions:

A. Items or services that are so alike in nature that they might likely or reasonably be available from a certain type of vendor are grouped together; and

B. The items or services being considered for the grouping in "A" above are to be purchased at a given point in time with no intent to split groupings in order to lower group totals and thereby avoid bidding; and

C. The composite estimated total cost of the items grouped in "A" and "B" above. If this total exceeds \$25,000, sealed competitive bids shall be sought; if less than \$25,000, bidding will not be required.

Notice of Competitive Sealed Bidding

Adequate public notice of the invitation for bids shall be given. Which are and shall indicate that any bid protest shall be filed with the school representative, who shall be named therein.

In the event there are four or less prospective bidders on the bidders' list, the notice shall include publication in the official newspaper of the county within which the school is located for two publications which are not less than six nor more than ten days apart. The second publication shall not be less than two weeks before bid opening. The time of publication may be altered if deemed necessary.

The school shall mail or otherwise furnish invitation for bids or notices of the availability of invitation for bids to all prospective bidders registered with the school for the specific material, service or construction being bid.

Invitation for bids shall be issued at least fourteen (14) days before the time and date set for bid

opening in the invitation for bids unless a shorter time is deemed necessary for a particular procurement as determined by the school.

The time and date at which a bid is called due shall be during regular working hours at a regular place of school business or during a public meeting of the Board at its regular meeting place. Invitations to bid will be sent to all vendors who have requested to bid or who have applied to be placed on a bid list appropriate to the items being sought.

A bid call relating to "construction projects" must describe the nature of the work to be performed and where complete plans, if necessary, may be obtained. Deposits may be required for plans and specifications in good order. A certified check, cashier's check, or surety bond for 10 percent (10%) of the bid must accompany each bid, but will be returned to unsuccessful bidders. The successful bidder must present performance and payment bonds for one hundred percent (100%) of the bid within five working days after notification of the award.

Each sealed bid must be submitted in a sealed envelope, addressed to the school, clearly marked on the outside of the envelope, "Sealed Bid for _____." The bids shall be opened publicly and read aloud at the time and place stated in the invitation. Awards shall be made with reasonable promptness to the lowest responsible, qualified vendor, taking into consideration all factors set forth in policy. Price shall not be the sole factor in making the bid award. When out-of-state bidders are not to pay sales/use tax, the amount of such tax shall not be a consideration in determining the low bidder.

An attorney for the school may review proposed contracts for outside professional services in excess of \$25,000 prior to entering into the contract. The policies relating to outside professional services apply only to services required by law to be placed on bid, and even those policies may be set aside if a state of emergency is declared. If a state of emergency is declared, a memorandum will be issued justifying such a declaration, which will be filed in the School's records.

The use of bidding, contracting, or purchasing specifications that are in any way proprietary to one supplier, distributor, or manufacturer is prohibited unless no other resource is practical for the protection of the public interest.

The Board reserves the right to reject any or all bids and to accept the bid that appears to be in the best interest of the school. The Board reserves the right to waive informalities in any bid or to reject any bid, all bids, or any part of any bid. Any bids may be withdrawn prior to the scheduled time for the opening of the bids. Any bids received after the opening begins shall not be accepted. Opening of bids shall not be delayed to accommodate late bid responses.

Submitted bids shall be honored for at least thirty days or as otherwise stated in the invitation. All information relating to a bid shall be retained and made available for public inspection after the bids are awarded, and prospective bidders shall be notified of this in the invitation or specifications relating to the bid call.

A "bidder file" shall be maintained, and a "bidder application" may be used for placing names in the file. Reference data will be kept relating to bad experiences with vendors, contractors, etc. If a bidder defaults on either price or performance, the Board shall be notified and, if the Board

permits, the bid will be offered to the next-lowest bidder who will still accept the order, as far as it is pragmatic to do so. The Board may ask that the school attorney be notified of the initial bidder's failure in order to consider action against that bidder. Written documentation of all such situations noted in this paragraph shall be kept in the defaulting bidder's file.

For transactions requiring written quotations, at least three shall be obtained, and, if less than three are obtained, an explanation must be provided and approved by the Administrator. Prospective quotes shall be given a reasonable time following the mailing of the quotation request in which to respond. All requests for written quotations shall be at the direction of the Administrator. The details of a request for written quotations, including names of all bidders to whom the requests were sent, the dates of mailing, all responses, and reasons for selection if other than lowest price, etc., shall be made and retained in the school records.

SALES CALLS AND DEMONSTRATIONS

Sales representatives for school services, supplies, or other materials are not permitted to call on teachers or other school staff members except with prior authorization from the Administrator. When appropriate, the Administrator may give permission to sales representatives of educational products to see members of the school staff at times that will not interfere with the educational program.

PAYMENT PROCEDURES

In order to receive appropriate discounts and maintain good vendor relations, the Board directs the prompt payment of salaries and bills, but only after due care has been taken to assure that such amounts represent proper obligations of the school for services and/or materials received. The Administrator will implement procedures for the review of purchase invoices to determine that items or services are among those budgeted, itemized goods or services have been satisfactorily supplied, funds are available to cover payment, and invoices are in order and for the contracted amounts.

PAYROLL PROCEDURES / SCHEDULES

Pursuant to NMAC 6.20.2.18, the charter school shall follow all state and federal regulations for payroll, maintain strict internal controls, and implement strict supervision in accordance with Generally Accepted Accounting Principles (GAAP). Salary checks will be issued semi-monthly during the term of contract or agreement between the school and employees.

An employee who quits the service of the school shall be paid all wages due on the regular pay day for the pay period during which termination occurs. Such wages will be paid by mail unless otherwise requested.

