

## I. TABLE OF CONTENTS

### The MASTERS Program

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**II. APPLICATION COVER SHEET/ABSTRACT**

**School Information:**

Name of Proposed Charter School The MASTERS Program  
School Address (if known) 6401 Richards Ave. (Santa Fe Community College)  
School Location (City/Town) Santa Fe, New Mexico  
School District within which the school will be located Santa Fe

**Contact Information:**

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**Partner Organizations (if applicable):**

The Masters Program will have a relationship with Santa Fe Community College as described in Section VII C.

**Enrollment Information:**

*NOTE: If the charter school will be located in a school district that has a total enrollment of not more than one thousand three hundred (1,300) students, the charter school's proposed enrollment for all grades, in combination with any other charter school's enrollment for all grades, will neither equal nor exceed ten (10) percent of the total MEM of that school district [6.80.4.9.C.6 NMAC]*

Grade span at full enrollment 10-12 Total number of students at full enrollment 200

*Complete the chart, indicating phase-in grades if applicable.*

<b>School Year</b>		<b>Grade Levels</b>	<b>Total Projected Student Enrollment</b>
First Year	2010-11	10-12	120
Second Year	2011-12	10-12	140
Third Year	2012-13	10-12	160
Fourth Year	2013-14	10-12	180
Fifth Year	2014-15	10-12	200

## **Abstract of Proposed Charter School:**

The mission of The MASTERS Program (TMP) is to support the goal of a college education as an option for every student by expecting all students to perform at rigorous academic levels when provided challenging educational activities by inspired, talented teachers.

The educational philosophy and approach of TMP will be designed with an emphasis on **Mathematics, Arts, Science, Technology, Engineering, Reading and Service (MASTERS)**. A STEM curriculum will be offered. Teachers will be trained in the Paideia Philosophy of education which focuses on higher-level thinking and communication.

The educational strategy is that students will be taught utilizing different modalities depending on the student's needs. Courses will be offered utilizing Licensed and Highly Qualified New Mexico teachers in the TMP classroom, IDEAL-NM high school courses on line and/or take SFCC dual credit courses. Additionally each student will work with teachers to obtain work-related and community service credits. Individual tutoring will be offered to each student.

The School will be located at Santa Fe Community College and will serve students in grades 10-12 as an early college high school. Enrollment is planned at 120 the first year and then adding 20 students per year for a total of 200 at year five. TMP will target students who are at risk, English language learners, students with special education needs, gifted students, those who desire an accelerated learning curriculum, wish to discontinue their home school studies and those who require a more flexible schedule – all of which can lead to low academic achievement and loss of interest in traditional secondary school education. TMP will also target students who have an interest in the STEM curriculum.

The STEM Curriculum was chosen because of on-going research that points to low math and science achievement for U.S. students. Recently, an assessment of 15 year old students showed that the U.S. ranked 28th in Math Literacy and 24th in Science Literacy. STEM emphasizes not only math and science but integrates both areas with engineering and technology.

TMP's educational philosophy is that all students can learn a set of reasonable objectives with appropriate instruction, support and sufficient time to learn. TMP recognizes that students typically master content and integrate their skills as scholars at different rates. Respect for individual student differences requires that students be given the time they need at any curricular level to familiarize themselves with content and/or to acquire the skills and work habits that will help them achieve academic success and become life-long learners. TMP is dedicated to developing core competencies in all students. TMP will strive to prepare all students to master all skills and learning necessary to succeed in a post-secondary educational environment and/or career of choice.

**III. STATEMENTS OF ASSURANCES**

*This form must be signed by a duly-authorized representative of the applicant group and submitted with the final application. An application will be considered incomplete if it is not accompanied by the Statements of Assurances.*

STATE OF NEW MEXICO )  
 )  
COUNTY OF )

I, John Bishop, after being duly sworn, state as follows:

1. My name is John Bishop and I reside in Santa Fe, New Mexico.  
2. I am the authorized representative of the governing body, or applicant group, for The MASTERS Program (name of school) to be located at 6401 Richards Road, Santa Fe, New Mexico, I certify that, if awarded a charter:

- 1. The MASTERS Program’s admission process shall not discriminate against anyone regarding race, gender, national origin, color, ability level, or age.
- 2. If more students apply than can be accommodated, The MASTERS Program shall admit students on the basis of a lottery.
- 3. The MASTERS Program’s admission processes shall be in compliance with Section 22-8B-4.1 NMSA 1978.
- 4. The MASTERS Program shall be a nonsectarian, non-religious, and non-home-based public school.
- 5. Except as otherwise provided in the Public School Code, The MASTERS Program shall not charge tuition or have admission requirements.
- 6. The MASTERS Program shall comply with all state and federal health and safety requirements applicable to public schools, including those health and safety codes relating to educational building occupancy.
- 7. The governing body shall not contract with a for-profit entity for the management of The MASTERS Program.
- 8. The MASTERS Program shall comply with all applicable state and federal laws and rules related to providing special education services.
- 9. The MASTERS Program shall avoid apparent and actual conflicts of interest when administering grants and entering into contracts for equipment and services.
- 10. The MASTERS Program shall comply with conflict of interest provisions identified in the New Mexico Procurement Code, Section 13-1-128 et seq. NMSA 1978 and the Prohibited Sales Act, Section 22-21-1 et seq. NMSA 1978; and the federal regulations at 34 CFR 75.525 and 80.36.
- 11. The MASTERS Program shall ensure that criminal background checks are conducted on all employees in accordance with Section 22-10A-5 NMSA 1978.
- 12. The MASTERS Program shall develop written procurement procedures and conduct all procurement transactions in a manner that provides open and fair competition.
- 13. The MASTERS Program shall comply with the Age Discrimination Act of 1975, Title VI

*(Statements of Assurances page 2 of 3)*

14. of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and part B of the Individuals with Disabilities Education Act;
15. The MASTERS Program shall provide equitable access to and participation in its federally assisted program for students, teachers, and other program beneficiaries with special needs.
16. The MASTERS Program shall be economically sound and the fiscal management shall comply with all applicable federal and state laws, regulations and rules relative to fiscal procedures.
17. The MASTERS Program shall provide to the Public Education Commission by the sooner of the end of the planning year or within ten (10) days of receipt of any federal or state stimulus funds a detailed plan indicating how The MASTERS Program will manage its fiscal responsibilities, the plan will include a description of the internal control procedures that The MASTERS Program will utilize to safeguard assets, segregate its payroll and other check disbursement duties, provide reliable financial information, promote operational efficiency, and ensure compliance with all applicable federal statutes and regulations and state statutes and rules relative to fiscal procedures.
18. Meetings of The MASTERS Program Governing Body shall comply with the New Mexico Open Meetings Act, Sections 10-15-1 et seq., NMSA 1978.
19. The MASTERS Program shall adopt policies and procedures of the governing body, that address governance, relationship to staff, professional development, the role of the governing body in policy-making, personnel decisions, budgeting, and operation of the school, including how decisions will be made.
20. The Governing Body or head administrator of The MASTERS Program shall recognize and work with employee labor representatives, if any.
21. The MASTERS Program shall produce a certificate of occupancy prior to opening a facility for use as a school; the facility shall meet all applicable federal and state health, safety and code requirements and be suitable for use as a school.
22. The MASTERS Program shall develop and maintain a plan for addressing code, accessibility, health and safety requirements as well as operation, maintenance and repair of any facility it seeks to use as a school.
23. The MASTERS Program shall develop personnel policies that comply with all applicable federal and state labor laws, regulations and rules implementing them and shall submit the policies to the Public Education Department for comment prior to the hiring of any employees.

*I hereby certify that the information submitted in this application for a charter is true to the best of my knowledge and belief. I understand that I am the authorized representative of the applicant group, or the governing body, of this charter school.*

[Signatures required on next page]

*(Statements of Assurances page 3 of 3)*



\_\_\_\_\_  
[Signature]

\_\_\_\_\_  
Date

\_\_\_\_\_ **John Bishop** \_\_\_\_\_, *representative of the applicant group, or governing body*

*member, of the proposed The MASTERS Program Charter School.*

Subscribed and sworn to before me, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

[Notary Seal:]

\_\_\_\_\_  
[signature of Notary]

\_\_\_\_\_  
[typed name of Notary]

NOTARY PUBLIC

My commission expires: \_\_\_\_\_, 20\_\_\_\_.

## The MASTERS Program (TMP) at Santa Fe Community College An Early College Charter High School

### IV. CHARTER SCHOOL MISSION AND STATEMENT OF NEED

- **Mission Statement** The mission of The MASTERS Program (TMP) is to support the goal of a college education as an option for every student by expecting all students to perform at rigorous academic levels when provided challenging learning activities by inspired, talented teachers.
  - The school **seeks to serve**:
    - students grades 10-12
    - students “at risk” who may be challenged by low income, English language learning, special education needs, immigration status, truancy, lack of parental support, gifted students and those that do not fit in a larger school traditional learning environment.
    - students who have dropped out and want to rejoin a high school program.
    - students who desire an accelerated learning curriculum and intellectual growth
    - students who desire a STEM curriculum
    - students who wish to discontinue their home school studies, and
    - students who desire and/or require a more flexible school schedule.
  - The school **seeks to accomplish** the following:
    - Provide a seamless transition from high school to college via an early college program in a community college venue
    - Provide a program that will enable students and their families to have the possibility of paying for only two years of further university study rather than the usual four years.
    - Graduate students with high levels of measured achievement in a STEM curriculum: Science, technology, engineering and math
    - Engage students in meaningful service to the Santa Fe non-profit and business community as precursor to becoming a skilled and educated workforce for local economic development
    - Promote parental support for post-secondary education
  - The school will **use the following methods** in a hybrid instructional curriculum and delivery system:
    - Dual credit courses taught by Santa Fe Community College faculty pursuant to the Statewide Dual Credit Master Agreement as approved by NMPED
    - High school credit courses benchmarked to NM PED Standards taught by NM certified teachers, following the Advanced Placement curricula, where available
    - High school and AP distance learning courses available through IDEAL-NM

- Support to both dual credit and high school credit courses utilizing the Paideia tripartite method of didactic instruction, coaching, and seminars for integrative, higher order thinking practice
  - Emphasis on STEM curriculum: Science, technology, engineering and math
  - Service learning in Santa Fe non-profit and business communities with mentorships for every student in career-specific exploratory activities related to the STEM curriculum
- The school will **know it is achieving its mission** when:
  - High school graduation rate exceeds that of Santa Fe High School and Capital High School
  - The MASTERS Program meets AYP goals on an annual basis
  - TMP graduates exceed other Santa Fe public high school students in the number of college level credits TMP students achieve upon graduation
  - Faculty of NM certified teachers deliver high school credit courses benchmarked to NM Standards, all of whom having been trained in the Paideia method
  - Faculty of NM certified teachers deliver academic support to dual credit course students using Paideia instructional methods
  - A coherent curriculum of STEM courses is delivered through dual credit courses, high school credit courses, and IDEAL-NM
  - SFCC faculty and The MASTERS Program faculty cooperate in facilitating academic success for dual credit learners (syllabi, scheduling, counseling, tutoring, use of instructional facilities) evidenced by documented informal and formal joint agreements
  - Applications exceed enrollment targets
  - Academic programs are available outside traditional public secondary school hours
  - Parent engagement (conference attendance, parenting education opportunities, volunteering, fund raising) exceeds annual goals established by Board of Directors and Headmaster
  - Parent participation on the NMPED Quality of Education Survey exceeds 50% of enrollment and responds as “strongly agreeing” that the school holds high expectations for academic achievement and that school personnel encourage parents to participate in their children’s education
- The MASTERS Program is in the best interest of the Santa Fe students it proposes to serve because it will address the following **education needs**:
  - Santa Fe High School and Capital High School are both in Restructuring 1 category for lack of academic yearly progress (2008-09 School Accountability Report) demonstrated by the student body in AYP grades. The range of proficiency in reading and math was reported between a high of 45.4% (SFHS reading) and a low of 20.1% (CHS math).
  - Fewer than 50% of the students evaluated in grade 11 in those two high schools are proficient at grade level in basic skills. This raises important questions about the probability that they are prepared for success in post-secondary education without considerable remediation, at personal cost, at a community college.

- The MASTERS program provides access to rigorous academic content beginning in grade 10 supported by small group and individual tutoring to predict greater academic achievement, making participation in post-secondary education more probable.
- The MASTERS program offers a public school alternative to attending private secondary schools with rigorous academic programs and AP course work leading to college admission and success, but at a cost far exceeding the financial means of many students' families in Santa Fe.
- The community charter high schools are near or at enrollment caps, with the most successful (measured by AYP) holding an admission lottery with a long waiting list.
- The integration of The MASTERS Program with the SFCC academic program addresses convenience issues of flexible class scheduling, optimizing the possibility for students to graduate high school with the maximum number of college credits at no personal cost, optimizing the number of students attending college, and optimizing the legislative intent of dual credit statutes-- addressing the challenge from Dr. Veronica Garcia to think "out of the box" --all which serve to increase student achievement within the public high school programs of Santa Fe
- The demographics of the local community include the following data that support the need for a publicly financed early college program:
  - 2007 Census estimates 44.4% of all county residents identify as Hispanic and 17.9% live in poverty
  - 2005 Census indicates that 16.6% of children ages 5-17 living within the LEA live in poverty
  - 2009 40<sup>th</sup> day SFPS attendance indicates that 73% of public school students identify as Hispanic
  - 2007-08 School District Report Card (printed 5/17/09) identify 34% as English Language Learners; 16.3% as students with disabilities; and 64.9% as students eligible for free/reduced lunch.

## V. EDUCATIONAL PLAN

### A. CURRICULUM FRAMEWORK

#### 1. Philosophy and Approach to Instruction

The Educational Plan of TMP will be designed with an emphasis on **Mathematics, Arts, Science, Technology, Engineering, Reading and Service (MASTERS)**. A STEM curriculum will be emphasized. Teachers will be trained in the Paideia Philosophy of education which focuses on higher-level thinking and communication. The Paideia philosophy is grounded in three levels of teaching and learning: 1) the *didactic* level teaches students foundational skills and knowledge; 2) the *coaching* level leads students to apply the skills and knowledge they've learned; and 3) the *seminar* level takes students to the highest of thinking examination of pertinent primary source documents. Paideia and STEM will be integrated through the use of inquiry-based methods and strategies. Community service and career development are strong components of the program. Students will be involved with required and optional courses, educational support structures, laboratories, and programs that will lead to high school and post-secondary academic success.

The STEM Curriculum was chosen because of on-going research that points to low math and science achievement for U.S. students. Recently, an assessment of 15 year old students showed that the U.S. ranked 28th in Math Literacy and 24th in Science Literacy. STEM emphasizes not only math and science but integrates both areas with engineering and technology. STEM programs are often funded by the National Institute of Health and the National Science Foundation. Reports by the Academic Competitiveness Council and the Government Accountability Office state that STEM educational programs have multiple goals, provide multiple types of assistance, and target multiple groups. Twenty-first century workplace skills also call for problem solving and critical thinking skills (SCANS Report). Paideia methodology specifically targets these skills through its three level approach to teaching and learning. Therefore, merging the STEM Curriculum with the Paideia methodology will help to ensure that our students have critical 21st century skills.

TMP's educational philosophy is that all students can learn a set of reasonable objectives with appropriate instruction, support and sufficient time to learn. TMP recognizes that students typically master content and integrate their skills as scholars at different rates. Respect for individual student differences requires that students be given the time they need at any curricular level to familiarize themselves with content and/or to acquire the skills and work habits that will help them achieve academic success and become life-long learners. TMP is dedicated to developing core competencies in all students. TMP will strive to prepare all students to master all skills and learning necessary to succeed in a post-secondary educational environment and/or career of choice.

TMP's educational philosophy and curricular approach is to provide a seamless educational continuum that benefits students as they move from one level (high school) to the next (post-secondary school). The freedom of the college campus provides high school youth, with the environment to develop a sense of responsibility for his/her own education and provides an academically enriched setting for students who could become lost in a larger, more traditional educational system.

TMP offers a variety of instructional options in order to meet the differentiated needs of students. Options include TMP classes taught by Licensed and Highly Qualified New Mexico teachers, on-line high school credit and AP courses offered through IDEAL New Mexico, and dual-credit courses offered, when appropriate, by Santa Fe Community College. TMP provides classroom space at SFCC with Licensed and Highly Qualified New Mexico teachers to provide direct instruction in core subjects, provide academic support as needed, and, provide academic support to students in order to prepare them for dual course instruction.

TMP students will have the opportunity to take their knowledge base from the classroom and apply it to real life situations. TMP will encourage students to incorporate service to others as a central part of their education as well as career development. Required service learning will be built into every grade level. Through this component students will consider the relationship between the curriculum in the classroom, their service, and its impact on their personal values and professional goals. This vital component will become part of each student's education and life experience as s/he understands the need to "give back" to the community at large.

With the focus of the STEM curriculum and Paideia philosophy, it is the intention of TMP to interface with the local scientific community such as Los Alamos National Laboratory, Genome Center and Santa Fe Institute as well as the arts and culture communities through the museums, Santa Fe Opera and Lannan Foundation among others.

The STEM curriculum with the Paideia philosophy approach was chosen because a marriage between the two enables and encourages students with unique learning styles to excel. The curriculum (STEM) and pedagogy (Paideia) focus on a hands-on, minds-on learning experience. Not only can students learn in different ways, but they can also learn at their own pace. Additionally, partnering with a community college provides students with the means to receive a dual credit, accelerated high school education with the potential to receive an AA degree at the same time. Further, this early college approach enables students and families to only have to pay two years of university fees rather than the usual four years. This model provides for efficient use of equalization funds therefore enabling TMP to deliver a higher quality of education to its students. Because dual credit course tuition is waived by SFCC, these funds can otherwise be applied to the educational support enrichment of TMP students.

According to Cecilia Cunningham, Director of Middle College National Consortium, "Middle colleges ensure that their students experience the culture of the college and take college courses. The college preparation received in the Middle College High School classes has resulted in a college-going rate of 90% (2003)".

According to the Early College High School Initiative (the "Initiative"), there are approximately 270 early/middle college high schools currently in the United States and is one of the fastest growing school segments of high schools. The Initiative itself has started or redesigned 160 early college high schools since 2002 with start-up support from the Bill and Melinda Gates Foundation and thirteen partner organizations. There are four other early college high school programs in other New Mexico communities.

National statistics on the progression of students from high school to college illustrate why it is imperative to better connect and integrate secondary and post-secondary schooling. For example:

- Young people from the middle-class and wealthy families are almost five times more likely to earn a two- or four-year college degree than those from low-income families.

- For every 100 low-income students who start high school, only 65 will get a high school diploma and only 45 will enroll in college. Only 11 will complete a post-secondary degree. (Source: JFF analysis of data from the National Educational Longitudinal Study for students from the lowest-income SES quintile. The period of time measured includes outcomes from students' entry as ninth graders in 1988 to the year 2000.)
- High school graduates from poor families who score in the top testing quartile are no more likely than their lowest-scoring, affluent peers to attend college. The former enroll at rates of 78 percent; the latter at 77 percent. (Based on the high school graduating class of 1992; source: Advisory Committee on Student Financial Assistance, 2001.)
- Nearly half of our nation's African-American students and nearly 40 percent of Latino students attend high schools in which graduation from high school is not the norm. In the nation's 900 to 1,000 urban "dropout factories," completing high school is a 50:50 proposition at best. (Source: Robert Balfanz and Nettie Legters. 2004. *Locating the Dropout Crisis—Which High Schools Produce the Nation's Dropouts? Where Are They Located? Who Attends Them?* Baltimore: Johns Hopkins University.)