The Administrator shall establish payroll procedures that conform to all requirements of the law and all policies of the School, and that ensure employees receive paychecks no later than the stated payroll dates.

Workday and Hours

Teachers (including adjunct), administrator assistant, and contracted Business Manager shall work the days and hours specified in their respective contracts.

Pay Cycle

All employees shall be paid on a semi-monthly basis. The Teachers, Administrator, Business Manager, Secretary, Counselor and Educational Assistants are salaried employees and shall be paid in 24 (twenty-four) equal installments or, in the case of a late start, pursuant to the terms specified in their respective contracts.

Other such school personnel the school may employ such as a Nurse or a Custodian are hourly employees and are required to keep an accurate written record of days and hours worked. Hourly employees shall be paid according to the pay cycle referenced above after submission and verification of hours worked.

Policy and Procedures for Petty Cash Disbursement

Indigo Hill School will **not** maintain a petty cash fund.

Involuntary Deductions (Public Record)

Federal and New Mexico income taxes, Social Security (OASI/FICA), and employee contributions to the New Mexico Retirement System will be deducted as mandated by state and federal statutes. All other deductions must be authorized by the Board and approved by the employee unless ordered by a court of competent jurisdiction.

EXPENSE AUTHORIZATION /REIMBURSEMENT

The school upon submission of allowable supporting receipts shall reimburse school employees who incur expenses in carrying out their authorized duties, provided that the Administrator has granted prior authorization. There will be no exceptions.

Asset Capitalization

Purpose

Asset capitalization establishes guidelines for the control of capital assets owned by the school. The purpose of the controls are to protect capital assets, preserve the life of capital assets, to avoid unnecessary duplication of assets on the school campus, to provide a guide for future replacement of assets, and to establish a basis for the amount of insurance coverage required.

Definition

Capital assets, for the purpose of this policy, are defined as tangible or intangible property owned by the school which meets the definition and minimum dollar amount for capitalization per asset category.

Furniture and equipment- Tangible personal property in excess of \$1,000 purchased or acquired by gift to be used for operational purposes such as desks, filing cabinets, copiers, musical instruments, laboratory equipment, and janitorial equipment.

Computer Software- Intangible property in excess of \$1,000 either purchased or acquired by gift that is designed to cause a computer to perform a desired function.

Computer equipment- Tangible computer equipment in excess of \$1,000, including Laptops, Desktops, Routers, Hubs, etc., purchased or acquired by gift to be used operational or instructional purposes. For capitalization purposes, computers are defined as a CPU, monitor and keyboard which go together as a package. Printers, which exceed \$1,000, shall be capitalized separately, while printers, which are less than \$1,000, shall be considered Supply Assets and recorded as such in the school's general ledger.

Library holdings- All library holdings purchased or acquired by gifts during the fiscal year are capitalized in aggregate at the end of the fiscal year using the cost-based method. The cost-based method approach entails the following:

- Acquisition costs reflect actual expenses for purchased library material.
- Donations are capitalized at fair market value.
- A value is placed on items withdrawn from the inventory and that value is reflected in capitalization.

Donated Items

Donated items, valued at the threshold contained in this capitalization policy and which are items that the school otherwise would have bought and used in operations, shall be recorded in the school's general ledger account titled Fixed assets (\$1,000 and over) at fair market value at the date of donation. Donated items which are valued at less than the threshold contained in this capitalization policy will be recorded in the school's general ledger account titled Supply Assets (less than \$1,000) at fair market value at the date of donation. Donated items which are determined to have no fair market value will not be recorded.

Depreciation Guidelines

Depreciation is a system of accounting which aims to distribute the cost or gift value of a capital asset, less salvage value, over the estimated useful life of the asset in a systematic and rational manner. All depreciable assets will be depreciated using the straight-line method of allocation utilizing the half-year convention. The straight-line method allocates an equal amount of the net cost of an asset to each accounting period in its useful life. Most assets retain some recovery at the end of their useful lives, which is known as salvage value. All depreciable property for the purposes of this policy shall be deemed to have a fair market value at the end of their useful lives.

The useful life of depreciable assets is based on their usefulness to the school. The following table displays the estimated useful lives that will be used to calculate and allocate depreciation:

Property Category Life in Years
Furniture and Equipment 5 – 7 yrs
Computer Software 3 yrs
Computer Equipment 5 yrs
Library Holdings 10 yrs
Land/Building 30 – 40 yrs

Disposition of Capital Assets

Capital assets which are obsolete, worn out, or no longer meet the requirements of the school, may be disposed of pursuant to NMA (1978) 13-6-1 to 13-6-4, Sale of Public Property, transferred within the school campus to another department or classroom, or traded-in. A Fixed

Asset Disposal Form must be completed in all cases for the disposition of any asset, including those which were damaged by theft, and a Fixed Asset Relocation Form must be completed when assets are transferred from one location to another. The Fixed Assets Disposal Form must be signed by the Business Manager, Administrator, and the Governing Board Chair. Pursuant to NMSA (1978)13-6-1 and 13-6-2, all licensed software and any electronic media (computer hard drives) must be completely erased before being disposed of. The Fixed Assets Relocation Form must be signed by the Business Manager and Administrator. The school Business Office

will retain the approved forms to preserve the accuracy of the asset records.

SCHOOL PROPERTIES DISPOSITION

The Board authorizes the Administrator to establish regulations for the sale, trade, or disposal of surplus or outdated learning materials, supplies, furniture, or equipment when it has been determined that such items have no further use by the school, and the cost of selling such materials equals or exceeds estimated market value of the items.