The Early College Initiative web site states, "In 2007, more than 900 students graduated from 17 early college high schools around the country. Their achievements far surpass those of their peers from traditional high schools serving similar populations. Preliminary data show that:

- Over 65 percent of the graduates were accepted to four-year colleges. Others have chosen to complete an Associate's degree by spending a fifth year at their early college high school.
- More than 85 percent graduated with substantial college credit.
- More than 250 early college high school graduates earned merit-based college scholarships. Four earned the prestigious Gates Millennium Scholarship, awarded to 1,000 high-achieving, low-income students each year".

Jill Zubov Shenberger, Principal at Academy of the Canyons established in 2000 at College of the Canyons in Santa Clarita, California writes that the benefits of an early college program are:

- "Higher education is more accessible, affordable, and attractive as the physical space between high school and college is removed.
- Less time is wasted during a student's junior and senior years as they are able to begin to earn credits towards a post-secondary degree.
- Appropriate guidance and support are provided as students transition from secondary to post-secondary education, a critical transition period where students often do not receive these services.
- Early colleges are breeding grounds for innovation, creating new and better ways to serve the intellectual and developmental needs of young people by unifying and reconceptualizing academic work from high school through the second year of college".

"Two years of college is the minimum required to put young people on the road to a middle-class income, but the high school-to-college transition is a point at which the education system loses many young people. To ease this transition, early college high school consciously integrates the high school and college experiences. The curriculum is designed as a coherent unit, with high school and college-level work blended into a single academic program. These schools allow young people to focus on their studies in their last years of high school, rather than be distracted

by the daunting maze of college and financial aid applications. Just as important, this makes college far more affordable for students and their families, who save two years worth of college tuition. By the time students have graduated from an early college high school, they have gone well past the “20 credit threshold” that is a key breaking point between students who complete a college degree and those who never finish college”. (Source: Clifford Adelman, 2006. *The Toolbox Revisited: Paths to Degree Completion from High School Through College*. Washington, DC: U.S. Department of Education.)

Over the last decade, opportunities have expanded for high school students to earn college credit. Advanced Placement and International Baccalaureate courses and their accompanying tests give many students ways to take college-level courses from their regular teachers, usually during their senior year. Students in dual enrollment programs remain formally enrolled in high school but take college courses, taught by either high school or college faculty, in classrooms located either at their high school or on a college campus. At the same time, more and more community colleges are developing ways to accelerate high school students (as well as high school dropouts) by enrolling them in college courses. Meanwhile, a variety of post-secondary incentive programs reward students with free or reduced college tuition for finishing some college work in high school. And, at the most dramatic end of the continuum, students at middle colleges and early college high schools can complete up to two years of a college program while still enrolled in high school.

Until recently, this educational terrain of college-courses-in-high-school belonged almost exclusively to a small, privileged group of young people: those whose families could afford high-quality private high schools and those in well-funded public schools that offered Advanced Placement and similar options to their highest-achieving students. But today’s programs that allow students to earn college credit in high school are no longer limited to elite schools. Students from a wide range of backgrounds and with diverse prior accomplishments are demonstrating that the academic challenge provided by college-level courses can be an inspiration, not a barrier. The job of early college high school faculty and partners is to refine the instructional practices and support structures that move students from inspiration to true achievement. Some of the most promising strategies currently in use in early college high schools include: adopting school-wide literacy practices, focusing on inquiry-based instruction across grade levels and content areas, and creating “shadow” or “lab” courses to complement college courses.

The question for the future is the degree to which opportunities like these will increase the number of young people who gain a post-secondary credential—especially among those who remain underrepresented in higher education.

What sets TMP apart from Santa Fe Public School (SFPS) dual enrollment, Advanced Placement, and other pre-college programs is the reach and coherence of the blended academic program, the focus on underrepresented students, the STEM Curriculum and the Paideia approach. Moreover, because TMP is located on the SFCC campus, transportation issues are eliminated and dual enrollment is convenient. As with early college high school, Advanced Placement and dual enrollment strategies give students a taste of college, yielding multiple benefits: for students, better preparation for college; for institutions, lower remediation costs and higher retention; and for high schools, improved understanding of the demands of college and an expanded set of curricular offerings. Moreover, TMP will:

- Fully integrate students’ high school and college experiences, both intellectually and socially;



- Enable students to earn up to two years of college credit toward a degree while in high school, not just a few college credits;
- Blend the curriculum as a coherent unit, with high school and college-level work melded into a single academic program that meets the requirements for both a high school diploma and, potentially, an Associate's degree;
- Grant college credits through SFCC and enables students to accumulate the credits toward a degree from SFCC or to transfer them to another college.

TMP's approach and educational philosophy is likely to result in improved educational performance of its students because they will have:

- An integration of the STEM Curriculum and Paedeia methodology which combines information together across disciplines to make sense with real world applications in a real world setting
- Strong connection and identification with a community of learners;
- Individual and group instruction;
- Improved communication skills;
- Increased maturity, independence and evidence of coping skills;
- Increased motivation and engagement;
- Work experience and exploration of career options
- High school graduation;
- Assistance in obtaining employment;
- College credit during high school years;
- Access to community college facilities, and
- Practicums.

Further, TMP will provide work-related experience, such as cooperative (practicum) education, job shadowing (career exploration), work study, mentoring, learning through providing community service often directly related to career education programs, support services, and individualized development plans for students. This will be accomplished in a learning-centered institution committed to implementing academic and career-technical educational programs. Completion of the TMP high school program is likely to result in higher academic achievement because each student enrolled in The MASTERS Program will meet the following competencies in the areas of educational, personal and vocational/career development:

### Learning Competencies

1. Understand one's own learning abilities and how best to apply them;
2. Understand the school environment and what is expected;
3. Understand the course offerings and the impact course selection will have on future plans;
4. Learn to set realistic goals and develop strategies to reach them;
5. Understand how standardized tests results are used and how to interpret them.

### Personal Competencies

1. Understand personal relationships and how to establish an independent identity;

2. Take responsibilities for personal decisions;
3. Understand and appreciate one's own capabilities and those of others;
4. Learn conflict resolution skills;
5. Learn to cope with change and plan for the future.

#### Career/Vocational Competencies

1. Understand the career development process and how to use the resources available.
2. Form tentative career goals and strategies for attaining them;
3. Become informed about post high school opportunities and the issues involved in the selection process;
4. Understand continuous changes of male/female roles and how this relates to career choice and college involvement;
5. Develop the interpersonal skills necessary for positive adjustment to independent living.
6. Develop the skills and knowledge necessary to pursue careers in the areas of, or relating to, Science, Math, Engineering, and Technology.

TMP will serve a diverse student body with a special focus on recruiting students with an interest in science, math, engineering and technology and groups underrepresented in these subject fields including young women, students of color, students from low-income households, and students who would be first-generation college graduates.

The STEM Education Coalition, composed of advocates from over 600 diverse groups representing all sectors of the technological workforce – from knowledge workers, to educators, to scientists, engineers, and technicians stated in a recent letter to President Barack Obama:

*“The STEM Coalition has worked with stakeholders to address the under representation of minority groups in STEM fields, and to strengthen the teaching and learning of science, technology, engineering and mathematics by bringing high quality STEM students in to the teaching field and by improving the content knowledge and professional development of current K-12 STEM teachers already in classrooms. We also strongly encourage the collaboration and coordination of all federal STEM education efforts to ensure that taxpayer dollars are well spent.*

*In these difficult economic times it is vitally crucial that we not lose sight of the importance of STEM education to our nation's future workforce, economy, and national security. All stakeholders must work together, deliberately and strategically, to address the challenges and opportunities in STEM education if we want to ensure that our students have critical 21<sup>st</sup> century skills.”*

At TMP students will experience the values of civic duty, responsibility and determination on a daily basis. Through both school and teacher initiatives, TMP students will have available a wide range of community and extracurricular activities, including service learning, social and informational events, academic and social clubs, and student government. All programs will promote our belief that students take ownership of their overall education, their school, and their community as a means of enriching their own lives and those of others. TMP's program will strive to promote leadership development, civic involvement, and a lifelong love of learning.

Santa Fe Community College is opening a Sustainable Technologies Center in the Fall of 2009 and intends to infuse sustainability across its curriculum with an emphasis on strong core Science, Technology, Engineering and Mathematics (STEM) education. TMP's emphasis on these core STEM subjects, including nanotechnology, blends well with this new emphasis by SFCC.

Regarding this new Sustainable Technologies Center, the SFCC web site states :

*“Creating an advanced technology center at Santa Fe Community College is a long-time dream of President Sheila Ortego. The community of Santa Fe and the larger region have embraced renewable energy, water conservation, and sustainable practices making Santa Fe a unique community.*

*SFCC is located in the middle of Santa Fe County's Community College Planning District. This special zoning was created to build sustainability into all future development in the area surrounding the college, with an emphasis on respect for the environment, community, connectedness, and economic development to provide jobs close to neighborhoods. The city of Santa Fe also adopted an economic development plan in 2004 which includes the goal of establishing Santa Fe as a leader in renewable energy.*

*The academic programs of the Sustainable Technologies Center are part of SFCC's overarching strategic objective to make the college a 'green' facility throughout, and to infuse sustainability across its curriculum with an emphasis on strong core Science, Technology, Engineering, and Mathematics (STEM) education. President Sheila Ortego is deeply committed to reducing the carbon footprint of SFCC and is an original signatory to the College and University President's Climate Commitment”.*

Each student will be required to have one unit of Sustainable Science and one unit of Nano Science, each with a laboratory component. TMP will develop the Nano Science laboratory over the term of the charter, initially equipping the laboratory with set-up year federal funds and then acquiring grants during the term of the charter to further develop the Nano Science Laboratory at the SFCC Sustainable Technologies Center.

It is the Founder's belief and experience that the discovery through Nano Science, with an emphasis on microscopy and fabrication, is a life long stimulus for students to always be in a state of discovery – to always be in a state of learning. Microscopy and fabrication allow students to integrate all they have learned in science, math, engineering and technology into hands-on practical applications useful in today's workforce.

## **2. Description of the Curriculum**

The specific curriculum has yet to be developed. TMP will use the STEM Curriculum, Paideia methodology, IDEAL-NM, SFCC dual-credit courses, and New Mexico Standards and Benchmarks as guidelines.

It is TMP's intention to find ways to integrate the STEM curriculum into core courses when appropriate and possible. Each student will be issued a computer that will have many math and engineering design programs that they will learn as they advance through the program.

In the new Sustainability Science Center at SFCC, TMP students will be exposed to course work in programs such as watersheds and the relationship of soils and water quality, the importance of water for life processes on planet Earth and living green utilizing smart growth and sustainable development. In the Nano Science program students will be exposed to the convergence of Nano Science and sustainability such as expanding the surface area of thermal panels thereby making them more efficient and learning of the properties of light, ions and electrons.

### **3. Alignment with NM Standards**

IDEAL-NM courses have been approved in meeting Benchmark and Standards by the PED. SFCC dual credit courses will be negotiated with SFCC and submitted to the PED within ten days after signature between TMP and SFCC. TMP course offerings will be taught by Highly Qualified and Licensed New Mexico teachers per state requirements.

All required core classes offered will be aligned to New Mexico Standards and Benchmarks. Upon entry to TMP, students will be required to have six high school units completed including one unit each in English, Algebra I, Social Studies, Science and two electives. To graduate students will be required to have 28 units including 4 units in English, 4 units in Math, 5 units in Science including 1 unit in Nanoscience and 1 in Sustainability Science, 1 unit in Engineering, 3.5 units in Social Studies, 1 unit in Physical Education, 1 unit in Workplace Readiness and 8.5 electives. Upon approval of the charter application, TMP will begin to design the specific curriculum. The curriculum will be completed by April, 2010, so that there is sufficient time to order necessary instructional materials, supplies, etc.

### **4. Strategies and Methods**

Students are either taught by Licensed and Highly Qualified New Mexico teachers in the TMP classrooms, take IDEAL New Mexico high school courses on-line, and/or take SFCC dual credit courses. Additionally each student will work with teachers to obtain work-related and community service credits.

Each student will work with his/her counselor to develop the required Next Step Plan which will determine the student's individual and specific curricular program.

The curriculum will address students' needs and assist students in reaching the NM Standards first through requiring students to have six high school core credits completed prior to entry. In addition to the IDEAL-NM courses and SFCC dual credit courses, upon entry each student will receive individual tutoring from Licensed and Highly Qualified New Mexico teachers and have access to SFCC Academic Counseling, Tutoring Center, Library, Media Services, Career Center, Computer Laboratories and Gymnasium.

Curricular strategies and methods in action in the classroom include, but are not limited to, the following:

- Projects and activities that engage students in authentic, problem-based scenarios
- Modules that utilize inquiry-based instruction
- Integration between all content areas
- Utilization of the 5E (Engagement, Exploration, Explanation, Elaboration, and Evaluation) teaching, learning, and assessing cycle

- Support and reinforcement for IDEAL-NM classes and dual-credit classes through individual and small group tutoring.

In addition to the Next Step Plan, students will maintain Student Data Folders that will be reviewed quarterly with teachers/counselors. Students will identify specific goals and will collect data throughout the school year (including both formal and informal assessment results) to insure that they are on track in reaching their goals. As each goal is achieved, new goals will be formulated. If goals are not being met, teachers and counselors will work with students to determine what supports need to be put into place. In some instances, a formal SAT meeting can be held.

TMP will develop an EPSS (Educational Plan for Student Success) which will identify areas of growth in a Plan, Do, Study, Act format. TMP will be focused on continuous improvement while utilizing the EPSS to implement and evaluate strategies that meet the holistic needs of students while measuring rigor in the classroom.

An example of a curricular strategy and method in action in the classroom may be a project that incorporates and integrates strands from different content areas (ie: math/science/technology). Students would engage in Socratic Seminars prior to beginning the project and at the completion of the project. Another example is that students enrolled in SFCC dual credit classes will both attend SFCC classes and then come back to the TMP classroom for group discussion regarding that particular subject and support as needed in the best interest of the student. The purpose of this strategy/method is to create a study group where students, with the aid of the teacher, can deepen their understandings, solidify their knowledge, and reflect on the learning experience, thereby, increasing their potential for success.

The TMP Licensed and Highly Qualified New Mexico teachers will be trained in the Paideia Philosophy to teach and/or tutor each student and to create a Socratic classroom where questions and answers are encouraged to optimize classroom creativity and learning. All New Mexico Standards and Benchmarks and graduation requirements will be met through the curriculum method chosen, i.e TMP classroom or IDEAL-NM classes and/or SFCC dual credit courses for college level classes. Continuous professional development will occur for the entire TMP staff in the Paideia Philosophy and other areas of need such as STEM curriculums, integrating curriculum, 5Es and project-based learning. We intend to develop STEM related workshops and other professional development opportunities for all TMP teachers. We intend to work with organizations like the National Center for Technological Learning and the Boston Museum of Science to develop instructional materials for use by TMP teachers. The school calendar will include days for professional development before, during, and after the school year. Funds will be allotted for staff to attend relevant conferences and trainings. Funding will also be utilized for guest speakers and participation in professional organizations that support the mission of the school and its curriculum.

Required for Graduation

### **Science (5)**

9th grade - Biology

10th and 11th grades - Chemistry, and Physics

12th grade - Nanoscience (Microscopy and Fabrication) and Sustainability Science

**Math (4)**

9th grade - Algebra I

10th and 11th grade - Geometry and Algebra II

12th grade - Math Elective

**English (4)**

English I, English II, English III, English IV (9th - 12th grades respectively)

**Social Studies (3.5)**

9th grade - New Mexico History

10th grade - World History

11th grade - US History

12th grade - Economics/Government

**Engineering (1)** - 11th or 12th grade

**Physical Education (1)** - 9th or 10th grade

**Workplace Readiness (1)** - 12th grade

Community Service

**Electives (8.5)**

Personal Finance Management

Foreign Language

Students without IEPs and students with IEPs that are on the “standard pathway” must fulfill these course requirements. A student with a disability may be awarded a diploma using the Career readiness pathway or Ability pathway - or programs of study per their IEPs. The requirements for graduation will vary depending upon the pathway determined.

The curriculum for TMP will be taught by Licensed and Highly Qualified New Mexico teachers and/or IDEAL-NM on line course offerings (IDEAL-NM courses listed on Attached Exhibit F) for non-dual credit courses and/or AP courses. Santa Fe Community College courses will be offered for dual credit courses when a student qualifies. It is from these course offerings that TMP students, with the help of their counselor, select their classes to meet the courses needed to fulfill graduation requirements in New Mexico. TMP students will not pay tuition for their courses, and their textbooks will be provided by TMP. Each student will have access to a computer.

Upon entrance, each student will be given the Accuplacer test to determine whether that student should take non-dual credit classes, AP courses or dual credit classes. Students will be given individual advisement to assist them in determining what courses to take and also in developing or modifying the state required Next Step Plan. Depending on the number of years a student attends TMP, students may be able to complete all or most of the requirements for one of the many AA degree programs that are available. There are 37 General Education credits every college student who wants to transfer to a four-year institution must take. Teachers and advisors

will assist students in taking courses that will not only meet high school graduation requirements but also meet the common core requirements.

TMP will enter into a dual credit agreement with SFCC such agreement to be submitted to the PED for approval. A copy of the Statewide Dual Credit Master Agreement is included in the Appendix as Exhibit G and by reference is included herein. Also included in the Appendix as Exhibit H, and by reference included herein, is the current list of SFCC dual credit courses approved by the Dual Credit Council. TMP will follow the terms of the Dual Credit Master Agreement in every respect regarding Eligible Dual Credit Courses as follows:

*“The following general eligibility and approval requirements shall apply to all Agreements. The Agreement specifies the means by which the state will provide equal opportunities to all high school students who wish to participate in the dual credit program. The Agreement: 1) specifies eligible courses, academic quality of dual credit courses, student eligibility, course approval, course requirements, required content of the form, state reporting, liability of parties, and student appeals; and 2) states the roles, responsibilities, and liabilities of the district, the postsecondary institution, student and the student’s family.*

*College courses that are academic or career technical but not remedial or developmental and that simultaneously earn credit toward high school graduation and a postsecondary degree or certificate shall be eligible for dual credit.*

*Dual credit courses may be taken as elective high school credits. Dual credit courses may satisfy the requirements of high school core courses when the PED standards and benchmarks are met and curriculum is aligned to meet postsecondary requirements.*

*Dual credit courses may substitute for high school course courses when the Dual Credit Council determines there are exigent circumstances. For example, there is limited high school capacity, staff, space or scheduling and the NMHED and PED cabinet secretaries approve the Council recommendations.*

*The DISTRICT in collaboration with the POSTSECONDARY INSTITUTION shall determine a list of academic and career technical courses eligible for dual credit for inclusion into the appendix. The appendix shall contain the higher education common course number, if applicable, course subject and number, course title, and location of delivery. The DISTRICT shall annually submit the appendix to NMHED and PED (Subsection B of 5.55.4.9 NMAC still applies). NMHED and PED shall post the appendix on their respective websites and update the appendix as needed.*

*Dual credit courses may be offered by DISTRICTS, POSTSECONDARY INSTITUTIONS, and off-campus centers as determined by the DISTRICT in collaboration with the POSTSECONDARY INSTITUTION offering the courses. Dual credit course may be delivered during or outside of DISTRICT hours.*

*The POSTSECONDARY INSTITUTION may offer dual credit courses via distant learning (ITV, online, hybrid, correspondence) in accordance with 6.30.7.8 NMAC and 5.55.4 NMAC as this option becomes available and cost-effective. All dual credit course rules apply. The DISTRICT*

*and POSTSECONDARY INSTITUTION participating in the Cyber Academy shall be subject to applicable rules pertaining to it.*

*The DISTRICT and POSTSECONDARY INSTITUTION shall be allowed to continue current practices regarding core courses offered for dual credit until the Council issues its recommendations or not later than the beginning of the 2009-2010 school year, the time the dual credit courses become a high school graduation requirement”.*

It is the Founder’s belief that TMP students, conditioned upon Accuplacer test results, will receive the maximum benefit from the TMP program if the students are allowed by the PED to take dual credit courses for both electives and core high school course requirements when the PED Standards and Benchmarks are met, for instance college biology or college chemistry substituting for high school biology or high school chemistry. Although TMP will accept a charter where only electives are allowed for dual credit it would be a dilution of the challenging program the Founder envisions if dual credit courses, or a hybrid, are not allowed for core high school courses. The Founder recognizes the Dual Credit Council is the ultimate arbitrator of the legislative intent of the dual credit statutes. TMP is seeking in this charter to offer TMP students the maximum educational experience under this proposed educational model.