Items such as typewriters, business machines, motor vehicles, and furniture may be disposed of by trading them in on the purchase of like items, if appropriate. Items of school personal property no longer needed within the school may be disposed of by public auction, by bids, by selling or by disposal. Those items sold shall be at or above fair market value. All sales are final with no warranties or guarantees implied.

In the event of sale of such property, the school may advertise as a means to give notice as appropriate. In the event of an auction, property shall be conveyed to the highest bidder for each item or lot sold. The school may establish minimum bids for each item or lot auctioned or sold. General payment terms for the sale shall be by cash or certified cashier's check. All sales are final. Any property for which no bid is received shall be defined as property of no value, and authorization shall be given by the Administrator to have the property removed and disposed of in a manner that is least costly to the school.

Items determined by the Administrator to be worn out, damaged beyond economic repair, or otherwise of no value may be destroyed.

Travel and Training Policy

The School Administrator of IHS shall approve all written requests for travel and training prior to the disbursement of funds. Travel and training costs in excess of \$1000 must be approved by the Governing Board.

IHS shall comply with the Per Diem and Mileage Act, Section 10-8-1 through 10-8-8, NMSA 1978, and Department of Finance and Administration (DFA) regulations.

Insurance

IHS shall maintain adequate insurance coverage addressed in the Tort Claims Act, Section 41-4-1 et seq., NMSA 1978; the Workers' Compensation Act, Section 52-1-1 et seq., NMSA 1978; Insurance of Public Buildings, Section 13-5-1 et seq., NMSA 1978; Officers Act, Section 22-2-6.1 through 22-2-6.10, NMSA 1978. Surety bonds paid from the Operational subfund shall be approved by the State Department of Education and filed with the secretary of the department of finance and administration pursuant to subsection D of Section 22-5-7, NMSA, 1978 Compilation.

Food Services

Food service funds are to be accounted for in the special revenue fund or the enterprise fund. All monies collected from the sale of food for the food service operation are to be accounted for in accordance with GAAP, U.S. Department of Agriculture (USDA) requirements, and Section 22-13-13, NMSA 1978.

Federal/State Grants

Direct Funds

For grants awarded to IHS, the charter school shall utilize the funding for the purpose in which it was awarded. IHS shall submit complete and accurate reports required by the grant within the prescribed time. This funding shall be accounted for in accordance with GAAP, applicable federal regulations, and procedures set forth in the grant award.

Joint Powers Agreements

IHS shall account for joint powers agreements, entered into pursuant to the Joint Powers Agreement Act, Sections 11-1-1 through 11-1-7, NMSA 1978, shall be in accordance with the agreement.

Instructional Materials

IHS shall be allowed credit for textbooks and supplementary instructional materials. The school shall report in accordance with the Instructional Materials Act and account for instructional materials in accordance with GAAP.

Records Retention/Disposition

The management of school records shall be in accordance with the Public Records Act, Section 14-3-1 et seq., NMSA 1978.

Business Operations Checklist

1. Our charter school utilizes the Manual of Procedures for Public School Accounting and Budgeting NMSA 1978, 22-8-5, NMSA (1953).
2. Our charter school maintains updated copies of state public school laws and regulations, so that we are always aware of important regulations regarding financial operations.
3. Our charter school will utilize the correct approved budget and adjusted budget, based on 40 day, 80 day and 120-day numbers. If we need to adjust the budget, we will utilize BAR documentation prior to expenditure of funds.
4. There will be adequate segregation of duties. The Business Manager will work cooperatively with the Finance Committee to develop a clear picture of transparency in all financial matters.
5. The computer equipment used in the Business office will be new and up to date; we will have sufficient programs and memory for the efficient running of the Business aspects of the school. All programs will be password protected. Backups onto disc will be performed weekly and placed in a fireproof safe for safekeeping.
6. The Business Manager will perform weekly virus checks on all computer systems used in the school, and all files will be backed up weekly. The Business Manager will ensure that all computer equipment has the latest virus protection.
7. All documents will be transferred to disk and placed in a fireproof safe in the Business Office weekly. This will assure that no crucial material is lost.
8. The charter school will have an adequate voucher system in place.
9. The charter school will maintain a schedule of state reporting requirements, utilizing the "Calendar of Reports" as specified by the state PED. The Business Manager will maintain a calendar exclusively for report deadlines, and will assure that those deadlines are met.
10. The Business Manager, Administrator and Finance Committee will devise a system that assures that all reports will be filed on time, or approved extensions are scheduled.
11. All business and financial staff will be held accountable through quarterly reviews of completed work. The Business Manager will also submit monthly financial reports to the

Governing Board and Finance Committee – this will assure transparency, and may bring up any areas of concern before they get out of control.

12. The charter school Business Manager will use the official Chart of Accounts, and receive approval for any deviation from the Chart of Accounts.

13. The charter school Business Manager will know and use the correct Fund/Subfund/Function/Object in reporting budget items.

14. The Business Manager will post to the correct Fund/Subfund/Function/Object in recording budget items.

15. The charter school Business Manager will utilize the appropriate public school accounting program to keep close watch on all expenditures and revenues. Daily entries will be completed, and all paper receipts will be maintained in a firesafe file cabinet, in an orderly, easy to understand filing system.

16. All receipts will be pre-numbered and in triplicate, thus creating a very clear level of organization and accountability.

17. Voided receipts will be kept in receipt book, and noted in the accounting software program.

18. All deposits of monies received will be made within 24 hours or one banking day of receipt.

19. The Business Manager shall assure that revenue ledgers match Cash Report by utilizing an appropriate Accounting Software program.