TMP students will meet or exceed the New Mexico Standards for Excellence Content Standards and Benchmarks. Students will graduate from TMP prepared to pursue post-secondary education or secure a job in a technical vocation.

Work related experience will include internships, field studies and other community-based learning which will assist students to learn problem solving and thinking skills in the real world. Students will have the opportunity to see how adults put together careers as well as having the opportunity to build one-to-one relationships with adult mentors.

TMP will develop placement sites for learning potential associated with the STEM curriculum, observe students in the field, meet regularly with mentors to discuss student progress and debrief the students to enhance, deepen and extend their learning.

## **B. EDUCATIONAL PROGRAM**

### **1. Length of School Day and School Year**

The length of the school day will be determined by each student’s individualized schedule. TMP and Santa Fe Community College will offer courses from 8:00 AM until 9:30 PM. The number of instructional hours will be approximately seven hours per day including career/work and community service hours.

The proposed length of the school year will be either 180 days (5 days per week) or 160 days (4 days per week). New legislation from the 2009 legislative session requires schools that are on a five day per week session to complete 180 days for instruction. Schools on a four day per week session will be required to complete 155 days per session, however, the regulations regarding these options have not been developed. A decision regarding the length of the school year will be made after the regulations are finalized. TMP feels that well-prepared students will be much more successful in the academic arena; therefore, 5 days will be added to



the beginning of each school semester. Santa Fe Community College is a 32 week session. Summer school sessions will be available as needed for special education students whose IEP's require Extended School Year services. Summer school sessions may also be planned for all students who require additional support with dual-credit courses or IDEAL-NM courses.

The length of the school day supports the Educational Plan by giving students choices and flexibility in scheduling classes. Personal responsibilities, financial responsibilities, and the ability to perform community service/pre-vocational requirements can be scheduled accordingly. The length of the school year will support the Educational Plan by providing a timeframes within either of the schedules that will allow students to be better prepared before classes begin (ie. obtaining supplies and materials, locating classrooms, meeting with advisors, forming support and/or study groups).

## **2. Grade Levels, Class Size and Projected Enrollment**

TMP proposes to serve grades 10-12.

The total projected student enrollment is 200, beginning with 120 students the first year.

The projected class size is 16 - 20.

## **3. Graduation Requirements:**

Upon entry to TMP, students will be required to have six high school units completed including one unit each in English, Algebra I, Social Studies, Science and two electives. To graduate students will be required to have 28 units including 4 units in English, 4 units in Math, 5 units in Science including one unit in Nanoscience and one in Sustainability Science, 1 unit in Engineering, 3.5 units in Social Studies, 1 unit in Physical Education, 1 unit in Workplace Readiness, and 8.5 electives. Requirements for students with disabilities may vary depending upon their IEPs and determined pathway, or program, for graduation.

TMP requires 28 credits for graduation versus the State of New Mexico requirement of 24. No SFCC course below 111 is eligible for dual credit.

## **C. STUDENT PERFORMANCE EXPECTATIONS**

The MASTERS Program has the following performance expectations:

- 50% of TMP graduates accepted to and attend four-year colleges
- 80% of TMP graduates graduate with twenty college credits or more as measured by high school transcripts.
- 94% of the students exceed proficiency in the standards each year as measured by SBA scores and other required indicators.
- 100% of students will participate in post-secondary STEM-related academic or vocational programs within one year of graduating as measured post-secondary outcomes surveys.
- 100% of all seniors will participate in career pathways via job shadowing/work study/community service as measured by student logs.

- 100% of students will participate in weekly study groups, quarterly student-led conferences, and monthly meetings with counselors as measured by attendance records.
- 90% of students will demonstrate satisfaction with TMP programs through surveys administered yearly.
- Increase student enrollment figures over five years to the indicated enrollment of 200 students.
- 100% of TMP students will exceed New Mexico requirements for graduation by completing 28 high school credits vs. 24 state required credits, 22 credits to be completed within three years - grades 10-12 as measured by yearly transcripts and graduation data.

#### **D. PLAN FOR EVALUATING STUDENT PERFORMANCE**

Students are expected to achieve academic success continually. In order to measure progress and mastery, assessments will be conducted at the school and classroom levels as well as for individual students (aligned with their Next Step Plans and Individualized Education Plans for students receiving special education services) using both standardized methods and internally developed metrics. Classroom and student data will be regularly collected. Teachers will analyze and track data as will students. In addition, the NWEA will be administered tri-annually to evaluate school, classroom and student improvement and to determine areas of need. Data from all assessments will be disaggregated to show a trend analysis for each student and to be used to modify instruction. Statistical methods will be used, when applicable, to streamline the data collection and analysis processes. Comparative measures will be used to assess the TMP performance as compared to other New Mexico Charter Schools and other national Early/Middle College High School programs. TMP will practice a continuous process and school improvement policy using the Malcom Baldrige Criteria for Performance Excellence and the EPSS (Educational Plan for Student Success).

In addition to summative assessments, formative assessments will be conducted in each classroom to determine student progress toward mastery and to drive instructional practices.

Evidence that assessments will be valid and reliable measures of student progress toward achieving the identified student performance standards shall be through grading and ongoing student performance evaluations as follows:

**Grading:** Student performance will be graded using a standardized alphabetic grading system based on the 4.0 scale. TMP will ensure that students receiving a “C” or better for a final grade meet a pre-established set of performance criteria that demonstrates critical thinking capabilities, subject matter expertise and mastery of basic skills associated with the course requirements. This structure requires students to master the learning objectives in each content area before moving on. (See Corrective Action section below for students scoring less than “C”). Students will receive progress reports on a quarterly basis.

**Annual Student Performance Evaluation:** Student performance will be assessed on an ongoing basis through teacher, counselor and self-assessment. The New Mexico Standards Based Assessment and/or the ACT/SAT in year 11 and 12 will be administered to ensure that student performance is meeting school goals. Prior to graduation all TMP students will pass the new New Mexico High School Assessment (to be developed by PED).

In the event that student performance falls below a final grade of “C” in a core competency students will be supported and corrective actions taken which may include the following:

- Work one-on-one with a tutor
- Peer tutoring
- Additional scheduled time to complete assignments
- Attend summer school
- Attend the course again using another modality (IDEAL-NM) with supports
- Work through some other remedial path stipulated by the instructor and counselor until “C” competency or better is achieved.
- Referral to the Student Assistance Team (SAT)

If, at the end of each quarterly reporting period, a student is not meeting performance criteria, or not has made progress towards goals identified in the Next Step Plan and monitored using Student Data Folders and other assessments, the teacher, counselor, and parents and student will formulate a written plan in an effort to assist the student. Student-led parent-counselor conferences will be held at a minimum of twice per year. Subsequent progress reports and conferences may be conducted with greater frequency, such as quarterly, as needed.

To address student performance standards quickly, TMP classroom teachers and administration shall monitor test and performance results for all tests of all students in all SFCC classes and work with the student to provide support as necessary.

As applicable, TMP will use the following methods for using student assessment and performance data to evaluate performance and to inform instruction on an ongoing basis including Short Cycle Assessments (SCA) and individual Student Data Folders:

- Norm-referenced exams – Specific exams describing a student’s performance by comparison to a normal range: ie: Short-cycle assessments and/or Standard Based Assessments, IPT Test in oral language, reading and English language skills. Test results will be disaggregated and used to modify instruction in the TMP classroom.
- Performance based exams – Student performance is directly related to performance standards identified by course requirements and Next Step Plans. In addition to Student Data folders maintained by each student, performance exams will provide an analytical approach to student performance and will be used as key criteria to adjust instructional strategies and modify development plan.
- Portfolios – A collection of selected student work and self assessments developed over time in collaboration with the instructors and maintained in the Student Data Folders. TMP staff will develop procedures and assessment criteria to review, evaluate and compare student portfolios in order to assign a value to the work collected. The showcase portfolio will be a collection or gathering of a student’s best work from all aspects of his learning experiences to include examples from academic curriculum and career/vocational activities. The showcase portfolio will contain finished works that have been revised, polished and edited multiple times. The portfolio will include evidence of demonstrations, exhibitions, exams and other performances.

- Rubric evaluations – Holistic or analytical analyses will also be employed. These lists of narrative statements will be used to evaluate the quality of student’s work in relation to performance-based benchmarks established by the State of New Mexico Department of Education. Student portfolios will be evaluated by rubrics in support of performance-based learning.
- Staff evaluations – Santa Fe Community College instructors and TMP staff will evaluate the following examples of student work: assignments, projects, special assignments, and performance evaluations by cooperative work experience supervisors. Formative assessments will be done during and summative assessments will be done at the end of units, projects, courses and sequences of learning. Chapter tests, final exams, final draft of writing projects and exhibitions are typical of the summative assessments to be employed.
- Alternative Assessment – TMP understands that Alternative 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 the IEP team. In the event that a student is enrolled at TMP 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. Eligible students will take the NM Alternate Assessment in grades 10-11 as an alternate to state mandated testing in those grades. Teachers can use the results from each year to identify goals, program needs, and student growth. The IEP team will complete the NMPED “Addendum for Determining Eligibility for the NM Alternate Assessment” and provide documentation that the student meets participation of eligibility criteria 34 CFR Sec. 300.138(b)(1).

A formal grade check will be conducted with the instructors at midterm and final. These grades will be shared with the student and mailed to the parent. Based on these reports as well as teacher input, additional academic support (which may include further assessments), and personal guidance will be provided. Attendance will be monitored for all students and parents will be informed about their student’s progress on a mutually agreed upon basis. In addition, TMP may initiate the SAT Team process for additional interventions. The faculty member will complete the SAT referral form and request that the SAT Team meet to discuss alternatives for a particular student who is not doing well in his/her classes. TMP will utilize the PED SAT Guide and Response to Intervention Model for each student.

Upon graduation or whenever the student transfers from TMP to another school, the school will provide a formal transcript indicating the courses taken and grades given. The school will use the PED STARS system to indicate what courses have been taken and which requirements have been met.

## **E. SPECIAL POPULATIONS**

English Language Learners (ELL) fall into three categories: (1) students whose primary home language is other than English, (2) students from heritage language groups needing enrichment and further development of English while maintaining fluency in their heritage language, and (3) any other students needing enrichment and further development of academic English. TMP will

use the required procedures to appropriately serve the language needs of English Language Learner students. These procedures include the following:

1. Identification of the Primary or Home Language other than English (Phlote) by administering the Home Language Survey or Student Language Survey upon enrollment. If students are not succeeding academically, the teacher/counselor may also use a Language Observation Form.
2. Administer the New Mexico English Language Placement Test (NMELPT), within the first 20 days after the student arrives at the school, to determine whether the student is Proficient or Non-Proficient in all language domains.
3. Based upon results of the NMELPT, placement in an appropriate state-approved Bilingual Education program model that is scientifically research-based.
4. Student Evaluation - assess English-language progress annually until proficiency is attained and monitor for 2 years after exit from the English language program.

For ELL students, the school will contract with an appropriately certified ESL or Bilingual teacher who can provide assistance within the classroom to the student if needed. Within classroom, teachers will be given priority for being Bilingual. The ESL teacher can provide support to the college instructor on scaffolding instruction to aid in student comprehension of content and objectives by adjusting speech or providing appropriate background information and experiences to assist the students to grasp the content. In addition, project-based learning (hands-on) can be used as a way to transcend language barriers or instructors can use visuals and demonstrations to communicate content and develop language skills with ELL students.

The school understands that it has a duty under federal and state law to provide a free and appropriate public education to children with disabilities which disabilities require special education and related services. During its planning year TMP will hire appropriately licensed and knowledgeable special education consultants to assure the school adheres to and addresses all federal and state laws and regulations pertaining to special education students.

TMP will comply with all state and federal laws to ensure that all its enrolled students with special needs are properly identified, and that appropriate services are delivered 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 Improvement Act of 2004 (IDEA), as amended and the IDEA implementing regulations, found in 34 CFR Part 300 (December 1, 2008).

Students enrolled at TMP and 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 sooner if requested by school staff or the parents. The student's eligibility will be reevaluated every three years or sooner if requested.

Section 504, the Americans with Disabilities Act, requires students with disabilities be provided with a free appropriate public education (FAPE). TMP agrees to provide the full range of accommodations and services necessary for students with disabilities to participate in and benefit from public education programs and activities.

The school plans to use the Student Assistance Team process as outlined in the NMPED Student Assistance Team manual and NMPED Response to Intervention guidance document for general education students who are struggling. This process includes forming a SAT team representative of members, including the student's teachers, who can work together to form an intervention plan to assist the student. This includes documenting a student's response to interventions tried

and monitoring by general education staff to address academic and other needs that are impacting the student's ability to appropriately access the general education curriculum. The school will set up systems and methodologies to address student needs that include data-based goals, reflection and review of instruction and methodology, differentiation of the instruction and targeted interventions as well as formal and informal assessments. As recommended in the Response to Intervention Manual, the three-tiered approach will be implemented.

### *TIER I*

If a teacher recognizes that a student is either struggling to learn the standard curriculum, working beyond the standard curriculum, or having difficulty maintaining appropriate behavior in the general education classroom, the teacher will implement appropriate standards-based instruction including any grade-level or school-wide interventions such as monitoring and general screenings. Tier I interventions are provided in the general education classrooms and may consist of programs that have different levels of instruction (mild to intense). Student progress is monitored.

### *TIER II*

Students who have not responded significantly to Tier I programs/interventions will be referred to the TMP The Student Assistance Team (SAT), where they may receive a written, individual SAT Intervention Plan or a Section 504 plan. Based upon data that indicates that the student have shown over time a significant deviation from their grade-level peers and/or persistent behavioral problems, a plan can be developed that includes more intense instruction that is provided individually or in small groups and occurs in addition to the general education curriculum. In the area of behavior, a Functional Behavior Assessment and a Behavior Intervention Plan can be developed. Students with disabilities who do not qualify for special education services can be served at this tier through a Section 504 accommodation plan. The TMP SAT Team will be the Section 504 Team as well. The student's progress is monitored to see if the intervention(s) are effective on a more consistent basis than in Tier 1.

### *TIER III Special education referral process*

If the student does not respond adequately to significant Tier II interventions, the student will be referred for a Multidisciplinary Evaluation to determine their need for special education services. TMP will follow the rule that informed parental consent must precede the initial evaluation, and the parent's consent to the initial evaluation will not be construed as consent for special education services. The initial evaluation will be completed within 60 days from the date of parental consent, as per IDEA 2004.

If the student qualifies for special education services under the IDEA or the state criteria for gifted, specially-designed instruction and related services will be provided through an Individualized Education Program (IEP). If the student does not qualify for special education services, they can return to the SAT team and continue to receive Tier II interventions or a Section 504 accommodation plan if appropriate.

### *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 the child's parents and educational professionals such as general and special education teachers, a diagnostician, related service providers if they conducted an

evaluation, and the LEA representative. The purpose of the meeting is to review the evaluation with the parents and determine if the student is eligible to receive special education services. If so, an Individualized Education Plan (IEP) is developed which will provide specially-designed instruction that is tailored to fit the learning strengths and needs of the student. Determination, or the re-evaluation, of eligibility through the Multi-disciplinary Team occurs every three years unless an early re-evaluation is warranted.

#### *Individualized Education Plan*

TMP will be responsible for developing, implementing, reviewing, and revising an IEP program in compliance with all applicable regulations and standards for each child with exceptionalities served by the school. At an IEP meeting, the individualized education plan for a student will be developed by a team including the student, parents, general education and special education teachers, appropriate ancillary staff, and an LEA representative. The IEP will focus on academic, behavioral, and/or social competence and will include therapies necessary to both help the student overcome difficulties in these areas and have as much access to the general education curriculum as possible. The services, as required by IDEA, will be delivered in the *least restrictive environment*. The IEP will be reviewed annually or sooner if requested by school staff or the parents.

#### *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 Headmaster will consider each set of unique circumstances in deciding whether to seek a long-term disciplinary removal of a student with a disability.

#### *Manifestation Determination*

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 observation and any 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 team 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).

#### *Functional Behavioral Assessment (FBA) & Behavioral Intervention Plan (BIP)*

A functional behavioral assessment is done when a student's behavior interferes with his or her learning or the learning of others. TMP will use the FBA and BIP forms provided by the NM PED Special Education Bureau. If a manifestation determination finding shows that a student's behavior was related to his/her disability, then the IEP team will 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 has developed and implemented a BIP for the student, the IEP team will review the plan and modify it to address the behavior in question. See. Student Discipline Policy in Section VII F.

### *Least Restrictive Environment*

To the maximum extent appropriate, students who qualify for special education services will be educated with their non-disabled peers. Segregation or other removal of children with disabilities from the regular educational environment will occur only when the nature or severity of the disability is such that their needs in general education classes, even with modifications, accommodations, and the use of supplementary aids and services, cannot be satisfactorily met. The IEP Team will determine what services are needed, the level of service and where the service will occur for each student. TMP will offer a continuum of services as required.

The number of special education staff will meet or exceed requirements for caseloads. This includes special education teachers and any ancillary staff needed to implement a student's IEP. Special education staff and service providers will be hired as employees or contracted with privately or through agencies. Special education teachers and ancillary staff will work closely with TMP general education teachers to provide services and support in the general education classrooms. TMP special education staff will provide direct support to students who are taking IDEAL-NM courses as needed. They will also work collaboratively with instructors from SFCC or with the Special Services for Students with Disabilities Department to provide support and/or supplementary services. Special education staff may work in the general education classrooms with students and/or work with teachers on curriculum modifications, accommodations, instructional strategies, etc. Services to students will also be provided in smaller group settings when appropriate.

### *Alternative Assessment*

TMP understands that Alternate Assessment must be developed for students with severe cognitive disabilities and that accommodations must be made as determined by an IEP team. In the event that a student is enrolled at TMP has disabilities that 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. Eligible students will take the New Mexico Alternate Assessment.

Teachers can use the results from 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) (1).

### *Compliance with Section 504 / American Disabilities Act*

TMP agrees to provide the full range of accommodations and services necessary for students with disabilities, as described in Section 504 of the Rehabilitation Act and the Americans with Disabilities Act, to participate in and benefit from public education programs and activities.

### *Eligibility*

Section 504 protects all qualified students with disabilities, defined as those persons having a physical or mental impairment which substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such an impairment. (29 U.S.C Sec. 706(8))

### *Evaluation Process*

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 such as those which 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 the student's participation in the activity of learning and in school related activities.

*Services*

Section 504 services will be determined by the SAT Team. The decisions about 504 eligibility and services will be documented in the student's file, and if services are provided, eligibility and the plan for services will be reviewed periodically, as determined by the SAT Team. Procedural safeguards will be adhered to as required.

## VI. FINANCIAL PLAN

### A. BUDGET

#### See Exhibit “J” Revenue Project Form 910B5

State Equalization Guarantee: TMP will receive 98% of the SEG monies. Most revenues will flow from the State of New Mexico through PED to TMP. TMP will work collaboratively with the New Mexico State Auditors to assure timely reporting and other financial/fiscal processes. In accordance with the 1999 Charter Schools Act and good business practices, TMP will be held accountable for its fiscal performance.

A revised budget will be prepared and submitted to PED based on the projected enrollment numbers for the TMP student population.

#### State Equalization Guarantee Numbers-Years 1-5

School Year	Projected Student Population	Total Units	Program State Equalization Guarantee (SEG) Less 2%
2010-2011	120	297.600	\$1,079,684.75
2011-2012	140	362.700	\$1,281,880.45
2012-2013	160	389.600	\$1,376,952.37
2013-2014	180	416.500	\$1,472,024.29
2014-2015	200	443.400	\$1,567,096.20

Details of the TMP projection for SEG revenues for each year’s budget are as follows: We used a T&E Index of 1.087, Risk Index of .067, and a Unit Value of \$3,606.40. A growth factor of 20 MEM was calculated in years 2 through 5 of the 910B5.

#### See Exhibit “K” Operating Budget Spreadsheet

The 5-year budget is a balanced budget based on the following factors. First our staffing plans for years 1 through 5 are 11, 13, 14.50, 16 and 17.5. Pursuant to Section 22-10A- through 22-10A-11, NMSA 1978 of the School Personnel Act, TMP will pay Teachers and Headmasters the Statutory Minimums plus 10%.

The first year budget includes four (4) full time Regular Education Teachers; two (2) full time Special Education Teachers; one (1) half time Educational Assistant and Health Assistant; one (1) full time Headmaster, Counselor, Administrative Assistant, and (1) full time Registrar/Business Office Assistant. The budget also includes under 2500 55915 - \$50,000 for a Business Manager (Contracted Services) and \$75,000 for a Community Development Consultant (Contracted Services). Cost of living increases are included in the attached budget for employed personnel. All major start-up costs will be included in the Federal Stimulus Start-up application.

Other first year expenses include the following:

- Object Codes 53414 - Other Professional Services
  - IDEAL-NM tuition at \$200 per seat per semester to pay for on line non-dual credit tuition - \$48,000
  - NWEA and NM Coalition for Charter Schools membership - \$3,000
  - AptaFund Accounting System annual fee (Web based system) - \$6,500 \*\*
  - Student Database System annual fee (Web based system) - \$7,000 \*\*
  - Ancillary/Special Education Services to accommodate student Individual Education Plan (IEP) - \$33,385.40 (*Any additional services needed will be covered through additional funding received through IDEA-B and SEG's 40<sup>th</sup> day adjustment*)
  
- Object Codes 55915 - Other Contracted Services
  - ESL and/or Bilingual services - \$9,000
  - Extended school year - \$1,000
  - PE Teacher - \$15,000
  - Nurse - \$10,000
  - Bus Service for field trips - \$1,500
  - Technology services - \$18,144.15
  
- Function 2600 – Operation and Maintenance of Plant
  - Rent (not covered by Lease Reimbursement) - \$39,000 \*\*
  - Property Liability Insurance - \$17,000
  - Utilities and communication services will be included in the cost of the lease

*\*\* The first year costs for technology start-up services, Aptafund accounting software purchase, and student database software purchase will be included in the proposed budget for Federal stimulus funding. Three months lease (April – June 2010) will be included on the Federal Stimulus application.*

Travel and training expenditures will be used for Professional Development for Teachers and Staff. A portion of these funds will be used to send licensed personnel to the National Special Education Conference and National Charter School Conference. Other professional development services are listed in Section V, Part A-4 under Curriculum Framework/Strategies and Methods.

Expenditures for technology services will be to maintain TMP server and student database system. Initial cost for the purchase and installation of the school server will be included in the proposed budget for Federal Stimulus funding.

- OTHER FUNDING RESOURCES

### **State Charter School Stimulus Funds**

After receiving our Charter from NM Public Education Department, TMP will apply for stimulus funding to be used as provided for in this legislation for “convergence costs.” These are limited

to purchase of furniture, equipment, supplies, curriculum materials, technology, construction, facility and consultant and legal fees.

### **Federal Charter School Stimulus Funds**

When our charter is granted and the State of NM is compliant with Federal Stimulus Fund requirements, TMP will apply for funding to be used as provided for in this federal legislation. All federal funds from programs for which the school or its students may be eligible shall be passed through directly to TMP at no extra charge. Major start up expenses to be included in the Federal Stimulus application are estimated to be education program development - \$10,000, professional development (National Charter School Conference and National Conference for Special Education – 5 people) - \$10,000, three (3) months hiring of Headmaster (April – June 2010) - \$22,000, curriculum development - \$10,000, curriculum instruction - \$10,000, laboratory equipment - \$300,000, STEM training and lab set up – \$70,000, computers (200 student Computers and 15 staff computers) - \$135,000, enrollment advertising - \$40,000, staff advertising - \$3,000, Server - \$20,000, technology start-up services - \$10,000, publishing of handbooks - \$5,000, emergency response program - \$5,000, academic assessment - \$5,000, AptaFund Accounting software - \$8,000, Student Database System - \$10,000, business manager - \$12,500, legal expenses - \$5,000, three (3) months rent (April – June 2010) - \$6,000, three (3) months registrar (April – June 2010)- \$4,900, fixed assets (storage sheds, copy machines, etc.) - \$10,000, supply assets (Printers, safe, filing cabinets, shelves, etc.) - \$30,000, and General Supplies and Materials - \$58,600.

**TOTAL - \$800,000**

### **Federal Entitlement Programs**

TMP will actively seek funds through any Federal entitlement Programs where criteria are met. These may include, but not limited to the following: Title I, State School Improvement Grants, Title II, Title IV, Unit/School Technology Improvement, Title VII- Bilingual Education, Special Education, at-risk and other Direct and/or Flow-through Grants.

### **Lease Reimbursement**

New Mexico state law provides that the Public School Capital Outlay Council (PSCOC) may approve charter school applicants for the purpose of making lease payments for classroom facilities, including facilities leased by charter schools. The amount of a grant to a school shall not exceed:

- (a) the actual annual lease payments owed for leasing classroom space for the schools, including charter schools, in the district; or
- (b) seven hundred dollars (\$700) multiplied by the full time equivalent enrollment (MEM)

### **Books, Library, Software**

TMP will be eligible for Instructional Material and Library flow-through grants offered by the State of New Mexico Public Education Department as well as the Public School Library Funding: GO Bond 2010.

### **Other Funding Resources**

TMP will actively seek funding through several private organizations and grants such as the NM Community Foundation, McCune Foundation, Daniels Fund, LANL Foundation, Intel Foundation and Bill and Melinda Gates Foundation. Other foundation grants will be sought out and applied for throughout the life of our charter. Also TMP will work with federal agencies with STEM education programs and will follow the American Competitiveness Council (ACC) recommendations under the auspices of the National Science and Technology Council (NSTC) for STEM funding sources.

The Nano Science Lab TMP proposes will be funded initially through Federal Stimulus monies and will be adequate to get the lab up and running during the set up year. Additional monies will be sought from the above sources to further equip the lab during the term of the charter.

## **B. FISCAL MANAGEMENT**

### **Annual Budget Negotiations**

On or before April 15 of each year of the Charter, The TMP and the District/State will complete negotiations concerning funding for the ensuing fiscal year.

### **Enrollment Count Adjustments**

The Public Education Department may adjust the funding based on the 40<sup>th</sup>, 80<sup>th</sup>, and 120<sup>th</sup>-day counts to reflect the actual student count as compared to the count used at the beginning of the school year. If a student who has been included in the enrollment count of the District transfers to TMP during the school year, the unallocated pro-rata portion of the funding for the student shall be allocated to TMP. Primary funding for the ensuing fiscal year will be based on the average of the 80<sup>th</sup> and 120<sup>th</sup> day counts of the current fiscal year.

### **Special Education**

TMP will provide Special Education services to its students in complete conformance with all State and Federal regulations. The school shall receive funds from PED based on the existing formulas.

### **TMP Administrative Fees**

TMP will set aside 5% for administrative fees from each grant in order administer the grant(s) as well to ensure that our charter school is in compliance with all laws and/or stipulations given by each grant or award.

### **Salaries and Benefits**

TMP will provide payroll function for the school, including the preparation of W-2s and other reports required by State or Federal Law. TMP will certify all payroll information to the PED and State in a timely manner. TMP shall, during the term of this contract, pay the school's portion of the premium for the coverage of medical, dental, vision, life, and long-term disability insurance for full-time employees. The benefits are described in the contract between the school

and the New Mexico Public School Insurance Authority. TMP shall practice good business practices in all matters in compliance with all Federal, State, and Local Laws and Regulations.

### **Budget Policy**

For heightened accountability, both the Business Manager and the Business Office Assistant will be trained on both AptaFund and the Operating Budget Management System (OBMS) for the purpose of providing assurance that the financial data of TMP are in compliance with federal and state laws, regulations and procedures and the PED. TMP will report timely and accurate financial data through the OBMS system to the PED.

TMP will comply with all federal and state laws and regulations relative to fiscal procedures. TMP will adopt the State of New Mexico Procurement Code as the policy of our charter 13.1.21 et seq. NMSA (New Mexico Administrative Code). The Business Manager will be adept at using AptaFund software to manage fiscal responsibilities, safeguard assets, provide reliable financial information, and promote operational efficiency to ensure compliance with all regulatory guidelines through the policies and procedures described below.

The TMP Business Manager will be responsible for planning, preparing and presenting an annual school budget for the TMP Governing Council's adoption. TMP Governing Council will approve the TMP operating budget. Budget oversight is the responsibility of the Governing Council. The Headmaster and/or his/her designee will present to the council for adoption, a specific budget calendar that meets the deliverable deadlines established by the Public Education Department (PED). PED will give TMP the schedule for submitting the budget to TMP's assigned PED Budget Analyst, and set a meeting to obtain PED budget approval. The budget process will include specific budget hearings allowing the Council to learn of the public's priorities. The Headmaster or his/her designee will also be given a specific opportunity to speak towards various programs and matters of interest to the council.

Following such hearings, the Council will identify priorities and give general instructions to the Headmaster or his/her designee to prepare a balanced budget based upon its priorities and other guidelines as deemed appropriate. The Council will debate and vote budgetary issues without further public hearings.

TMP will be aware of, and adhere to, all rules and regulations as outlined in 2.40.2 and 6.20.2 NMAC. All purchases will be made subject to available budget, adequate segregation of duty, and adopted administrative policies and procedures.

The following policies and procedures are established to assure that the assets of TMP are safeguarded against loss from unauthorized use, to ensure the school provide reliable financial information, and to ensure the operational efficiency of the school. These controls also ensure compliance with federal and state laws, regulations, and procedures of PED.

- The fiscal year begins on the first (1<sup>st</sup>) day of July and ends on the thirtieth (30<sup>th</sup>) day of the following June as set forth in 6.20.2.7 NMAC.
- In connection with preparation of the annual budget, TMP will follow all procedural requirements pursuant to 6.20.2.8 NMAC.
- TMP will adhere to the budget preparation standards set forth in 6.20.2.9 NMAC.
- TMP will adhere to the budget maintenance standards outlined in 6.20.2.10 NMAC.

- TMP will pay for current expenditures with current revenues.
- The Business Manager will use a modified accrual basis accounting program to keep records of all school finances for access reporting.
- The Business Manager will review all purchase requisitions for sufficiency of funds prior to issuing a purchase order.
- The Business Manager will prepare monthly financial statements comparing actual revenues and expenditures to budgeted amounts.
- The Business Manager will provide the status of the budget in a report to the Governing Council on a monthly basis.
- The Business Manager will present proposed Budget Adjustment Requests (BAR) as needed to maintain a positive balance by object code for all funds.
- The Business Manager will keep the Governing Council informed of the availability of revenue for budgeting purposes.

### **Accounting Basis**

TMP financial records shall be maintained using a modified accrual basis of accounting with the capacity to convert financial statements and other financial reports, as needed, to a cash basis.

### **Compliance with GASB 14**

In accordance with Governmental Accounting Standards Board (GASB), Statement No. 14, “The Financial Reporting Entity,” (Issued 6/91), TMP will follow the standards defined for a financial reporting entity based on its site-based financial accountability as set forth in the 1999 Charter Schools Act. This shall apply to all financial reporting to ensure that the nature and significance of TMP’s relationship with the NM Public Education Department is in no way misleading or incomplete.

### **Compliance with the Anti-Donation Clause**

In accordance with the Anti-donation Clause, neither the state nor any county, school district or municipality, except as otherwise provided in the New Mexico Constitution (Article IX, Section 14), shall directly or indirectly lend or pledge is credit or make any donation to or in aid of any person, association or public or Private Corporation.

### **Salary Budgets**

Budget requests submitted for salary accounts will be submitted with salaries determined by the TMP Governing Council per the 1999 Charter Schools Act. The ‘number of persons’ covered will be noted in full-time equivalents (FTE) per the NM Public Education Requirements. However, TMP shall not be required to use nor comply with any salary norms established by NM Public Education Department.

### **Non-Salary Budget**

Budget requests for non-salary accounts will be in specific dollar amounts. The TMP Business Manager will provide any justification of budget amounts that may be required.

### **Budget Implementation**

For each account approved, within NM Public Education Department, Budget Control Agents make individual school allocations and approve expenditures. For purpose of budget implementation at TMP, once the budget allocation has been made by NM Public Education Department, expenditures against that budget shall be approved at the site level. Specifically:

**The MASTERS Program @ Santa Fe Community College  
An Early College High School**

- For Salary Cost Accounts TMP will hire and pay employees per school policy.
- For Non-Salary Cost Accounts, TMP will approve all requisitions, travel vouchers, contracts, invoices, or other authorizations which result in expenditures.

### **Budget Monitoring**

TMP will furnish PED the required Quarterly Revenue and Expenditure Reports showing encumbrances and expenditures to date, and the unencumbered balance for review to demonstrate that encumbrances and expenditures are progressing in accordance with the budget plan. TMP will furnish NM Public Education Department with a copy of the reports submitted to PED for information purposes.

### **Budget Changes**

During the course of the school year it is probable that budget changes, increases, or transfer will be necessary. Increases may result from additional resources, either earmarked or not. TMP will prepare Governing Council approved Budget Adjustment Requests (BAR's) with the appropriate documentation or revenue source (e.g., a contract from outside agency) an appropriate expenditure cost account for new and/or changes in revenue streams and submit them to PED for approval. No changes in revenue or expenditures between functions can be done without the approval from PED.

Any transfers between cost accounts will always be offset to ensure that the TMP budget remains balanced. These changes will be approved at the TMP site per the 1999 Charter Schools Act.

### **Fiscal Integrity**

In the event that either the Governing Council or the Headmaster determines additional personnel, programs or initiatives are warranted; no such additions will be made to the budget or spending plan without a corresponding source of funding.

### **Revenue Projections**

The primary source of funding for TMP will be derived from the SEG. TMP will use the average of the 80<sup>th</sup> and 120<sup>th</sup> day Member (MEM) of the prior fiscal year in computing the number of students to be included in the Basic Program section and the Special Education section of the PED 910B5. All projections, including ancillary Full Time Equivalent (FTE) will be based on historical data only, and TMP will not use any estimated MEM in the computation, only projected growth, if any. TMP will utilize the districts T&E Index, if allowable, At-Risk Units and Unit Values as assigned by the PED computing SEG for the following budget year.

Additional revenue generated through gifts, donations and non-categorical grants should be projected based on bona fide funding sources. Budgets for such revenue will be based on actual or allocated amounts indicative through funding via award letters or actual monies received.

The SEG fund cash balance from the prior fiscal year may be budgeted for any operational expenditure, exclusive of payroll, upon specific approval from PED.

### **Receipt of Funds**

In accordance with NM Statute 6.20.2 and Office of Management and Budget (OMB) Circular A-102, all state, federal, or other monies received by TMP will be deposited in TMP accounts



within 24 hours or 1 banking day of receipt at a federally insured bank as required by state law 6.20.14-C NMAC. The school shall account for public money placed in interest bearing deposits in accordance with Sections 22-8-40© through (G), NMSA 1978; Section 6-10-17, NMSA 1978; Section 6-10-31, NMSA 1978, and other federal and state laws applicable to the investments of public school money.

As required law, TMP will take responsibility for acquiring all necessary federal, state, and local tax and employer identification numbers to establish itself as a public school in the state of New Mexico. All bank accounts shall be established to require multiple signatures on checks or other forms of disbursement.

While the Governing Council may consider an investment program a critical ingredient of sound fiscal management overall, the prohibition in the 1999 Charter Schools Act against entering into any contractual arrangement that exceeds one year in length will make it impractical for TMP to engage in any long-term investment program. However, TMP will participate in PSIA as prescribed by law.

Receipts will be preprinted, pre-numbered, and kept in sequential order. The Business Office Assistant, or another designated employee, will prepare a receipt in triplicate for money received from all sources. The original receipt is to be retained the receipt book, the second copy is to be given to the individual making the payment, and the third copy will be given to the Business Manager along with the respective checks for proper recording in the school's accounting system. If a receipt is voided, all copies of the receipt will be stamped "VOID" and retained in the receipt book.

The Business Manager or designee will prepare the bank deposit in duplicate on a deposit in duplicate on the deposit ticket issued by the bank. After the deposit is made, the deposit receipt will be given to the Business Manager will post the revenue to the appropriate fund and revenue code.

The TMP will operate in accordance with state law pertaining to fiscal solvency and responsibility. This will include but not be limited to establishing a control system pursuant to NM State Law.

### **Disbursements Process**

Disbursements at TMP shall be made as defined and scheduled by the TMP Governing Council. In no instance shall the party initiating a request for disbursement be the same party who approves that disbursement. Nor shall the party approving the disbursement be the same party who distributes the payment. This separation of accountabilities shall be enforced to protect TMP from any fraudulent disbursement of monies. Once again, all bank accounts shall be established to require multiple signatures on checks or other forms of disbursement.

TMP will administratively control and restrict accessibility to check stock. Only the Business Manager will handle impressed funds and disbursement of funds. Additionally, TMP will utilize AptaFund accounting program to print checks, which will be pre-numbered and adequately safeguarded. Such records will be retained as required by the State Records Center Retention and Disposal Schedule for New Mexico Public Schools.

### **Bank Reconciliation**

Pursuant to 6.20.2.14-K NMAC, TMP will establish a cash management program to safeguard all cash in its custody and control, which will assist with reconciliation of all accounts. The bank reconciliation identifies the item(s) that must be recognized in order to arrive at the actual cash balance. All bank statements will be reviewed on a monthly basis by the business manager for all activity contained on the bank statement and verify that there are no errors or omissions when compared to amounts shown in the respective general ledger.

### **Purchasing Practices**

The 1999 Charter Schools Act gives the Governing Council the authority and right to establish their procurement practices outside those used by the District. As such, TMP will Not use the NM School Board central Procurement Division.

TMP will provide for the fair and equitable treatment of all persons involved in public procurement, to maximize the purchasing value of public funds and to provide safeguards for maintaining a procurement system of quality and integrity. All purchases that expend public school money (including school activity funds) fall under the definition of purchase from public funds and are subject to Chapter 13 Pamphlet 29 NMSA 1978 entitled “Public Purchases and Property” which includes the Procurement Code, Public Works Contracts and other pertinent legislation.

It is understood that grants are not exempt from public purchasing statutes and all applicable state and federal requirements.

TMP will purchase, rent, lease or otherwise acquire all items of tangible personal property, services or construction. All purchases will be strictly in accordance with the laws of the State of New Mexico, federal law and State Department of Education regulations. TMP will establish and maintain a manual of purchasing policies and procedures referencing the applicable statutes, and that manual shall be open to the general public and furnished to NM PED as described in this application.

All procurements for tangible property or services shall be within the budget approved by the Governing Council and shall be reviewed and approved by the Headmaster or his/her designee prior to their placement. Procurements will be by means of standard purchase orders or letters of agreement as defined by the Governing Council. The Council reserves the right to review, approve or reject any procurement decision.

The purchase, of any tangible personal property or construction that will exceed \$20,000 must be formally bid and may not be artificially divided to circumvent this requirement. Exceptions such as patented or copyrighted products, use of existing contracts, or certain statutory exemptions may apply. Freight, installation, rigging, tax, etc., are considered to be part of the cost of the product. Bid documents will be mailed or otherwise distributed by the TMP Governing Council who shall also publish public notice not less than ten calendar days prior to the date set forth for the opening of the bid.