20. Business Manager will post receipts daily.

21. The Business Manager will maintain a Refund Register, and all refunds will be entered into the ledgers.

22. The charter school will maintain an adequate procurement system.

23. The charter school Business Manager will produce a system of pre-numbered Purchase Orders, have a Purchase Order Log, and peruse and okay all Purchase Orders before utilized.

24. Business Manager will create system of certifying all goods received on Purchase Orders.

25. Teacher contracts will be in place 10 days prior to the first day of school. Administrator in conjunction with Personnel Committee will assure this compliance. Business Manager will make sure the contracts comply with all financial and budget accounts.

26. The Business Manager will use an Accounts Payable system through the appropriate Public School accounting software.

27. There will be an end of fiscal year audit conducted by an independent educational auditor. The Business Manager will assist in this process and assure that all school financial records are available and presented in an orderly manner.

IV. B. (3) Adequate personnel to perform financial tasks BM job position

IHS's Finance Committee, in partnership with the school's Business Manager, will be responsible for planning, preparing, and presenting an annual school budget for the Governing Board's adoption. The Board expects the Finance Committee to work closely with the Administrator and staff to assess the needs of the school. For budgeting purposes, the fiscal year begins on the first (1st) day of July and ends on the thirtieth (30th) day of the following June.

School Business Services Manager. Under the direction of the Executive Director, the Business Services Manager will plan, organize, and oversee the charter school's comprehensive and efficient fiscal operations. In collaboration with the Executive Director/Principal, he/she will develop state mandated budgets and monitor expenditures. The Business Services Manager will prepare and analyze detailed

financial statements, prepare and present revenues and expenditures projections to Executive Director and Governing Board; prepare and submit all state-mandated financial reports; prepare and present budget and financial reports to the Indigo Hill School Governing Board and others as required; monitor expenditures for compliance with regulatory limitations; assign and supervise payroll, human resource matters such as benefits, hiring and records management systems.

IV. B (4) Governing Board Financial Oversight

IHS's School Finance Committee, established in compliance with state statute, and in partnership with the school's Business Manager, will be responsible for planning, preparing, and presenting an annual school budget for the Governing Board's adoption. The Governing Board expects the Finance Committee to work closely with the Executive Director and staff to assess the needs of the school. For budgeting purposes, the fiscal year begins on the first (1st) day of July and ends on the thirtieth (30th) day of the following June.

To that end, the Governing Board adheres to State of New Mexico statutes and regulations, as well as Generally Accepted Accounting Practices (GAAP). As stewards of the school's budget and resources, the Indigo Hill School Governing Board Members assume their oversight obligations with attention to ethical business practices and cost-efficient school financial management. This is necessary in order to sustain the school and protect the vital interests of students, the school community, and taxpayers. Board members will vote annually on the school's Governing Board Resolution on Fiscal Management Practices (See Appendix for Exhibit B.3). The board further ensures that the operations and finances of Indigo Hill School are transparent and open to the public, constituents and stakeholders. **An Audit Committee and Finance Committee is required and a full description is located in the Governing Board Policies.**

Regarding Transparency: Indigo Hill School Governing Board Members will adhere to the following principles of fiscal, administrative and governance responsibility. These standards will be posted in the IHS offices and reviewed annually by all governing board members. These standards are included in the draft By Laws.

Regarding Fiscal Management. As a public charter school, IHS recognizes that charter schools have a fiduciary responsibility to tax payers and the larger New Mexico community. To ensure good fiscal management, IHS governing board members pledge to:

Provide full and transparent reporting of financials including monthly financial statements and an annual 3rd party audit. Regular financial statements including a balance sheet and income statement are available to all stakeholders.

Ensure the prohibition of any form of pecuniary gain by the Governing Board, or school administrators as a result of decisions made by or for the school.

Disclose and require Board approval of all related-party transactions, including the hiring of relatives, granting of contracted work to relatives, executive compensation and the ownership/leasing of properties.

IV.B (5) School Sustainability. Indigo Hill School will address the needs of children with ASD and other learning disabilities, or gifts. It will be the first public school in New Mexico to open with this focus. As one of the applicants to apply in 2012, Indigo Hill Founders are facing the distinct reality of opening a new school without planning and implementation funding. This is due to the lack of federal planning grants, this year. Despite such challenges, Indigo founders and supporters are very excited about the school's outlook and believe IHS has great potential for generating strong community support to serve students.

The Indigo Hill School has also been very conscientious in regards to curricula selection for maximum effectiveness to meet our students' needs, but also to be fiscally sound. For example, the Lexia Reading

Program that is endorsed by NCLB, provides its curriculum and services will be free for our first year in operation.

IHS will launch a 501(c) 3 nonprofit corporation, as soon as possible. The school's foundation will spearhead a development program to generate funds for ASD community education, education research, behavioral and clinical services, parent training, professional develop and facility acquisition and management. This will include preparation of a development plan, use of social media, community fundraising , grant development and other projects to generate supplemental funding. The Founders have already initiated this effort.

Last spring, our founders recruited a community banking partner who has expressed interest in our unique school. In an unusual display of faith, the bank manager earmarked a donation to Indigo Hill School (available after the school is authorized) through the bank's own foundation.

We also are aggressively seeking institutional and community partners who will work with Indigo Hill to identify resources for the foundation's targeted activities. Since last fall, an IHS representative has been meeting with university faculty to discuss areas of mutual interest. Planning discussions center on how university faculty can assist Indigo Hill through academic partnerships, learning disability programs serving New Mexico educators, clinical internships and professional development, among others. Although the discussions are moving forward, at the time of this application, the partnership has not been formalized.