The purchase, rental and lease of any tangible personal property or construction that will fall between \$10,000 and \$20,000 are required by policy to obtain three quotes. These may be written, faxed or telephoned. Documentation including but not limited to the date, time,

company, price, person quoting, model number etc., freight charges, must be furnished to the Governing Council who may recommend or contact additional sources. Purchases that are less than \$10,000 must be made at the best obtainable price. Quotes are at the option of the user.

Professional services that will exceed \$50,000 must also be formally bid. Guidelines for what qualifies as a professional service and for applicability of the Professional Services developed and approved by the TMP Governing Council. Note that TMP does pay gross receipts tax on professional services and that line item for this tax must be specifically established.

### **Signatory Authority for Contractual Agreements**

The TMP Governing council will determine individuals with Signatory Authority for TMP. However, in no instance shall the party initiating the purchase be the same party who acknowledges receipt of that good or service. Nor shall the party acknowledging or recording receipt be the same party who authorizes payment to the provider of that good or service. This separation of accountabilities shall be enforced to protect TMP, in some measure, from any fraudulent use of procurement. Appropriate approval levels commensurate with the nature and dollar thresholds of procurement transactions shall be described in the TMP Procurement Policies and Procedures Manual.

It is expected that any employee of TMP shall have the right to create purchase documents and that person's supervisor must approve the purchase; e.g., the Headmaster or his/her designee must approve a teacher's purchases. However, these procurement guidelines will be defined and approved by the Interim Governing Council prior to the opening of TMP in August of 2010.

No individual at TMP may obligate the NM School Public Education district for the purchase, rental or lease of any tangible personal property, construction or service

### **Property Management**

Management of TMP property includes ensuring its proper allocation, control, care, use, and safeguarding. Responsibility for managing TMP property is the obligation of all TMP personnel. These responsibilities include pecuniary liability for loss, damage, or destruction of property resulting from mismanagement, or unauthorized use. TMP personnel responsible for managing property may be relieved of their duties if an unsatisfactory condition is found that is attributable to mismanagement, inefficiency, or other causes within their control, TMP personnel must ensure that equipment is protected, conserved, and maintained. Property issued to individuals does not become private property, but remains TMP property.

TMP property or equipment will be managed in compliance with NMSA 6-20-2:

- All property will be properly and accurately recorded at the time of acquisition and those records maintained. TMP Governing Council shall define a policy for labeling and/or tagging TMP property defined as any land, buildings, improvements other than buildings, equipment, machinery, construction work in progress, and capital leased assets with a cost of \$5,000 or more and applies to all assets purchased regardless of funding source.
- All property will be inventoried periodically to verify the accuracy of records.

- All property will be adequately safeguarded and protected to avoid and/or minimize the potential for loss.
- Any re-location of property shall be noted and kept with the property records.
- All property will be used economically, and for the intended purpose.
- All property will be inspected upon arrival and periodically to ensure it is in good working order.

Guidelines for recording and reporting fixed assets and provided in the policies and Procedures Manual of the Department of Finance and Administration, General Service Department, Chapter 14, pages 8-9 (issued 2/12/99). TMP Property Management Policies and Procedures shall meet or exceed and guidelines set forth in this manual.

### **Real Property Acquisition**

The purpose of the directive is to establish administrative procedures for the acquisition of real property either by purchase, exchange, donation, lease, or other means.

- This administrative procedure applies to all real property acquired by the Governing Council acquired for school, administrative or operational purposes.
- Real property is defined as the interests, benefits and rights inherent in the ownership of real property. This includes land, permanent buildings and fixtures, site improvements, water rights, access rights, rights of way and leases.

### **Real Property Disposition**

TMP will conform to statutes and regulations of the State of New Mexico when leasing, selling, or otherwise disposing of real property belonging to TMP.

### **Activities/Property Usage**

TMP shall follow the NM Charter School Guidelines for facility usage for all facilities owned or leased by TMP. For space leased by TMP for school activities, usage by and access to TMP premises by the lesser shall be limited by the following.

- TMP reserves the right to deny the use of school facilities to any individual or group.
- Use must be requested and approved in writing in 15 days advance of the date required.
- Appropriate fees will be assessed for usage based on state guidelines.
- Permission to use TMP facilities will be authorized to parties in the following priority:

Category 1: **TMP Education Programs:** On-going, regular school and activity program.

Category 2: **School Related Non-Profit Groups:** this includes parent/teacher groups, school clubs, school activities, public educational institutions, intersession activities delivered by non-profit agencies. It also includes use of facilities by Join-A-School Partners as per individual partnership Plans. To fit into Category 2, groups must be designated as a non-profit group with 501 (C) status from the IRS, must be educational or recreational in nature, must directly benefit

school-age children, and must be sponsored by or otherwise affiliated with the school or school district.

**Category 3: Non-profit Groups Whose Activities Directly Serve School-Age Children:** This includes: The Community Base Program and The Adult Transition and other programs designed as non-profit group with a 501 (C) status from the IRS, must be educational or recreational in nature, and must directly benefit school-age individuals

**Category 4: Public Interest Non-Profit Groups (not school-related) Whose Activities Do Not Directly Serve School- Age Children:** This category includes groups such as community action groups, official agencies of the federal or local governments, and recognizable charitable and civic groups whose primary function is promotion of the health, safety, education or welfare of the community in general.

**Category 5: Recreational, Religious, Political, Arts-Related, and other Non-profits:** Distinguished from groups in Category 4, this category refers to those of the group itself rather than for the interest of the general public.

**Category 6: Commercial (for profit) Groups:** this category includes groups whose purpose is direct or indirect financial gain and whose use of school facilities will result in their direct or indirect financial gain.

Student Activities are those funds that are owned, operated, and managed by students under the guidance and direction of a staff member for education, recreational, and/or cultural purposes. The School Administrator is authorized to approve the formation of all class organizations, clubs and associations.

### **Travel and Training**

The School Administrator will approve all written requests for travel and professional development prior to the disbursement of funds. Travel and training costs in excess of \$1,000 must be approved by the Governing Council.

Employees may, under certain circumstances, find it necessary to use their personal vehicles for travel in the performance of their duties. Upon written approval from TMP Administration, payment can be made to cover these costs, with the rate of reimbursement to be concurrent with state standards for travel reimbursement. TMP will comply with the Per Diem and Mileage Act, Section 10.8.1 through 10.8.8 NMSA, 1978 and Department of Finance Administration (DFA) regulations as outlined in 6.20.2.19 NMSA.

### **Audit**

State law requires that all public funds be audited once a year by an independent auditor or by auditors from the Office of the State Auditor. An audit of activity fund records is also done in conformity with Section 4-313 NMSA, 1978, and all records pertaining to the activity funds must be presented to the auditors.

When advised by the New Mexico State Auditor that TMP will contract with an independent auditing firm for its annual audit, in accordance with the terms of the Audit Act (12-6-1 through 14, N.M.S. A., 1978). TMP will request a list of approved, independent auditing firms from the

State Auditor. The firm selected will be recommended by the Governing Council for the NM State Auditor's approval.

The audit will be conducted in accordance with the Officer of the State Auditor Rule (93-2), generally accepted auditing standards and the Manual Governing Audits of Entities of the State of New Mexico.

## **VII. GOVERNANCE /MANAGEMENT PLAN**

### **A. GOVERNANCE STRUCTURE**

#### **• *Description of how school will be governed.***

1) Governance. TMP shall be governed by the TMP Governing Council (“Governing Council”) and managed by its Headmaster pursuant to the school’s charter and duly adopted bylaws. The Governing Council will be responsible for adopting policy, overseeing the management of the school and ensuring financial compliance and responsibility. In addition, the Governing Council will ensure that the mission and goals of the charter are carried out by engaging in strategic planning. The Governing Council will not be involved in the daily operations of the school, but will hire a Headmaster who the Governing Council will evaluate at least annually. The Governing Council will make sure that the Headmaster manages TMP in compliance with the Charter Schools Act and all state and federal laws and regulations.

2) Membership. The Governing Council will have a five-member minimum and may be as large as nine members. The voting make-up of the Council will include at least one parent selected by the Parent Association, once the Parent association has been formed. The Headmaster and student advisor will serve as non-voting *ex officio* members. The student advisor will be chosen by the student body during the first nine-weeks of school.

The original Governing Council as defined in this application will serve as the five-member board of finance for the planning year and at least the first year of operation. If a parent or other voting members are added to the Governing Council, the new members must qualify to serve as a member of a board or finance or be disqualified to serve.

3) Terms. Governing Council members’ terms will be staggered to ensure continuity in the institutional memory. Terms will be either two or three years. The bylaws will address assignment of term lengths to each position and will address the length of terms for any new members. Voting members may serve consecutive terms and the Governing Council will set term limits for its member when adopting its official bylaws. Parent members will serve for one-year terms as will the student advisor. If the Parent Association nominates the same parent for successive years, he or she may serve without term limits so long as the parent has students enrolled in TMP.

4) Nominating. The Governing Council will develop a policy to ensure that membership to the Governing Council will include a broad range of expertise, including background in education, science and related fields, public school and private finance, law, community issues and such other areas that the Governing Council deems relevant to serve the best interest of the school. The Governing Council will notify the school’s community and the community at large of position openings on the school’s governing body as well as committees.

5) Conduct. The Council’s bylaws will address conduct of its members. Members will be required to sign conflict of interest disclosure statements, be familiar with their responsibilities as a member in the context of open meetings and clearly understand their ethical

and fiduciary obligations to the school. Council members will participate in NMPED training requirements and understand the importance of self-education in order to effectively participate on a charter school governing body.

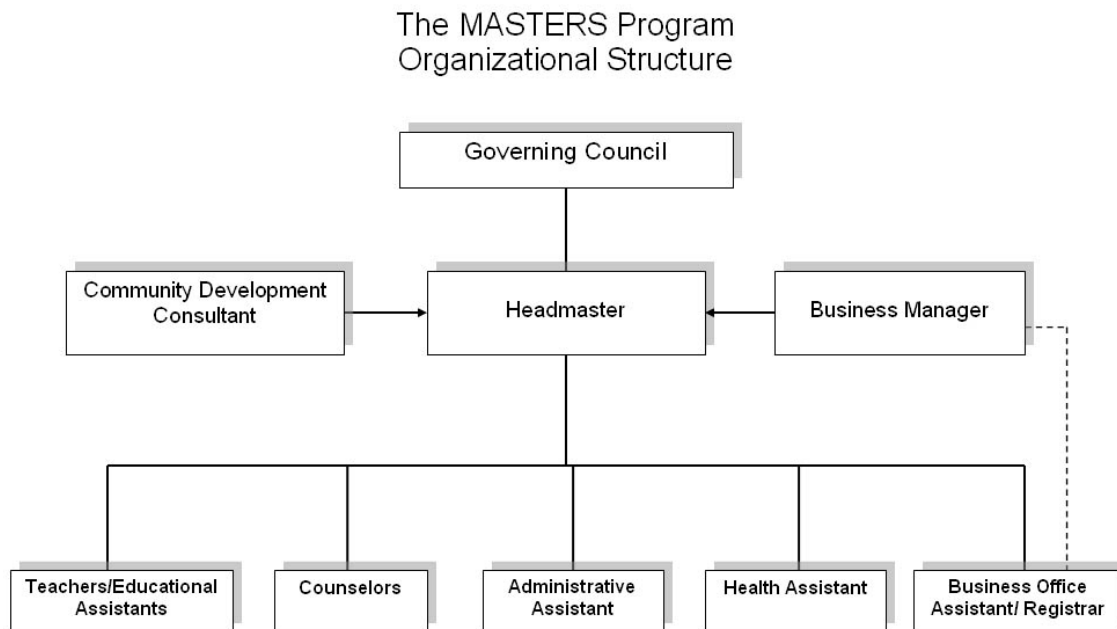
The bylaws will address how and when members may be removed for unacceptable or inappropriate conduct such as; failing to meet their commitments to attend meetings, using the position to gain financially, failing to disclose conflicts, taking positions that are not aligned with school's mission, vision, philosophy, goals and objectives.

The Governing Council will meet at least once each month to hear reports, to consider and adopt policies, to act on committee recommendations and to consider requests and concerns from parents, students, teachers and the public. A quorum is defined as three attendees when there are five members on the Governing council and five attendees when there are nine members on the Governing Council. A majority vote will constitute action by the Council. The Governing Council will follow the requirements of the Open Meetings Act in regards to advertising the meeting, running each meeting, and preparing the minutes in a timely manner. The absence of a quorum at Governing Council meetings will eliminate the ability to make decisions. In addition, the Governing Council and the school will also follow the Inspection of Records Act for any request of policies or documents.

TMP will be considered a Local Educational Agency (LEA) which is overseen by the New Mexico PED for general education and special education purposes.



• **Organizational chart with narrative description and relationship of governing body to administration.**



The TMP Governing Council will have autonomous and complete responsibility for the operations of the school as allowed and required by the Charter Schools Act. TMP day-to-day operations will be managed by its Headmaster and overseen on an on-going basis by the Governing Council. The internal structure of the school will be very traditional; i.e. the teachers and all personnel will be under the direct supervision and report to the Headmaster. The Headmaster will be required to evaluate personnel according to New Mexico statute and regulations, which may be modified to ensure that the evaluations include performance areas unique to TMP. The Headmaster will be evaluated by the Governing Council.

The school may contract with any third party to provide services that are necessary to meet the school’s obligations. Any entity with which the charter school contracts will be under the direct supervision of the Headmaster. If the school contracts for business management services, the contractor shall report directly to the Headmaster and shall serve on the schools Audit and Finance Committee.

The Governing Council will have the authority to create several committees to assist with developing policy, overseeing financial compliance and the school’s budget, ensuring adequate and meaningful professional development is accessible to the faculty and staff, and to make sure that students are supported on campus. The bylaws will incorporate the authority to create the following committees of the Governing Council: Policy Committee, Professional Development Committee, Audit and Finance Committee and a Student Support and Safety Committee. The Headmaster shall serve as an *ex officio* member of any committee of the Governing Council, including *ad hoc* committees. Governing Council members will be expected to serve on at least one committee.

The Headmaster will provide monthly written reports to the Governing Council that will typically include information concerning day-to-day operations, student achievement, school program updates, personnel matters and topics involving accountability and compliance reporting. The business manager will also provide monthly reports to the Governance Council on the status of the budget, school finances and present BAR's.

**• *Delineation of roles and responsibilities of parent councils, advisory committees, and/or community groups in relation to the governing body.***

TMP will encourage the establishment of a healthy and vibrant Parent Association. The Parent Association will select one member to serve as a voting member of the Governing Council; however, at no time will that member serve as an officer of the Governing Council.

TMP shall create a School Advisory Council to assist the Headmaster with school-based decision-making and to involve parents in their children's education. The School Advisory Council shall be created and its membership elected in accordance with rules that will be adopted by the Governing Council. Membership on the council shall reflect an equitable balance between school employees and parents and community members. At least one community member shall represent the business community, if such person is available. The Headmaster may serve as chair. The Headmaster shall be an active member of the school council.

The TMP School Advisory Council shall:

(1) work with the Headmaster and give advice, consistent with state and school district rules and policies, on policies relating to instructional issues and curricula and on the TMP's proposed and actual budgets;

(2) develop creative ways to involve parents in TMP;

(3) where appropriate, coordinate with any existing work force development boards or vocational education advisory councils to connect students and school academic programs to business resources and opportunities; and

(4) serve as the champion for students in building community support for TMP and encouraging greater community participation in the public schools.

The Headmaster shall report to the Governing Council regarding issues addressed by the School Advisory Council.

**• *Governing Body Policies and Procedures.*** See EXHIBIT E - Draft TMP Governing Council Policies, Procedures and Bylaws and by reference included herein..

**• *Board powers and duties:*** See EXHIBIT E, Pages 137-140.

**• *Criteria and process to select school administrator:***

The Headmaster will hold a Level IIIB license and will be someone who can take charge of academic programs and recognize educational expertise. He/she will be experienced in leading an organization and be a self starter. The Headmaster will be a competent and dedicated teacher with established classroom experience. He or she is expected to engage in teaching as a role model to other teacher

The criteria for hiring the Headmaster will be the Governing Council's determination as to whether or not a Headmaster candidate is capable of implementing TMP's mission and carrying forth TMP's vision. Special emphasis will be placed on Headmaster candidates with special education and special population credentials

The initial Governing Council will identify candidates for the Headmaster position and may work with a national recruiting firm specializing in finding educators for schools to find the best candidate available. The search will take place through extensive advertising in New Mexico. All supporters of the school will be notified of the position – including the New Mexico Coalition for Charter Schools that a search is underway. The job will be posted in local and state prominent newspapers. Nationally, the job description will be circulated through the Coalition of Essential Schools and on the internet on Craigslist. TMP will recruit individuals for the Headmaster position through a public process including advertising in local and national newspapers and professional printed media, referral, and through appropriate electronic recruitment mechanisms.

During the initial set up year the initial Governing Council will interview the top candidates for the position and then ask a broader group of supporters of the School to also meet the top candidates. The initial Governing Board will ensure that all candidates have the necessary qualifications and commitment, be a Level IIIB and be responsible for evaluating teachers in accordance with the New Mexico School Personnel Act. The initial Governing Council also will insure that the particular qualifications of any candidate will not interfere with the board of finance status required to operate the School. Once the School is approved, the Governing Council will consider the candidates identified through the search and, when an appropriate candidate had been identified, hire that person as soon as possible to continue the planning for the School.

The job description created for the Headmaster along with an assessment instrument that will be created to measure compliance and implementation of this Charter application will provide the framework for evaluation of the Headmaster. Successful implementation of the mission, academic program and core values of the School is the most important component of the job of Headmaster. Additionally, the Headmaster will be evaluated on the success of The MASTERS Program in meeting the financial obligations of the School. The Headmaster will be evaluated at least once per year by the Governing Council prior to and as a condition of subsequent contracting.

**• *Budgeting and operation of the school:***

The TMP Business Manager will be responsible for planning, preparing and presenting an annual school budget for the TMP Governing Council's adoption. TMP Governing Council shall approve the TMP operating budget. Budget oversight is the responsibility of the Governing Council. The Headmaster and/or his/her designee will present to the council for adoption, a

specific budget calendar that meets the deliverable deadlines established by the Public Education Department (PED). PED will give TMP the schedule for submitting the budget to TMP' assigned PED Budget Analyst, and set a meeting to obtain PED budget approval. The budget process will include specific budget hearings allowing the Council to learn of the public's priorities. The Headmaster or his/her designee will also be given a specific opportunity to speak towards various programs and matters of interest to the council.

Following such hearings, the Council will identify priorities and give general instructions to the Headmaster or his/her designee to prepare a balanced budget based upon its priorities and other guidelines as deemed appropriate. The Council will debate and vote budgetary issues without further public hearings.

• ***How decisions will be made:***

Generally, the Governing Council will make decisions only after reviewing documents or receiving information from staff sufficient to make informed decisions. The Governing Council will only take action in a public meeting, properly noticed pursuant to the Open Meetings Act.