As a state-charter school, Indigo Hill will be able to apply, directly, or in partnership with educational institutions, for funds to support ASD education, training, research and services such as early identification and intervention. Depending on the characteristics of our students, eligibility criteria and the availability of funds, IHS will apply for state lease assistance funds, IDEA-B funds, and elementary art education, school foodservice, and others. The school will also seek funding from The Pisces Foundation, The United Way, New Mexico Community Foundation, UNM, LANL Foundation, Intel, Best Buy, Target, The Pisces Foundation, The Lowes Foundation and others.

We will actively seek partnerships, grants and collaborative relationships with various established agencies. As ASD is growing exponentially and dual diagnoses are common, which usually include; Gifted, Anxiety Disorders, and Attention Deficit Disorder with or without hyperactivity, based upon interviews, personal experiences from the founders, and research we believe the Indigo Hill Charter School can provide a comprehensive education for our students. We believe with our challenging academic curriculum, our social skills curriculum and having at least a half-time school psychologist as our clinical director is necessary to meet the unique needs of the population we strive to serve. Our kindergarten through sixth grade will allow us to intervene with children in need of services. Our social skills curriculum may minimize and even reduce the symptoms of ASD. We are capable with providing support for our parents and community through our Child Find services, referral capabilities and providing a meeting place with professional resources such as our library dedicated to meeting the unique needs of our students and families. Letters of Support that we have chosen to sample and mirror what our community is expressing are included below.

V. Evidence of Support

The Indigo Hill School under the supervision of the Principal Executive Director will offer community and school support groups, led by our clinical director. The clinical director will offer sibling support groups, practical and positive parenting lessons, clinical education regarding brain based cognitive strategies to improve learning and how parents can help facilitate the process. Our clinical psychologist and our educators will offer support for Autism, Giftedness and other exceptionalities as needed. The community is welcome to attend our outreach, trainings for parents and our support groups.

We will have a professional library that will address ASD and Giftedness, and our parents and community members will be welcome to research and read what we have available. Many of our parents cannot afford to buy book after book. Our community outreach will allow them to borrow books, until they find the right one for their needs. For example; ASD is such a broad spectrum disorder that a book may appear to address ASD and it does, but usually they address one part of the spectrum or the other and you cannot tell until you read the book.

Our Child Find team with expertise in Autism Spectrum Disorder will offer our community this option of quality and convenience.

Many parents of homeschoolers would like their children to come back to the public school system if it is a safe, but academically challenging environment.

There currently is a private school in Albuquerque that serves student identified as having ASD or a dual exceptionality. It is so much in demand, that they can charge up to \$12,000.00 dollars a year. They were so beneficial to the Albuquerque community, the United Way gave them a grant to support scholarships to attend their school, who normally would not be able to attend. The Indigo Hill School would be a public school option, that many students need and would appreciate.

Letters of Support

My name is Kendra Morrison and I am a parent advocate and trainer for Parents Reaching Out. My son is a student at a charter school and this ability to exercise choice has been a blessing for my son and my family. As a parent and an advocate, I appreciate the proposed charter school, Indigo Hill Charter School as a viable and needed alternative choice for our community at large. Many of our parents are frustrated by the lack of options to truly meet the individual needs of their children. Bullying, a lack of services and a lack of communication between the professional staff are often the reasons cited for feelings of frustration and helplessness. Many of our students have mild disabilities but also have significant strengths and often a lack of attention to both the strengths of a child and the weaknesses simultaneously, prevents them from truly actualizing their academic potential. A school dedicated to meeting strengths and weaknesses would afford our students a relief and a viable choice.

Autism, is a full spectrum disorder that can range from moderate to severe, but even a moderate form can be disabling and prevent children from experiencing genuine friendships, acquisition of a post-secondary education and long term meaningful employment. Early identification and intervention are critical for students identified with Autism Spectrum Disorder and can make a key difference in positive outcomes in mitigating the disability and help a child achieve the optimum life they are capable of in their least restrictive environment.

As an advocate, I am also called into situations where a lack of services is often the chief concern, Indigo Hill Charter School main mission is to serve students, and not to exclude students who are struggling in their traditional schools.

The Indigo Hill Charter School has a professional founder team, and they conducted extensive research in producing the most cutting edge school to serve typical students, gifted students, students with dual diagnosis's and students who are identified with Autism Spectrum Disorder, for the benefit of our community, I urge you to approve this charter, as it is already long over -due and the need for this type of school is long-overdue.

Sincerely,
Kendra Morrison

Dear Public Education Charter Division Evaluators,

A good school can work wonders. This is generally accepted: the news abounds with stories of educational miracle-workers, but I do not think that many people realize how truly important education is. Education is the only widely accepted source of future economic growth: Philip Stevens and Martin Weak showed that for every additional year the U.S population is educated the economy would grow 6.6%. With a current growth of 1.9%, that is an astounding number.

More importantly, education changes lives. Educated people are successful people: able to get better jobs, participate more in political life, and have a generally more optimistic view of the world. There is a reason incomes rise with the level of education of a person.

However, even though most people do well in our current schools, there are certain people that cannot succeed in these schools. This tragedy is amplified by the fact that these children could, if allowed be the best in the world. I, for one, fit that description. Elementary school was not the place for me. I managed to do acceptably, but the atmosphere of bullying, social drama, and a general disregard for learning confused me. Very few children can understand that what they say has consequences for other people, or what they do can affect their future lives. Those who can are often not able to realize that others are not like them, and so take remarks at their face value, and constantly worry about their future. They are easy targets for bullies, and often escape through reading or joking around or just daydreaming.

Luckily for me, my school had a gifted program and my parents recognized in me a talent that my teachers could not. When I got into the gifted program my teacher was frankly astonished, having never assumed that I was anything less than a bit dull for only reading all the time and not paying attention.

Others do not get this opportunity. A few years ago I read a letter in the local "Dear Abby" column where a parent was concerned that their child was not paying attention and only reading in class.

However, the parent noted, when asked a question their child always had the right answer. Abby recommended that the parents should try to make their child pay attention in class and maybe be tested for ADHD. I felt a kindred soul in this child, but the treatment that Abby prescribed would have been disastrous for me, and so I fear that this child lost out on any opportunity in their education.

We need to recognize these children, and make sure that they can be all that they can be. The traditional school system does not work for them. Nevertheless, it is easy enough to make a school that can work for them. These students realize the importance of education in their lives, and so they need to be challenged at every stage. If a third grader can understand and use calculus, they should be taught calculus. Anything else feels, to them and to me, like a waste of opportunity. However, students should not be allowed to have an extremely narrow focus. Even in the narrowest of technical fields, the ability to express ideas through writing is vital. Technical papers are often gibberish even to those who understand what they talk about, because the English is poorly worded. A good knowledge of history is vital for understanding almost all the widespread logical fallacies in the world and how to avoid them.

This school, based on rapid learning and exploration, cannot function without a positive atmosphere. When stressed, a brain shuts down its higher level reasoning centers almost immediately, and when that happens a person who relies on those centers is liable to become even more stressed. This is why there should be no competition, ever. The two most competitive universities in the country are also the ones with the highest suicide rates. While I do not expect anyone in K-6 to commit suicide, competition can make someone's life much worse for no reason. Gifted children do not need competition to motivate them because the joy of learning is often enough, but they are also liable to be more naturally competitive. Teachers should be made aware of this situation.

Finally, bullying should be at zero. In normal schools, bullying naturally peaks at around the eight or ninth grades, when children realize that their actions have consequences, but gifted children generally realize this extremely early, and as such are much more susceptible to bullying as they will not strike back. Bullying leads to intense, long-term stress and will quickly destroy a positive atmosphere if allowed to persist. Early action, such as bullying prevention meetings and discussions, has been proven to work to stop most bullying.

I was extremely lucky to have gotten into a middle school that could supply me with the tools I needed to succeed academically, but many other people do not get that chance, either because they live in worse socio-economic situations than I did, or because they were not able to excel in elementary school enough to be recognized. The solution to both those problems, I think, is a dedicated elementary school for gifted children that can provide them with the academic possibility and positive environment for them to shine. It is the best thing anyone can do for these children.

Sincerely,

Simon

Note: Contact Stephan Slota, the Indigo Hill Charter, if you would like to speak with me. I was informed to leave out my last name for my protection as this will be public document.

Gigi Schroeder Yu, PhD
8615 Hawk Eye Rd NW, Albuquerque, NM 87120
(505)414-0599 email: gsyu710@gmail.com

June 23, 2012

To Whom It May Concern:

I am an educational consultant on the Reggio Emilia approach. I provide professional development for schools and organizations that are interested integrating the elements of the Reggio Emilia approach within their programs. The Reggio Emilia philosophy is based on a social constructivist framework. The image of the child is seen as capable of constructing his/her own learning, teachers are guides and researchers, parents are partners in their child's learning, and the environment is the third teacher.

The Indigo Hill School Charter School founders approached me with their interest in integrating elements of the Reggio Emilia philosophy. I support their interest and desire in studying and applying elements of the Reggio Emilia approach within their school program.

Sincerely,

Gigi Schroeder Yu, PhD _____

Autism Communication Consultants, LLC
Exclusively serving children with autism and their families
June 22, 2012
RE: Indigo Hill Charter School Proposal

We are pleased to offer our support for your proposed charter school serving children with diagnoses/symptomatology of autism spectrum disorder as well as unique gifted abilities. We are impressed with your attention to research-driven curriculum and the unique needs of your potential students. At ACC, we strive to include family members as key contributors in any intervention. It appears that we share this belief with your team as well. Going forward as collaborators for families and children with unique needs and strengths, we will offer our clinical support in any way possible.

Sincerely,

Fletcher Scott, Owner
Autism Communication Consultants, LLC
Community Ties and Community Relationships
P.O. Box 36118 Albuquerque, NM 87176 Clinic: 2521 San Pedro NE, Albuquerque, NM Ph: 505-881-4618
Fax: 505-212-0496 Web: www.autismcc.com E-mail: autismcc@gmail.com

GLOSSARY: ACRONYMS/DEFINITIONS

□ Abbreviations, acronyms, and uncommon terms identified

▣ ADA – Americans with Disabilities Act

▣ AMO – Annual Measurable Objectives

▣ ASD – Autism Spectrum Disorder(s) or ASD describes a range of conditions classified as pervasive developmental disorders in the Diagnostic and Statistical Manual of Mental Disorders (DSM). Pervasive developmental disorders include autism, Asperger syndrome, pervasive developmental disorder not otherwise specified (PDD-NOS), childhood disintegrative disorder, and Tourette’s syndrome, although usually only the first three conditions are considered part of the autism spectrum.[1] These disorders are typically characterized by social deficits, communication difficulties, stereotyped or repetitive behaviors and interests, and in some cases, cognitive delays. Although these diagnoses share some common features, individuals with these disorders are thought to be "on the spectrum" because of differences in severity across these domains. A proposed revision to the Diagnostic and Statistical Manual of Mental Disorders 5 (DSM-5), to be released in May, 2013. This new diagnosis will encompass current diagnoses of autistic disorder, Asperger's disorder, childhood disintegrative disorder, and PDD-NOS. Under the revised definition, individuals with ASDs will be represented as a single diagnostic category because they demonstrate similar types of symptoms and are better differentiated by clinical specifiers (i.e., dimensions of severity) and associated features (i.e., known genetic disorders, epilepsy and intellectual disability). An additional change to the DSM includes collapsing social and communication deficits into one domain. Thus, an individual with an ASD diagnosis will be described in terms of severity of social communication symptoms, severity of fixated or restricted behaviors or interests and associated features