**B. DESCRIPTION OF GOVERNING BODY.**

- ***Description of governing body responsibilities and obligations***
- **Responsibilities:** The Governing Council recognizes that it has legal responsibilities which are described in this Section VII. However, in a broad sense these responsibilities are described as follows:
  - **Uphold the charter school's mission and purpose.** It is the Governing Council's responsibility to uphold the mission statement and review it periodically for accuracy and validity. Each individual member should fully understand and support it.
  - **School Administrator/Personnel.** The Governing Council will reach consensus on the charter school administrators' job description and undertake a careful search process to find the most qualified individual for the position. Once hired, the Governing Council will makes assignments to the Headmaster and monitor the Headmaster's performance. The Governing Council approves salary scales and approves personnel policies for the organization.
  - **Finance.** The Governing Council will be designated as a board of finance after meeting the requirements set forth in NMAC 6.80.4.16. The Governing Council approves budgets for the school. The Headmaster or designee, in conjunction with the school financial officer and the Governing Council president, shall propose draft budgets to the Governing Council for approval. No funds are expended unless the funds are included in a budget approved by the Governing Council. The Governing Council approves spending reports that are submitted to them on a regular basis by the school's financial office. The Governing Council also approves budget adjustments submitted by the financial officer and/or the Headmaster. The business manager office will also provide monthly update to the Governance Council on the status of the budget and any BAR's. Required reports will be forwarded to the PED and the charter school's authorizer. TMP will have a yearly audit performed on its financial records and will follow all rules and regulations pertaining to audits of the NMPED.

- **Fundraising.** One of the Governing Council’s responsibilities is to provide adequate resources for the charter school to fulfill its mission. The Council will work in partnership with the charter school administrator and community development consultant to raise funds from the community. In addition, all applications for grants or fundraising are submitted to the Governing Council before being submitted to funding sources. The Governing Council also approves plans for special events fundraising. Governing Council members should also initiate and participate in fundraising events at least once a year. An independent 501(c)3 foundation will be established to support TMP’s mission and vision.

- **Evaluation and Assessment.** The Governing Council monitors and performs ongoing assessment of the school and its programs, partnerships, and Headmaster. The Governing Council will ensure that the charter school administrator has the moral and professional support he or she needs to further the goals of the charter school. The charter school administrator, in partnership with the entire Governing Council will decide upon a periodic evaluation of the administrator’s performance. The Governing Council also routinely assesses its own performance.

- **Planning.** Governing Council members approve short- and long-range plans for the School. It will monitor the effectiveness of the school's programs and implementation to see if the school has met the goals outlined in the plans. These short and long-range plans take the form of the TMP charter, ELOB benchmarks, the school's EPSS, etc.

- **Governing Council Development.** The Governing Council selects new Governing Council members and adopts procedures to see that the school's needs are met and that excellent Governing Council members are selected and continue to serve. The Governing Council engages in training that develops their skills and knowledge of Governance, of education, and other issues that will benefit the school.

- **Public Relations.** Governing Council members are public advocates of the school, are aware of the school’s activities and encourage participation in appropriate activities by the community. Governing Council members actively cultivate a positive public image for the school.

- **Advising.** Governing Council members advise the Headmaster on policy implementation as requested.

- **Obligations to TMP.** Governing Council members shall have the following obligations to TMP upon accepting the responsibility to serve as a Governing Council member. This description is not intended to exclude any legal obligation imposed which duties have been described elsewhere in this section.

- Attend all regular meetings, special meetings, trainings and retreats of the TMP Board. The Board meets regularly at least ten times per year, and possibly as many as twenty times per year. Regular meetings will be approximately two hours in duration.

Special meetings occur on an as-needed basis. Trainings and retreats may last up to two days in duration and are not expected to be held more than twice a year.

- Be accessible for personal contact and committee involvement in between board meetings.
- In both letter and spirit, perform the expected duties of a TMP board member as articulated on the following page.
- Provide leadership to board committees. As needed, board members will be called upon to serve as an active, ongoing member of specific committees. This requires a number of committee meetings per year plus individual committee task completion time.
- Commit time to developing financial resources for TMP. This includes many options, such as helping colleagues to become aware of the school, applying for grants, and supporting other fund development activities of TMP in a manner appropriate for board directors.
- Commit time to read and review board materials and committee recommendations so that you will be able to responsibly and knowledgeably vote and act upon board proposals. Take responsibility for self-education on major issues before the board. Educate self about the culture and philosophy of The MASTERS Program that make it a school you passionately support and seek to improve.
- Participate in the annual board of directors self-review process.
- In general, utilize personal and professional skills, relationships and knowledge for the advancement of TMP.
- Officers and roles:
  - **President.** - Convenes and facilitates meetings. Confirms meeting agendas of the organization. Appoints committee chairs. Signs checks, sharing this duty with the Headmaster and the Business Manager. Maintains regular communication with administrative, teaching, and fiscal personnel, and serves as a conduit for communication between these personnel and the Governing Council, and as otherwise described in the Governing Council bylaws. The Governing Council President is ultimately responsible for finances of the organization. Depending on the President's qualifications, instead of a treasurer, the Governing Council President and the Headmaster will oversee the work of the school Business Manager, co-sign checks and authorize purchase orders, create draft budgets, recommend budget adjustments and approve financial reports to the Governing Council.

- **Vice-President** - Assumes the duties of the president in his or her absence, or upon his or her death or resignation. Specific duties are stated in bylaws.

- **Secretary** - Either takes minutes at the Governing Council meetings or approves the form of minutes if taken by another individual. Responsible for all official correspondence. Responsible for delivering minutes of a meeting to all Governing Council members within ten days of the meeting. Responsible for posting notices announcing future meetings in compliance with the Open Meetings Act and as otherwise described in the Governing Council bylaws.

- **Treasurer (this office may be filled by the President):** The Treasurer shall be familiar with the fiscal affairs of the School and keep the Council informed thereof in the event that the School's Business Manager is unable to so act. He/She will have knowledge of public school finance laws, rules and policies and shall serve as the Chairperson of the TMP Finance Committee. He/She shall attend the PED Spring Budget Workshop and/or any other financial regulatory training recommended by the Headmaster or the Business Manager.

Governing Council members will be required to attend an annual training as directed by the NMPED as well as training to insure that they are familiar with their legal and financial responsibilities, including the following: Open Meetings Act, TMP risk management policy, TMP conflict of interest policy, Special Education policies, TMP policy manual and TMP charter.

- *List of governing body members and brief description of each governing body member's qualifications.*

TMP's initial Governing Council is composed of:

**Steve Johnson, CPA** – President - Mr. Johnson is a Certified Public Accountant, with over 28 years experience. He is a Partner at Gill, Kohr & Johnson, CPA's, LLC, Santa Fe, New Mexico. He has a B.S. in Business Administration with an Accounting Emphasis from California State University, Fullerton and a M.S. in Taxation from Gonzaga University, Spokane, Washington. Mr. Johnson was a part-time instructor at California State University - Fullerton, teaching in the undergraduate and graduate accounting programs. He is Past Treasurer for the Orange County, California Chapter of the March of Dimes, Treasurer for the Rotary Club of Santa Fe Centro and Treasurer for Santa Fe Pro-Musica

**Dr. Matthew Lambrinos** – Vice-President - is a dual qualified European/US patent practitioner with over 18 years experience in high technology and a PhD in Thin Film Physics. He graduated with a first class honors degree in Electronic Engineering before obtaining his doctorate from the University of Salford, UK in association with Grand Ecole Centrale de Lyon, France. His research experience includes development of advanced instrument clusters at Ford Motor Company and thin film III-V semiconductor & insulator fabrication at the Centre National de la

Recherché Scientifique (CNRS) in France. In 1997, he joined Baron & Warren, a long established firm of Patent & Trademark Attorneys based in London, where he qualified and worked as a European Patent Attorney and an Associate Member of the UK Chartered Institute of Patent Attorneys. Dr. Lambrinos began consulting for US patent law firms in 2004 and, upon passing the US Patent Bar, established FAI, his own international patent practice with offices in London and Santa Fe. In Santa Fe he works with local inventors and scientists including inventors at Los Alamos Laboratories. Dr. Lambrinos also has experience teaching electronics to University students in UK and France and teaching English to adults and school children in various parts of the world including India and Laos.

**Al Reed** – is Dean of Business and Applied Technologies at Santa Fe Community College. Mr. Reed is a native Santa Fean, has worked at Santa Fe Community College since 1990 and in his current position as Dean of the School of Business and Applied Technologies since 2002. In addition to managing nineteen programs offering degrees and certificates, Mr. Reed has initiated new programs such as Environmental Technologies, Facility Technologies, Film Crew Technician Training, Banking, Digital Photography and is currently developing credit programs in Green Building, and Alternative Fuels. He serves as an evaluator for Quality New Mexico, directed the start-up of SFCC's distance learning and has managed USDA, DOE and DOL grants for the College. Mr. Reed received his undergraduate degree at UNM, his masters at St. John's College and has completed all but his dissertation in instructional technology and distance education.

**Carole Rutten** – has over 20 years of experience working with New Mexico public and private educational institutions. She has overseen Los Alamos National Laboratory's (LANL) Student Internship Program which is primarily STEM focused. LANL has the largest student internship program in the DOE Complex with over 50% of LANL's new hire employees coming from this Student Internship and Postdoc program. Currently she works in the Community Programs Office at LANL overseeing the Laboratory's STEM educational programs. This LANL program fosters greater public awareness of and participation in Laboratory educational programs that support Science, Technology, Engineering and Math for students, teachers and lifelong learners. Ms. Rutten serves on the LANL Education Strategy Council and is CPO Education Team Leader.

**Glenys Carl** – has lived in Santa Fe for nearly 20 years. She served on the board of the New Mexico Academy for Sciences and Mathematics prior to its closing. She is an author, artist and Executive Director of Coming Home Connection, a Santa Fe based nonprofit providing free in-home caregiving for vulnerable populations. Ms. Carl emigrated from Wales to the United States in the late-sixties landing in Detroit, Michigan where she participated in the development of the first pilot program for Head Start. Later in Berkeley, California she worked with the Stanford Research Institute in developing early education models for special populations of students. Ms. Carl works with many local, state and national granting foundations.

- *Description of plans for recruitment, selection, orientation process, and ongoing professional development for governing body members.*

New members will be recruited by the current Governing Council members, members of the school's Parent Association, School Advisory Council and the student body. Members will be screened for their interest in the school, applicable experience and background in education or



fields related to the school's program, and willingness to commit to the mission and goals of the charter school. Openings on the Governing Council will be announced at local business and community service meetings, venues available through the Santa Fe Community College and public announcements (public radio stations). Referrals will also be solicited from educators and other community members.

All prospective members will be provided a copy of the school's charter and the school's bylaws. To orient new Governing Council members, each will be asked to spend time observing and participating in school activities to ensure a strong relationship with the school. Members will be provided and asked to familiarize themselves with copies of relevant document. Each member will undergo mandatory training as directed by the NMPED as well as training regarding relevant public school laws, including without limitation; Open Meetings Act, Inspection of Public Records, public school finance rules, procurement laws, and personnel laws relevant to charter schools. In order to effectively assess student achievement and success, the Governing Council will from time to time, expect the Headmaster to organize presentations to the Governing Council on varying topics related to student achievement and financial management or such other topics relevant to operating and overseeing a public charter school.

- ***Explanation of staff, families, and community involvement to participate in school governance.***

The TMP staff, families and community will be notified of the opportunity to be involved in the governance of the school through direct written/email communication to staff and families, newsletter and public service announcements. The community will be asked for its support for the school in time, talent and/or treasury. TMP will look to the community for ideas in developing student responsibility models, career shadowing and sharing of expertise. In this effort, expertise in the community will be identified and integrated into the curriculum.

Specific community involvement may include:

- Attending open monthly meetings;
- Participating as mentors;
- Volunteering;
- Attending and/or sponsoring student exhibitions and programs;
- Inviting student participation in civic organizations; and,
- Establishing a community advisory panel to provide insight concerning economic, environmental, business and academic areas relevant to TMP; or
  - Partnering with students and teachers to create an educational environment in which students have the tools and resources to achieve excellence in learning and personal development.

TMP will provide the school community with an annual assessment and ask for feedback on overall satisfaction with the school. TMP will also seek additional input from the community at large.

### C. PARTNERSHIPS:

Although TMP intends to enter into a dual credit master agreement with Santa Fe Community College as contemplated by NMAC 6.30.7.7B.; the relationship will not be a “partnership” in the legal sense of the word. TMP will be operated independently from the College. The services and space provided by the College will be pursuant to contracts negotiated between the parties.

TMP intends to lease space from the College, making access to the courses offered there easily accessible to the TMP students.<sup>1</sup> TMP’s founder has discussed with College officials the required terms of a dual credit master agreement and facilities needs to accommodate the charter school students and staff. A letter of commitment from the College representative, Dr. Ron Liss, to enter into formal agreements once the charter is approved is attached as Exhibit I.

In addition, as stated in Dr. Liss’s letter, TMP and the College will determine a mechanism by which students who are not eligible to take dual credits will have access to the College services provided to TMP dual credit students. This formal understanding is intended to ensure equal access to services and opportunities to all TMP students. The College and TMP will mutually agree on a terms for joint use of the College facility, including student codes of conduct, computer usage, access to services (e.g., online, food services, library, parking), etc.

The dual credit master agreement will include a provision that “TMP shall provide appropriate accommodations and services for special education students while the students are enrolled in dual credit classes, including academic adjustments and auxiliary aids and services for eligible students across educational activities and settings (e.g. equipping school computers with screen-reading, voice recognition or other adaptive hardware or software and providing note-takers, recording devices, or sign language interpreters, or other adaptation as required by law).”

- ***Explanation of partner organization involvement in governance of the school.***

SFCC will not participate in the governance of the school; however, SFCC employees will not be barred from serving on the Governing Council unless his/her to do so would create a conflict of interest or unacceptable dual loyalty to TMP. Each such candidate’s eligibility will be determined on a case by case basis and voted on by the Governing Council.

- ***Evidence (attached (sic) letters) of formal partnership agreement.***

Attached is letter from SFCC (Exhibit I).

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<sup>1</sup> It is clear from the Dual Credit regulation (NMAC 6.30.7.12) that dual credit courses can be offered by multiple institutions and locations ranging from the charter school’s facility to the postsecondary institutions’ location. Consequently, if TMP should decide to move from the SFCC campus, the school could contract with other postsecondary institutions, including SFCC, to offer the dual credit aspect of its program.

## **D. SCHOOL ORGANIZATIONAL STRUCTURE**

- **Describe the site-based management structure at the school. Provide an organizational chart. Include job descriptions that identify key roles, responsibilities and accountability for each position.**

The site-based management structure at the school is as follows: The Headmaster will be in charge and all personnel will report directly to the Headmaster. A properly licensed individual will be chosen from staff to be the second in charge in the event of the Headmasters absence. In future years, depending on growth, department supervisors are anticipated.

Community Development Consultant will report to Governing Council regarding fund raising. Job descriptions that identify key roles, responsibilities and accountability for each position are provided below:

### **Headmaster:**

- First and foremost, the role of the Headmaster will be of promoting good teaching and learning for all students and be in charge of academic program quality control, and may engage in teaching classes. The Headmaster will become the instructional leader, will provide educational leadership and will facilitate professional development. In addition the Headmaster will:
- Oversee the daily operations of the school and be the head administrator.
- Have authority to hire staff and terminate staff (in consultation with legal representatives with regard to due process).
- Promote and support programs that are likely to advance the educational objectives of TMP.
- Enforce standards of conduct with all staff.
- Ensure the financial health of the school under the advisement of the licensed school Business Manager, Finance Committee and the Governing Council.
- Provide annual evaluations of all teachers in accordance with New Mexico Public Education Evaluation requirements, and other personnel, as appropriate.
- Consider discipline issues referred by staff.
- Develop, revise and enforce the policies and procedures of the school in conjunction with the Governing Council as appropriate.
- Adhere to local, state and federal laws, regulations, and guidelines.
- Responsible for state assessments and proper administration.

- Act as communicator between TMP and the Charter School Division of PED.
- Facilitate the implementation of professional development.
- Consult with School Counselor(s) regarding enrollment.
- Consult with Community Development Consultant(s) and/or staff regarding setting up mentorships and internships in the community.
- Consult with Community Development Consultant(s) and/or staff regarding establishing service-learning projects and opportunities within the community.
- Consult with Community Development Consultant(s) and/or staff regarding developing other long-term strategic community based projects and activities.
- Consult with Community Development Consultant(s) and/or staff regarding interfacing with granting foundations.
- Consult with Community Development Consultant and/or staff regarding seeking additional school funding through outside sources.
- Communicate the mission and vision of the school to all stakeholders and keep the big picture in mind.

### **Teachers**

- Teach non- dual credit high school core courses in line with the school mission and vision.
- Hold New Mexico certification and be highly qualified in a core competency.
- Create units lesson plans which align with State Standards and Benchmarks.
- Tutor students for their SFCC dual credit courses, IDEAL-NM and TMP courses in line with the school mission and vision.
- Conduct standards-based assessments, and short-cycle assessments
- Maintain accurate records of student progress.
- Be proactive and diligent in classroom management strategies and uphold the discipline policy of TMP.
- Utilize a diverse array of techniques and modalities in order to maximize a student's academic and personal outcomes.
- Participate regularly in department and staff meetings.

- Participate in developing and implementing a Professional Development Plan.
- Participate in a personal growth plan tied to the school's professional development plan.
- Communicate regularly with families regarding student progress.
- Analyze student data to drive instruction and track student progress.
- Monitor and direct student activity in accordance with the student's Next Step Plan and IEP(when applicable) and the school's policies and procedures.

### **Special Education Coordinator/Teacher**

- Coordinate and implement special education services
- Coordinate ancillary services
- Development, implementation, and oversight of Individual Education Plans
- Provide instruction and/or instructional support

### **Counselor**

- Work with the registrar and each student to insure class selection is meeting all high school graduation requirements.
- Work with students on their Next Step Plan.
- Be the site coordinator for the dual credit program with Santa Fe Community College.
- Be the site coordinator for the IDEAL-NM on-line program
- Be a Licensed School Counselor
- Be the primary interface between the school and parent.
- Assist students in higher education placements

### **Business Office Assistant/Registrar**

- Work with Counselor to analyze student transcripts and assign students to classes.
- 
- Report staff and student membership to Business Manager.

- Maintain Student Information System
- Oversee and maintain office equipment and supplies.
- Maintain inventory of assets.
- Assist Business Manager with supply and instructional material orders and distribution of catalogues.

### **Administrative Assistant**

- Type memos as needed and requested by administration
- Answer the phone and record messages as appropriate
- Coordinate student and parent volunteers
- Record and report staff absences and requests for leave.
- Prepare agenda for all meetings for dissemination at a later date.
- Maintain student cumulative files with Registrar.
- Process requests for student records.
- Maintain student attendance records.
- Maintain student data system with Registrar

### **Instructional Assistant**

- Support students with their educational studies
- Support teachers in curriculum delivery
- Other duties as assigned

### **Health Assistant**

- Works under supervision of licensed nurse to provide health and wellness support to TMP students
- Provide health and wellness evaluation when required.
- Administer and dispense medications when required under nurse's direction.

- Serve as liaison between families and community health care services
- Oversee student health plans for students with IEP's that require health plans.

**Business Manager – The plan is to hire an independent Licensed Business Manager – This individual will be a part time independent contractor and be in charge of the following: .**

- Prepare and present an annual school budget to the Governing Council
- Prepare and present the Budget Adjustment Requests (BAR's)
- Post the revenue to the appropriate fund and revenue code
- Responsible for impressed funds and disbursements of funds
- Aware of and follow the public school financial standards pursuant to NMAC, and follow GAAP standards
- Responsible for ensuring the safeguard of all financial and student records from potential theft and destruction
- Responsible for reconciliation of all bank statements
- Accuracy of payroll journal, backup of journal, and generation of payroll checks
- Maintain all employees' earnings, deduction and leave records
- Responsible for substitute payment disbursement
- Entry of pay rates and deduction changes in accordance with benefits.
- Responsible for the maintenance of employee insurance premiums reconciliations, savings, tax-sheltered annuities, and other voluntary and mandatory payroll deductions.
- Responsible for completing required PED financial reports in collaboration with Governing Council President and monthly, quarterly, and annual payroll tax-benefit reports required by federal, state and local governmental agencies.
- Accommodating and assisting Auditor in yearly audit.
- Oversight and coordination of school facilities with SFCC and ordering of all supplies and equipment in accordance with approved internal control policy.
- Financial record keeping – collect, record, and deposit money.

- Coordinate all supply orders for all departments in accordance with approved internal control policy
- Coordinate and approve all textbook orders and teaching aids in collaboration with Headmaster and Administrative Assistant in accordance with internal control policy.
- With approval of Headmaster, prepare contracts to enter into the Financial Management System.
- Maintain vendor invoices, matching encumbrance copy and receiving copy of purchase order, then matching with approved purchase order copy.
- Manage school activities fund.
- Trained in using the Operating Budget Management System (OBMS) for the purpose of providing assurance that the data of TMP are in compliance with federal and state laws and procedures and the PED.

**Community Development Consultant**

- Assist in building enrollment.
  - Assist with the marketing of the school.
  - Set up mentorships and career internships in the community.
  - Establish community service-learning projects and students opportunities within the community.
  - Develop other long-term strategic community based projects and activities.
  - Interface with granting foundations.
  - Seek additional school funding for special programs through outside sources.
- **Provide a staffing plan for each year of the first charter term, including the proposed pupil-teacher ratio.**

The staffing plan for each year of the first charter term is as follows:

	<u>Teachers</u>	<u>Counselors</u>	<u>Headmaster</u>	<u>Admin. Assistant</u>	<u>Registrar/ Bs. Mgr. Asst.</u>	<u>Bs. Mgr.</u>	<u>Educ. Assist</u>	<u>Health Asst.</u>
Year One	6	1	1	1	1.0	1	.5	.5
Year Two	7	1	1	1	1.0	1	1	1
Year Three	7	2	1	1	1.0	1	1.5	1
Year Four	8	2	1	1	1.0	1	2	1
Year Five	9	2	1	1	1.0	1	2.5	1



(This does not include contract service staff other than the Business Manager position. Contract Service Employees are listed in the budget).

The proposed student-teacher ratio is to be one teacher for every 20 students in TMP classroom. This ratio may change as we determine the best placement for each student who attends TMP.

## **E. EMPLOYEE RELATIONS**

- **Explanation of relationship between school and employees, including terms and conditions of employment.**

Each employee will be contractually hired pursuant to the School Personnel Act.

If the staff chooses (through the proper procedures) to establish a relationship with a labor representative, the Governing Council and the administration of this school will willingly work with the labor representative. However, there is no relationship with labor representatives at this time.

- **Description of personnel policies and procedures.**

In accordance with Title 6, Chapter 61, NMAC, TMP will retain or employ teachers, licensed administrators, and other instructional personnel who hold appropriate New Mexico licensure in elementary and secondary education, grades nine-twelve, or other documents issued by the New Mexico State PED Licensing Division. TMP teachers and administration will be responsible for overseeing student's academic progress, for grading, and for matriculation decisions as specified in the school's operational policies. Qualifications for TMP teachers and licensed administrators will include, but not be limited to, years of teacher and administrator experience, familiarity with State of New Mexico content and benchmark standards, demonstrated ability to differentiate instruction (additional specific training proved), and strength of their teaching credential (i.e. special education, ESL or bilingual, master's degree).

TMP shall reserve the right to employ non-licensed personnel to fulfill the remainder of its staffing as permitted by state and federal law regarding credentialing and licensing. Non-licensed personnel may include, but not be limited to, strategic planning and community support coordinator, clerical and office administrative services, special education support personnel and janitorial services.

All non-instructional staff and teachers will possess the experience and expertise required for their position within the school as outlined in the school staffing plan and the school's adopted personnel policies, and in accordance with the School Personnel Act. All staff shall meet New Mexico PED and any other state of New Mexico safety requirements including background checks and fingerprinting in the methods mandated by the state.

TMP will recruit individuals for open positions through a public process including advertising in newspapers and professional printed media, referral, and through appropriate electronic recruitment mechanisms.

In accordance with the Charter Schools Act, TMP employees are not employees of Santa Fe Public Schools but shall be hired directly by TMP. Employees will be hired in accordance with all state and federal employment rules and regulations and in compliance with the School Personnel Act.

TMP will abide by state and federal laws dealing with equal employment opportunity. Therefore, in order to provide equal employment opportunities to all individuals, employment decisions at TMP will be based on qualifications and abilities. TMP does not discriminate in employment opportunities or practices on the basis of race, color, religion, gender, national origin, age, disability, sexual orientation, or any other characteristic protected by law.

TMP will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship that state and federal laws recognize as just. This policy governs all aspects of employment including selection, job assignment, compensation, discipline, termination, and access to benefits and training (pending the publication of the Employee Handbook).

TMP participates in the State of New Mexico Educational Retirement Act (ERA) administered by the Educational Retirement Board (ERB). Eligible employees participate in the Retirement Plan subject to all terms and conditions of the plan.

Regular full-time and regular part-time employees will be eligible to receive benefits, including, but not limited to, paid time off (PTO), health insurance, and health benefits provided by enrollment in NMPSIA.

A complete TMP Employee Handbook will be published prior to opening of the charter school. This handbook will be compliant with all federal and state regulatory requirements and with the School Personnel Act. Proposed Personnel Policies and Procedures are provided in the Appendices as Exhibit A and by reference are included herein.

- **Proposed salary schedules for all employees.**

TMP reserves the right to set its own salary schedule. At this time the base pay of each licensed staff member will be determined by the state's mandated three-tiered salary schedule – although it is the intention of TMP to pay their employees above the mandated three-tiered salary schedule. Additional money may be available for positions such as: athletic coaches, testing coordinator, Middle School Initiative (MSI) sponsors, math/language arts literacy teachers, technology specialists, ESL and TESOL endorsed teachers.

TMP shall be in compliance with all applicable state and federal employment taxes. Compensation of all employees will be based on experience, qualifications, skill and technical level, and performance of the individual. All compensation decisions shall be at the discretion of the Headmaster and within approved budget constraints. Administrative and secretarial staff members will work a 12 month contract.

Unless otherwise budgeted, TMP will follow State of New Mexico mandated three tiered 30/40/50 teacher salaries plus 10%. The Headmaster is budgeted at \$88,000 per year, the contract Business Manager - \$50,000 per year (part time) and Assistant Business

Manager/Registrar at \$30,000. Teachers are currently budget at \$55,000, Counselor at \$60,000 (will vary based upon level of licensure and years of experience), and an Administrative Assistant at \$30,000.

- **Description of staff evaluation process.**

TMP will evaluate its licensed teaching and licensed administrative staff in accordance with the School Personnel Act and as mandated by the Public Education Department. Professional Development Plans will be completed by the 40th day for all teachers, and all required observations and evaluation forms will be completed before the school year ends. Additionally, instructional support and administrative staff will be formally evaluated each contract year, and all staff provided with informal, ongoing coaching and mentoring as needed.

TMP wishes to create an environment that is supportive and fosters development and constructive change for its employees whom it believes will translate directly to the students under their care. Notwithstanding its commitment to this supportive environment, TMP will provide its employees with traditional performance evaluations conducted by their supervisor (s). Along with incorporating some of the PED teacher competencies to enhance its special environment and the personal development of all employees, TMP will implement a multi-source feedback system to appraise the performance of all staff, professional, licensed and nonlicensed, to nurture self-efficacy and goal-orientation. All employees will receive feedback from their supervisors, peers, team members, parents and students. The multi-source feedback system will be used to supplement the traditional evaluation system, enabling TMP to engage its employees in development activities, thereby enlisting its entire staff in continuous learning based on quality feedback.

- **Explanation of staff discipline process.**

TMP will have the following discipline process for staff that provides for due process as follows:

- a. Purpose

The purpose of this policy is to provide for the reporting and resolution of legitimate employment-related concerns of the employees of TMP at the earliest possible time and with the least possible expense, disruption and friction. The Governing Council will recognize that most personnel difficulties encountered by employees arise from a lack of communication. This procedure is designed to provide a formal mechanism for promoting or restoring such communication so that problems may be resolved before more serious difficulties result.

- b. Definitions and Limitations

- i. “Grievant” will mean an employee who is personally and directly affected by a condition for which he or she seeks a resolution.

- ii. A “grievance” will be an allegation by an employee that the treatment he or she has received from a superior is unfair or improper, or that there has been a violation, a misinterpretation or an inequitable application of Governing Council policy, administrative rules or procedures that

directly and adversely affect the grievant. A single grievance may be submitted jointly by more than one grievant.

iii. A “Resolution(s)” will be the proposed written decision by the appropriate administrator(s), grievance review committee, or Governing Council, in response to the grievance.

iv. ”Parties in interest” will be the grievant and the superior or other employee(s) of TMP whose conduct or actions are the subject of the grievance.

v. The following situations are not covered by this grievance procedure and are therefore not a grievance under this policy:

The discretionary act(s) of professional judgment relating to the evaluation of the work performance of any employee by his or her immediate supervisor.

Any personnel decision made by the Governing Council, including, but not limited to a refusal to re-employ, a discharge, a demotion, or any other action directly and adversely affecting the employment of an employee.

Situations in which the Governing Council and Headmaster are without authority to act.

Situations in which the remedy for the alleged violation exclusively resides in some person, agency, or authority other than the Governing Council.

Situations as to which a different procedure with TMP is prescribed by a state or federal authority.

Situations as to which a different procedure or remedy has been provided by the Governing Council.

Situations involving a grievance by a contractor with TMP.

A grievance cannot be filed by a former employee after the effective date of termination or discharge of employment.

a. General Procedural Requirements.

- i. A grievance must be initiated at Level 1 within ten (10) work days of the date upon which the grievant became aware of the circumstances which gave rise to the grievance.
- ii. No persons will suffer retaliation, recrimination, discrimination, harassment, or be otherwise adversely affected because of his or her use of this grievance procedure.
- iii. Whenever possible, any grievance conference or hearing at any level will be scheduled during a mutually convenient time that does not conflict with the regularly scheduled school program.
- iv. A grievant requiring the attendance and testimony of other employees will have the right to bring such witness as are willing to testify in his or her behalf, and any

- necessary substitutes or release time will be provided and the expense borne by TMP when hearings must be scheduled during the school day.
- v. A separate file will be maintained by the Headmaster for grievances. All documents produced during the processing of a grievance will be filed herein. All parties maintain confidentiality with regard to proceedings, and the resolution of the grievance will not be made public unless agreed to by the grievant and the Headmaster or Governing Council or unless the grievant pursues the matter beyond this policy. The grievance file will be maintained for one (1) year after being cleared according to the New Mexico State Records Center and Archives, and access to the file will be limited to the grievant, the immediate supervisor, the Headmaster and the members of the Governing Council.
  - vi. Nothing contained herein will be construed to limit in any way the ability of TMP and the grievant to resolve any grievance by informal means, and nothing herein will be construed as requiring resort to the formal procedures when grievance problems arise.
  - vii. A grievant may terminate the process at any level if he or she indicates in writing a desire to do so, accepts the resolution at that level, or fails to pursue his or her grievance by filing at the next level within the specified time period.
  - viii. All grievances will be filed and processed on grievance forms prepared by TMP and available in the office of the Headmaster.
  - ix. The time limits at any level may be extended by mutual agreement between the grievant and the Headmaster, review committee or Governing Council.
  - x. Except as otherwise provided herein, unless a party can demonstrate prejudice arising from a departure from the proceedings established in this policy, such departure will be presumed to be harmless error.

#### d. Procedural Steps

##### Level 1 (Informal Conference)

Prior to the filing of a formal written grievance, the grievant will first discuss the grievance with his or her staff representative in a good faith attempt to resolve the grievance prior to the filing of a formal grievance. In the case of a claim of sexual harassment in which the grievant's staff representative is the subject of the claim, the grievant may initiate the grievance at the next supervisory level above that of the staff representative.

##### Level 2 (Headmaster)

If the grievant is not satisfied with the discussion and disposition of the grievance at Level 1, he or she may file a written grievance with the supervisor (Headmaster) within ten (10) days of the disposition. The Headmaster will communicate his or her proposed resolution in writing to the grievant within five (5) work days from the filing of the written grievance. If the proposed resolution is not acknowledged or approved by the grievant within five (5) work days, the Headmaster has the discretion to require a hearing or conference and gather such evidence prior to the preparation of the decision as he or she feels would assist in any appropriate resolution of the grievance. The hearing or conference will occur within five (5) work days of the grievant's action/inaction regarding the headmaster's proposed resolution. The hearing or conference should be as informal as possible and will be conducted as the Headmaster feels is appropriate for a full understanding of the grievance, the position of the grievant and the evidence supporting the position. The Headmaster will have the right to ask any question of the interested parties as

he or she deems necessary. Within five (5) work days following the hearing, the Headmaster will render his or her written proposed resolution to the grievant.

### Level 3 (TMP Governing Council)

If the grievant is not satisfied with the resolution of the grievance at Level 3, or if the Headmaster fails to issue a proposed resolution within the specified time limit, the grievant may make a written request to the Headmaster for a hearing with the Governing Council within ten (10) work days after the Headmaster's resolution was rendered or due, if none was received. At its sole option, the Governing Council may appoint a Grievance Review Committee to hear the grievance. The Grievance Review Committee will be comprised of three (3) persons, one from each of the following staff categories: Certified School Instructor; Administrator (other than the immediate supervisor or Director involved) and one Governing Council member.

The members will be appointed by the Governing Council. The Committee will select its Chairperson prior to the processing of the grievance. The Chairperson of the Committee will schedule an informal hearing within ten (10) work days of receipt of the grievance. If a Committee member is unable to participate in the informal hearing, the Chairperson will designate a substitute from within the employee category of the non-attending member.

### Procedure for Hearing

- i. The grievant will present his/her grievance first through testimony, witnesses, documents, etc. Cross-examination will not be allowed by the other party in interest, if any.
- ii. The other party or parties in interest, if any, will present their responses to the grievance. Cross-examination will not be allowed.
- iii. The Committee may ask any questions that it deems necessary.
- iv. Arrangements to make a taped recording or to keep minutes of the proceeding will be made by the Chairperson. A verbatim transcript is not required, but any minutes or other written record will fairly reflect the substance of the hearing.
- v. Within five (5) days following the date of the hearing, the Committee will transmit its findings and recommendations for proposed resolutions to the Governing Council. Within ten (10) work days, the Governing Council will accept the recommendations of the Committee by a majority vote or agree to hear the grievance.

The holding of a hearing by the Governing Council is discretionary with the Governing Council, and such decisions will be made by the Governing Council at its next regularly scheduled meeting after receipt of the written request for a hearing. If the Governing Council rules that it is appropriate to hear the grievance, it will set the date for such hearing and the parties in interest will be notified by the Governing Council President.

The parties in interest will submit written statements of position which will be delivered to the Governing Council members at least five (5) days prior to the hearing. In addition, any

other documentary evidence desired to be reviewed by the Governing Council will be submitted at that time.

### Conduction of Hearing

i. Each party in interest to the grievance will have the opportunity to present oral statements limited to thirty (30) minutes each. The presentation will be limited to a review of evidence previously presented, unless the Governing Council, in its discretion, allows new evidence to be presented during the hearing. Evidence may not be cross-examined by the other party in interest.

ii. Since grievances are “personnel matters”, the hearing may be conducted in an executive session, if the grievant so requests and the Governing Council votes to close the hearing. The grievant may demand that the hearing be held in open session, in which case the hearing must be open.

iii. The Governing Council may make such inquiries of any party in interest as it deems necessary or appropriate.

iv. The Governing Council will render a written decision within a reasonable time. In arriving at its decision, the Governing Council has complete discretion in fashioning such relief, if any, as it believes is appropriate, regardless of the relief requested.

v. A certified school employee, aggrieved by a decision of the Governing Council to discharge him/her after a discharge hearing, may appeal to an independent arbitrator by submitting a written notice of appeal to the Headmaster within five (5) working days from receipt of the Governing Council’s written decision. If a timely notice of appeal is submitted, a hearing will be held pursuant to 22.10.17.1 NMSA.

Provisions are evident that mediation, problem solving and facilitation services for students, staff and community are available.

This requirement for staff is covered in the preceding information. Regarding the students and community, TMP adds the following:

Students should address issues first with teachers. If they are unable to resolve the issue with teachers, they should then address the Headmaster. The Headmaster provides the final decision with respect to student issues.

Parents and community members should first address issues with respect to specific classes to the classroom teacher (or coach, in the case of athletics). Parents and community members who are dissatisfied with teacher responses may then choose to discuss the issue with the Headmaster as well as the SFCC instructor. Parents who are dissatisfied with the Headmaster’s decision may appeal to the TMP Governing Council in writing. The note requesting the hearing can be placed in the Governing Council president’s mailbox in the front office. If the Governing Council chooses to hear the appeal, the issue will be placed on the agenda of the next regularly scheduled Governing Council meeting and the issue will be handled in Executive Session.

A student or staff member aggrieved by a decision of the Governing Council may appeal to an independent mediator and/or arbitrator by submitting a written notice of appeal to the Headmaster within five (5) working days from receipt of the Governing Council written decision. If a timely notice of appeal is submitted, a hearing will be held pursuant to 22.10.17.1 NMSA.

## **F. STUDENT ENROLLMENT PROCEDURES AND DISCIPLINE POLICY**

- **Description of enrollment policies and procedures with enrollment timelines.**

All students who meet the State of New Mexico's eligibility requirements for attending a public school may apply for admission to TMP. TMP will not discriminate among applicants on the basis of age, disability, gender, ethnic or national origin, religion, or academic standing. TMP is a non-sectarian school. There is no tuition or other requirements. Students will be required to have completed their Freshman year before entering TMP. In accordance with the Charter Schools Act, Chapter 22, Article 8B NMSA, siblings of students enrolled will automatically be eligible for enrollment in the school.

In its first year TMP will announce the opportunity to apply beginning in November of the year preceding its opening. Opportunities for enrollment will be advertised in local newspapers, on the school's website, and through flyers distributed throughout Santa Fe and outlying areas.

- **Description of lottery process.**

Applications for enrollment will be accepted on a first-come first-serve basis as permitted by NMSA 1978 22-8B-4.1A. If the number of applications exceed the number of openings, a lottery process for admission will be instituted for all applicants. Notice of the lottery, including the date and time, will be advertised to the public in the newspaper and to the applicant pool. The Headmaster, or a designee, will draw numbers for the lottery. The corresponding names will be listed in the order they are drawn. All names will be drawn and listed in the order of the drawing on the appropriate grade-level roster. After openings are filled, all others will be put on a waiting list according to the order of the drawing. A member of the Governing Council as well as a member of the outside community will be present for the drawing.

Subsequent lotteries will be conducted based upon enrollment needs. Students who are accepted will be notified via a letter sent to their homes. Students who do not confirm within the deadline specified in the letter will forfeit their right to attend TMP for the year they enrolled.

In following years, applications will be accepted on an on-going basis. Applications will be kept on file at the school at all times.

- **Proposed Student Discipline Policy**

The proposed student discipline policy will comply with the Students Rights and Responsibilities as set forth in the PED rules and regulations 6.11.2 NMAC. Students/parents will receive a copy



of the Student Handbook upon registering. See Exhibit B – Proposed Student Discipline Policies, Pages 118-141, and by reference are included herein.

## **G. FACILITIES**

- **Describe the proposed facility, including location size and layout of space and how the facility will support the implementation of the schools educational program.**

TMP will be leasing classroom space at Santa Fe Community College. These facilities meet the requirements of NMSA, Section 22-8B-4.2C requiring that by July 1, 2010 all charter schools shall be in public buildings. All spaces meet all facility requirements. The school office will also be at SFCC. Initially TMP will have the equivalent of three large classroom leased from SFCC for classrooms as well as three offices in addition to classroom equivalents for actual SFCC courses. Based on success in future years SFCC may lease more classroom space depending on availability. As the owner and leaser – Santa Fe Community College will be responsible for ensuring that the rooms leased by TMP are properly maintained and meet all health and safety codes. Since TMP is being located at SFCC this supports the implementation of the schools educational program.