Asperger’s – Also known as Asperger’s Syndrome, or Asperger disorder, AS is an autism spectrum disorder (ASD) that is characterized by significant difficulties in social interaction, alongside restricted and repetitive patterns of behavior and interests. It differs from other autism spectrum disorders by its relative preservation of linguistic and cognitive development.

▣ Assistive Technology Assistive technology or adaptive technology (AT) refers to assistive, adaptive, and rehabilitative devices for people with disabilities and also includes the process used in selecting, locating, and using them.

▣ BTU – British thermal unit, unit of heat produced by energy

▣ Charrette – Often referred to as ‘design charrette’. A charrette is an intensive planning session where citizens, designers and others collaborate on a vision for development. It provides a forum for ideas and immediate feedback, and process for organizing the information generated.

▣ CIE – Cambridge International Education is the world’s largest provider of international education programs and qualifications for 5-19 year olds. More than 9000 schools in over 160 countries, including the United States, are part of the Cambridge learning community.

▣ CIP – Capital improvement projects or plan

▣ CK – Core Knowledge™, a curriculum that begins in preschool and continues through eighth grade. CK prepares children through a solid, specific, sequenced and shared curriculum. The three goals of implementation of the Core Knowledge Curriculum are to teach all of the topics included in the Core Knowledge™ Sequence, to teach the topics at the grade levels assigned by the Sequence, and to teach the topics to all students whenever possible.

▣ CCSS – Common Core State Standards

▣ Dual Exceptionality – Also known as “twice exceptional”. Dual Exceptionality or twice exceptional is the term used to describe children who are not only exceptionally able (e.g. giftedness) but may have additional learning difficulties or a disability which can make it difficult to identify their high intellectual ability. Children with often crippling learning difficulties or physical or emotional disabilities or those

who are on the autistic spectrum can be gifted and in some cases profoundly so. As a consequence, it is this group within the gifted community who are most at risk of slipping through the net and not getting the support they so desperately need in order to fully realize their potential.

▣ Ed Spec – Educational specifications

▣ FAD – Facility adequacy database

▣ FMP – Facilities master plan

▣ FCI – Facility condition index

▣ GSF – Gross square feet, or the sum of net assignable square feet plus all other building areas that are not assignable (the area remaining is called “tare,” which includes areas such as hallways, mechanical areas, restrooms, and the area of interior and exterior walls)

▣ HFA - High Functioning Autism is an informal term applied to individuals “on the spectrum”.

HVAC – Heating, ventilating, air conditioning

▣ IEP – Individual Education Plan

▣ IHS – Indigo Hill School is a proposed new charter school to address the needs of a diverse group of students that includes children with autism spectrum disorders and children who may be gifted.

▣ IP – Internet Protocol

▣ IT – Information technology

▣ LRE – Least Restrictive Environment

▣ MEM – Membership, number of students in funding formula

▣ MSE - [controlled] Multisensory Environment is a therapy for people with autism or developmental disabilities. It consists of placing the person in a soothing and stimulating environment to reduce stressors. These rooms are specially designed to deliver stimuli to various senses, using lighting effects, color, sounds, music, scents, etc. The combination of different materials on a wall may be explored using tactile senses, and the floor may be adjusted to stimulate the sense of balance.

▣ NASF – Net assignable square feet, or the total of all assignable areas in square feet

▣ Neurodiversity – A term or concept introduced in 1998 to account for individual neurological differences, so that individuals with a range of cognitive diagnoses may be seen in terms of their strengths, as well as their weaknesses.

▣ NMCI – New Mexico Condition Index

▣ NMSBA – New Mexico Standards–Based Assessment

▣ OT/PT/SLP – Occupational therapy, physical therapy, speech language pathology

▣ PE – Physical Education

▣ PED – New Mexico Public Education Department

▣ PLP – Personalized Learning Plan ,also known as Student Learning Plan, or Student Development Plan for students who do not have an IEP

▣ PSCOC – Public School Capital Outlay Council

▣ PSFA – Public School Facilities Authority

▣ PTR – Pupil/teacher ratio

▣ Reggio Emilia The Reggio Emilia Approach is an educational philosophy focused on preschool and primary education. It is based on the principles of respect, responsibility, and community through exploration and discovery in a supportive and enriching environment.

▣ RTI – Response to Intervention is a method of academic intervention used to provide early, systematic assistance to children who are having difficulty learning. RTI seeks to prevent academic failure through early intervention, frequent progress measurement, and increasingly intensive research-based instructional interventions for children who continue to have difficulty.

VI REQUIRED APPENDICES- separate document.

References

Anderson Lorin W., David R. Krathwohl, Peter W. Airasian and Kathleen A. Cruikshank, Taxonomy for Learning, Teaching, and Assessing: A Revision of Bloom's Taxonomy of Educational Objectives, Abridged Edition, (Dec. 29, 2000)

"Aspie Central." *Aspie Central*. N.p., 2012. Web. <<http://www.aspiecentral.com/>>.

"WebMD - Better Information. Better Health." *WebMD*. WebMD, 2012. Web. <<http://www.webmd.com/>>.

ASU Directory Profile: Eunice Romero – Arizona State University. Web. <<https://webapp4.asu.edu/directory/person/741712>>

Baker, Jed, The Social Skills Picture Book Teaching Play, Emotion, and Communication to Children with Autism, (Apr. 16, 2003)

Bellanca, James and Ron Brandt, 21st Century Skills: Rethinking How Students Learn (Leading Edge). (Apr. 22, 2010)

Bloom, S. Benjamin, Taxonomy of Educational Objectives Book 1: Cognitive Domain (Jan. 1984)

Buffum, Austin G., Mike Mattos, and Chris Weber. Pyramid response to intervention: RTI, professional learning communities, and how to respond when kids don't learn. Bloomington, IN: Solution Tree, 2009. Print.

Bundy, Anita, Shelly Lane and Elizabeth Murray, Sensory Integration: Theory and Practice, (Apr. 2002)

Carpenter, Brian L., The Seven Outs: Strategic Planning Made for Charter Schools, (Sep. 1, 2008)

"Cambridge International Curriculum." *The Association of Cambridge Schools in New Zealand, Inc.* University of Cambridge, 2009. Web. <http://www.acsnz.org.nz/docs/Cambridge_International_Curriculum_CIE_v1_2008.pdf>.

"Clinical Trial Information for Study Participants & Doctors -- ClinicalTrials.com." *Clinical Trial Information for Study Participants & Doctors -- ClinicalTrials.com*. PPD, Inc, 2012. Web. <<http://www.clinicaltrials.com/>>.

"Core Knowledge Foundation : About the Curriculum." *Core Knowledge Foundation : About the Curriculum*. The Core Knowledge Foundation, 2012. Web. <<http://www.coreknowledge.org/about-the-curriculum>>.

"Differentiation for Engagement, Achievement, and Results." *Renzulli Learning Systems*. Compass Learning, 2011. Web. <<http://www.renzullilearning.com/>>.

Duran, Elva, Teaching Students with Moderate /Severe Disabilities, Including Autism: Strategies for Second Language Learners in Inclusive Settings, (Oct. 1996)

"Frog Street Press, Inc." *Home Page*. N.p., 2012. Web. <<http://www.frogstreet.com/>>.

Green, Reginald Leon, The Four Dimensions of Principal Leadership: A Framework for Leading 21st Century Schools, (Mar. 9, 2009)

Karnes, Frances Ph.D., Kristen Stephens Ph.D., Maureen Neihart Psy.D. and Kenneth Poon Ph.D., Gifted Children With Autism Spectrum Disorders (The Practical Strategies in Autism Education), (May 1, 2009)

Kennedy, Diane M., Rebecca S. Banks and Temple Grandin, Bright Not Broken: Gifted Kids, ADHD, and Autism (Sep. 13, 2011)

Kranowitz, Carol Stock, The Out of Sync Child Has Fun, Revised Edition: Activities for Kids with Sensory Processing Disorder (Aug. 2006)

Lewis, Lezley Collier Ph.D., Annie Rivera M.Ed. and Debbie Roby M.Ed., Identifying and Serving Culturally and Linguistically Diverse Gifted Students, (Nov. 1. 2011)

"Lexia Learning > Support > Lexia Reading Support." *Lexia Learning*. N.p., n.d. Web. <<http://www.lexialearning.com/support/index>

Lucas Arwood, Elyn and Carole Kaulitz, Learning with a Visual Brain in an Auditory World (Feb. 27, 2007)

Marzano, Robert, Debra Pickering, and Jane Pollock, Classroom Instruction that Works, (2001) by McREL

Marzano, Robert J., What Works in Schools: Translating Research Into Action, (Aug 1, 2003)

McCarney, Stephan B., Ed.D, Wunderlich, Kathy Cummins, M.Ed, Pre-Referral Intervention Manual, Third Edition

McGinnis, Ellen, Dr., Skillstreaming-Early Childhood: a Guide for Teaching and Skillstreaming-Elementary School child: A Guide for Teaching, Third Edition

"NM Content Standards with Benchmarks and Performance Standards." *NM Public Education Department* . N.p., n.d. Web. <<http://ped.state.nm.us/standards/>>.

"New Mexico Public School Facilities Authority." *Welcome to NMPSFA*. N.p., 2012. Web. <<http://www.nmpsfa.org/>>.

"Reggio Kids Childcare Centres." *A Look at the Reggio Approach*. Tiziana Ciccone, Dr. George E. Forman PH.D., 2006. Web. <http://www.reggiokids.com/about/about_approach.php>.

Sax, Leonard, Why Gender Matters: What Parents and Teachers Need to Know About the Emerging Science of Sex Differences (Feb. 14, 2006)

"Science News." *Magazine for the Society of Science and the Public*. Science News, 2012. Web.. <<http://www.sciencenews.org/>>.

Stambaugh, Tamra, Ph.D.,and Kimberly Chandler Ph.D., Effective Curriculum for Underserved Gifted Students: A CECTAG Educational Resource (Oct.1, 2011)

"State Standards Initiative." *Common Core State Standards Initiative*. N.p., 2012. Web.

Thompson Moore, Susan, Asperger Syndrome and the Elementary School Experience: Practical Solutions for Academic and Social Difficulties (Oct. 1, 2002)

Wagner, Sheila M.Ed., Inclusive Programming for the Elementary Students with Autism (Aug. 3, 1999)

"What Is ALEKS?" *What Is ALEKS?* ALEKS, 2012. Web. <http://www.aleks.com/about_aleks>.