- **Explain the proposed capital outlay needs for the facility, including projected requests for capital outlay assistance for the school.**

None

## **H. OTHER STUDENT SERVICES**

- **Describe the school’s plan for meeting the transportation needs of its students and plans for contracting services.**

TMP does not provide transportation to or from the school for its students. Transportation of students to and from school will be the responsibility of parents/guardians unless special transportation requirements are specified by the student’s Individualized Educational Program (IEP). The Santa Fe Community College is serviced by the City of Santa Fe public bus system.

TMP will contract with a state-approved provider on an as - needed basis for activity buses when 10 or more students will be traveling to a school-related activity.

- **Describe the school’s plans for meeting the food services needs of its students and plans for contracting services.**

Santa Fe Community College has a full service cafeteria available for students to purchase meals. Parents and students will be responsible for providing their own meals. If TMP institutes a free and reduced food service program, they will follow state and federal laws and procedures pertaining to the Student Nutrition Program. There are no current plans for contracting services.

- **Describe the school's plans for providing student access to counseling services.**

TMP has budgeted (1) Guidance Counselor/Social Worker as an employee for the first two years and (2) for years 3-5.

- **Describe the school's plans for providing student access to health services and plans for contracting services.**

TMP has budgeted to hire as an employee a part time (.05) Health Care Assistant and has budgeted \$10,000 for contracting services for a registered nurse.

## VIII. REQUIREMENTS

### A. LEGAL LIABILITY AND INSURANCE COVERAGE

- **Provide a statement that the charter school will participate in or seek a waiver from coverage by the public school insurance authority and comply with all applicable rules of that authority.**

The MASTERS Program will participate in the Public School Insurance Authority and comply with all applicable rules of that authority.

### B. WAIVERS

**List the specific waivers that are requested from the department's requirements, rules, and provisions of the Public School Code pertaining to individual class load, teaching load, length of the school day, staffing patterns, subject area, purchase of instructional material, evaluation standards for school personnel, school Principal duties, driver education and graduation requirements.**

Driver's education – TMP will not be offering driver's education

**If any waivers are requested that are not pertaining to those listed above, cite the applicable statute and/or state rule that the school is requesting to be waived. Provide a rationale for each waiver requested from the department.**

None

**Provide a rationale for each waiver request from the department.**

TMP does not intend to offer Driver's Education.

## IX. APPENDICES

### Exhibit A The MASTERS Program Proposed Personnel Policies and Procedures

#### I. OVERVIEW OF THE MASTERS PROGRAM

**A. Mission:** The mission of The MASTERS Program (TMP) is to support the goal of a college education as an option for every student by expecting all students to perform at rigorous academic levels when provided challenging learning activities by inspired, talented teachers.

**B. TMP Working Environment:** TMP endeavors to create a friendly working environment for all employees. In pursuit of this goal, TMP has adopted the following employee relations objectives:

1. Provide an exciting, challenging, and rewarding workplace and experience.
2. Select employees on the basis of skill, training, ability, attitude, and character without discriminating.
3. Review wages, employee benefits, and working conditions periodically with the objective of being competitive in these areas, consistent with sound business practices.
4. Assure employees, after talking with their supervisor, an opportunity to discuss any issue or problem with the appropriate administrator.
5. Take prompt and appropriate action to resolve complaints which may arise in the everyday conduct of our business.
6. Respect individual rights and treat all employees with courtesy and consideration.
7. Maintain open communications and mutual respect in our working relationships.
8. Promote an atmosphere consistent with TMP's vision, mission, and goals.

The policies in this Handbook are guidelines; are not expressed or implied contracts with employees; and do not create contractual obligations of any kind between TMP and any of its employees. The provisions of this Handbook have been developed at the discretion of the Governing Council, and the policies in this Handbook may be amended, revised, supplemented, or rescinded at any time, in the sole discretion of the TMP Governing Council.

**C. What The MASTERS Program Expects From You:** As a member of TMP's team, we need your help to make each working day enjoyable and rewarding. Your first responsibility is to perform the duties assigned to you promptly, correctly and pleasantly. You are also expected to cooperate with management and your fellow employees. How you interact with fellow employees and those whom The MASTERS Program serves, and how you accept direction can affect the success of your department. In turn, the performance of one department can impact the entire service offered by TMP. Whatever your position, you have an important assignment: perform every task to the very best of your ability. We are dedicated to making The MASTERS Program an organization in which you can approach administration to discuss any problem or question. We expect you to voice your opinions and contribute your suggestions to improve the quality of TMP. We are all working for the success of The MASTERS Program and to support student success, so please communicate with each other and with management.

TMP encourages you to discuss any issue you may have with a co-worker directly with that person. If a resolution is not reached, please arrange a meeting with the Headmaster to discuss any concern, problem, or issue that arises during the course of your employment. Retaliation against any employee for the appropriate use of communication channels is unacceptable. Please remember it is counterproductive for employees to create or repeat rumors or office gossip

We encourage all employees to bring forward their suggestions and good ideas about how The MASTERS Program can be made a better place to work and our service to customers enhanced. When you see an opportunity for improvement, please talk it over with the Headmaster. She/he can help you bring your idea to the attention of the people of TMP who may be responsible for implementing it. All suggestions are valued.

**D. Purpose of the Employee Handbook:** The purpose of this handbook is to provide guidance and information in regard to the various, in some instances complex, employment issues, terms, and policies. It has been developed also to advise employees of their rights, as well as their responsibilities towards TMP. This handbook covers a broad range of topics, and is meant to apply generally to all employees. If you have questions, please see the Headmaster or Business Manager in charge of human relations for TMP.

## **II. EMPLOYMENT POLICIES**

**A. Equal Employment Opportunity:** TMP is an equal opportunity employer committed to maintaining a non-discriminatory, diverse work environment. TMP does not unlawfully discriminate against any person on the basis of race, color, ancestry, religion, age, sex, national origin, disability, medical condition, status as a veteran, sexual orientation, spousal affiliation, gender identity or any other basis protected by federal, state or local law. This policy covers all programs, services, policies, and procedures TMP.

**B. Employees with Disabilities:** In accordance with the Americans with Disabilities Act (ADA), TMP does not discriminate against any "qualified individuals with a disability." Individuals qualify for employment if they meet the educational, skills, and experience requirements of a position and can perform the essential functions of the job with or without a reasonable accommodation. Individuals have a disability if they have an impairment that impacts a major life function such as caring for one's self, performing manual tasks, walking, hearing, seeing, speaking, breathing, learning, or if the impairment otherwise impacts an individual's ability to perform a class of jobs or broad range of jobs. Psychological impairments, learning disabilities, and some chronic health impairments, such as epilepsy, diabetes, arthritis, cancer, cardiac problems, and AIDS may also be considered disabilities.

TMP is committed to diversity and nondiscrimination and supports the full employment of qualified individuals with disabilities in its workforce. Therefore, a process has been established to assist employees with disabilities in reasonably modifying the work environment to allow the employee to perform the essential functions of his or her job. It is the responsibility of the employee to request an accommodation of his or her physical or mental disability by contacting the Headmaster. In accordance with the ADA, TMP will take such requests seriously and will promptly determine whether the employee is a qualified individual with a disability and whether a reasonable accommodation exists which would allow the employee to perform the essential functions of the job without imposing an undue hardship on TMP or other employees. If you believe that you have been unlawfully discriminated against because of a disability, you should discuss the matter with the Headmaster or the Human Resources Manager.

**C. Anti-Harassment/Discrimination Policy:** TMP is committed to providing a work place that is free of unlawful discrimination or harassment. Every employee is expected to treat his or her co-workers, visitors, students and guests professionally and respectfully.

Each employee is required to familiarize him/herself with this Anti-Harassment/Discrimination Policy, reporting obligations and procedures. If you have any questions about the school's policy, please contact the Headmaster or his/her designee for clarification.

1. No Tolerance Harassment/Discrimination Policy. TMP is committed to creating a workplace free of discrimination and harassment. Both the law and TMP prohibit any form of discrimination and/or harassment based on race, color, ancestry, religion, age, sex, national origin, disability, medical condition, status as a veteran, sexual orientation, spousal affiliation, gender identity or any other basis protected by federal, state or local law. All of these groups are referred to in this policy as "protected classes." This prohibition applies in your relationships with all other employees, students, parents and guardians, visitors and guests.

2. Discrimination/Harassment Described. Discrimination and harassment include conduct that could reasonably be construed generally as any unwelcome behavior towards another, whether verbal, physical or visual, that is based on a person's

belonging to a protected class. This conduct will most likely interfere with others' ability to work and most certainly will be intolerable as an example to our students and our community.

a. **SEXUAL HARASSMENT:** Because sexual harassment raises issues about human interaction that are to some extent unique, the subject of sexual harassment is described separately here, however, it is no more or less tolerable than harassment based on some other protected status. Sexual harassment is a form of sex discrimination that may include:

- A. requests for sexual favors;
- B. sexual advances;
- C. persistent or unwelcome flirtation or requests for dates, especially if the behavior continues after a clear objection has been made;
- D. sexually motivated inappropriate conduct such as facial expressions or body language, leering, making sexual gestures or actual touching, kissing, impeding or blocking another's movements;
- E. displaying sexually suggestive objects, pictures or cartoons; demands to submit to sexual requests in order to maintain employment or avoid some employment-related loss (e.g. salary), and offers of job benefits or favors in return for sexual favors;
- F. intimidation and hostility directed to an individual because of sex; or explicit or degrading verbal, written or electronic comments of a sexual nature, such as comments about an individual's body or dress.

This list is not exhaustive and applies to conduct by co-workers, supervisors, volunteers and others invited to the school premises. Sexual harassment can apply to conduct in any work-related setting outside the work place as well.

Consensual sexual behavior between adults, outside the workplace and welcome by both parties is not considered sexual harassment; however, those who engage in such relationships should be aware that questions regarding the actual freedom of choice of one of the parties may be raised later, especially when a superior/subordinate relationship exists between them.

b. harassment/discrimination other basis. Other prohibited harassment includes verbal or physical conduct which degrades or shows hostility or aversion toward an individual even partly because of a person's belonging to a protected class. Conduct similar to that described above as sexual harassment and discrimination, if based on one of these protected classifications is illegal. For example, verbal conduct such as epithets, jokes based on ethnicity, age-related derogatory comments, foul or obscene language or racial slurs will likely be unwanted and offensive to others resulting in unwelcome behavior that could be interpreted as harassing or discriminatory.

3. **Employee Responsibilities.** All employees of TMP are responsible for taking appropriate action to prevent and eliminate harassment and discrimination at TMP. If you experience discrimination or harassment, TMP encourages you to firmly

and promptly notify the offender that his or her conduct is offensive, even if it is not directed at you. If the conduct continues you should report the conduct immediately. If you observe discrimination or harassment of another employee, student, visitor or guest, by a fellow employee, report the concern immediately. At no time should you assume that inappropriate conduct between a student and an adult is acceptable, “consensual” or that it should not be reported because you are concerned that you misinterpreted the conduct.

4. Reporting Complaints. If you experience or observe harassment or discrimination you should bring your concerns directly to TMP’s Headmaster, the school counselor or the Business Manager. Your complaint will be promptly investigated by the individual to whom you reported or a third-party investigator, if appropriate. The complainant and the alleged offender will be instructed to limit their work contact with each other immediately, pending the outcome of the investigation.

5. No retaliation. TMP will not tolerate retaliation or reprisals of any type against any employee who complains of harassment or provides information in connection with any such complaint. Retaliation is considered to be misconduct and grounds for disciplinary action, up to and including discharge.

6. Complaint Procedure, Investigation and Response. Complaints may initially be made verbally, however, the complainant will be asked to complete a “Harassment Complaint Form” to assist with the investigation process.

a. Normally, an investigation will include interviews with the complainant, and the alleged offender (who will be told of all of the allegations against him or her) and all witnesses or other relevant persons as necessary to establish the facts. All employee-witnesses, the complainant and the alleged offender are expected to cooperate in the investigation. Failure to cooperate or deliberately providing false information during an investigation, including in complaint itself, will be grounds for disciplinary action, up to termination or discharge. Other individuals, such as a third party investigator, may be involved to resolve the complaint. The investigator will collect and review all relevant documents.

b. TMP will investigate every report of harassment or discrimination. In conducting an investigation, TMP will respect the privacy of all concerned, however, complete confidentiality may not always be possible because of the need to conduct a complete and thorough investigation and to ensure that both sides’ interests are fairly protected.

c. As soon as the investigation is finished, the investigator will meet with the individual’s supervisor or if appropriate the supervisor’s supervisor(s), and report whether he or she believes that discrimination or harassment has occurred. If the investigation results in a finding of discrimination and/or harassment, then the supervisor will determine the appropriate disciplinary action up to and including a recommendation to terminate or discharge the employee. The supervisor will inform the complainant and the alleged offender of the outcome of the



investigation and his/her proposed disciplinary action. The date of the discussion with the respective party shall constitute the “determination date.”

d. Appeal. If the complainant or alleged offender is not satisfied with the outcome of a discrimination complaint, either employee may appeal that decision to the TMP Governing Council or to a neutral third party, whichever is deemed appropriate by the Headmaster under the circumstances. The employee appealing the supervisor’s decision must submit a written appeal to the Headmaster with copies to the other party within five (5) working days of the determination date. The non-appealing party and supervisor of the appealing party has the option of submitting written materials in support of their respective positions within three (3) working days from the date they receive the appealing parties’ appeal.

e. Final Decision. The Governing Council or neutral third-party will inform the complainant/respondent of the appeal decision in writing within five (5) working days from the date the appeal was submitted. This is the final level of review in the internal complaint process. The time lines set forth in this policy may be waived or extended by the Governing Council.

**D. Religious Accommodation:** Sometimes individuals hold religious beliefs or conduct religious practices that conflict with their work schedules or assigned responsibilities. TMP will attempt to provide a reasonable accommodation for religious beliefs and practices of such individuals if to do so does not impose an undue hardship for the employee's department, or interfere with the employee's ability to perform the essential functions of the position. If you would like to request reasonable accommodation based on your religious beliefs, you should contact the Headmaster or the Business Manager. You may be asked to provide appropriate documentation to support your request.

**E. Employee Background Check:** Prior to becoming an employee of The MASTERS Program, a comprehensive background check consisting of prior employment verification, professional reference checks, education licensure and certification confirmation, and a criminal background check is conducted in accordance with applicable laws.

**F. Immigration Law Compliance:** All offers of employment are contingent upon verification of your right to work in the United States. You will be asked to provide original documents verifying your right to work and, as required by federal law, to sign a Federal Form I-9, “Employment Eligibility Verification Form.” If you at any time cannot verify your right to work in the United States, TMP may be obliged to terminate your employment.

**G. Personnel Records:** The responsibility of handling personnel records and related personnel administration functions at TMP has been assigned to the Business Manager. Questions regarding insurance, wages, and interpretation of personnel policies may be directed to him or her. TMP strives to balance its need to obtain, use, and retain employment information with each individual’s right to privacy. To this end, it attempts to restrict the personnel information maintained to that which is necessary for the conduct of its business or which is required by

federal, state, or local law. The Headmaster (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 Business Manager 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. If you have a change in any of these items, please complete an **“employee change” form** and return to the Business Manager as soon as possible.

1. Contents of File. In addition, an employee’s personnel file may contain the following information:

a. Complete application for employment along with verification of qualifications for the position as outlined in job description;

b. Professional license;

c. Official transcript;

d. Employee’s contract;

e. Signed Job description;

f. Pre-employment references;

g. Signed acknowledgment that the employee has received the employee policies handbook, which includes separate acknowledgements that employee has received and understands policies on child abuse and neglect, confidentiality, equal employment opportunity; drug free workplace, conflicts of interest, employee complaints and problem solving, termination and discharge, employee discipline, email and computer usage, the employee code of conduct and confidentiality.

h. Performance appraisals;

i. Documented attendance at educational and training programs, including in-service courses and orientation;

j. Any complaints, allegations, inquiries or findings of student abuse or neglect; warnings or disciplinary actions;

k. Documentation of equipment issued to employee: keys, pagers, cell phones, etc.

2. Separate File. The following records will be maintained in a separate file, apart from the personnel file, for each employee:

- a. Employment medical records;
- b. INS (Immigration and Naturalization) I-9 Form;
- c. Workers' compensation records;
- d. Health records;
- e. Drug testing records.

3. Inspection of Personnel File. Employees may inspect their own personnel records in the presence of the Headmaster (or designee). Such an inspection must be requested in writing to the Headmaster (or designee) and will be scheduled at a mutually convenient time. Employees who feel that any file material is incomplete, inaccurate, or irrelevant may submit a written request to the Headmaster (or designee) that documentation to correct such materials be added to personnel files. Only supervisors and others in management who have an employment related need-to-know about another employee may inspect the personnel files of a particular employee.

#### **H. Work Schedule:**

1. Business Hours. TMP generally operates from 7:30 am until 5:00 pm. Work schedules are determined by the Headmaster. Please consult with the Headmaster if you have any questions concerning your work schedule.

2. Classroom Coverage. Students must be supervised at all times and are never left unattended. If you need to leave your classroom or work station, you must contact the Headmaster so adequate coverage can be arranged. If you need to leave the campus for any reason, you are required to notify the Headmaster, sign out at the front desk, and sign back in upon returning.

3. Absence or Lateness. If you are unable to report to work, or if you will arrive late, you are required to contact the office before 7:30 am. If you know in advance that you will need to be absent, you must request this time off directly from the Headmaster. If you are absent because of an illness, the Headmaster may require that you submit a written statement from your health care provider stating that you are able to resume your employment responsibilities. Unauthorized absences, lateness, or leaving campus may lead to disciplinary action, including possible dismissal.

4. Severe Weather and Emergency Conditions. In the event of severe weather conditions or other emergencies, TMP will follow the Santa Fe Community College schedule.

### **III. WAGE AND SALARY POLICIES**

**A. TMP – an equal opportunity employer:** Employee compensation will be structured to attract, motivate, retain, and reward high quality personnel to effectively carry out the objectives of The MASTERS Program without regard to race, color, ancestry, religion, age, sex, national origin, disability, medical condition, status as a veteran, sexual orientation, spousal affiliation, gender identity or any other basis protected by federal, state or local law. TMP will prioritize its expenditure of resources to achieve a competitive compensation position in public education in the local area market.

**B. Pay Periods:** The payroll period is a two week period from Mondays 12:00 AM until Sundays 11:59 PM and you will be paid each subsequent Friday following the completion of that pay period. Your check will reflect your compensation for that pay period, less required payroll deductions. If you were hired after a payroll deadline (check with your supervisor), your first paycheck will be delayed until the second payday after you started work. You will be issued pay checks every two weeks or 26 times per year.

Your deductions will be itemized on your payroll stub. You should review your paycheck stub carefully each payday. If, at anytime, you have any questions about the amounts shown on your paycheck or how they are calculated, you should contact the Business Manager. If you have been overpaid, and it is later discovered, you will be required to return the overpayment in full to TMP

**C. Basis for Determining Pay:** The TMP Governing Board adopts a salary schedule each year based upon education, experience, and legislative mandates.

**D. Salary Increases:** Each job class or licensing level presently has a salary range. Increases beyond the initial or minimum salary for your class or license level may be granted annually until the employee reaches the top step of their salary range. If you receive a new job at a higher or lower level of pay, your salary will be adjusted according to the salary schedule rules that are adopted by the TMP governing council.

**E. Direct Payroll Deposit:** Direct payroll deposit is the automatic deposit of your pay directly into a financial institution account. Contact the Business Manager for details and the necessary authorization forms. This is a benefit we provide for your convenience. We encourage all employees to take advantage of this service.

**F. Mandatory Deductions from Paycheck:** Federal, state and local income taxes and your contribution to Social Security and New Mexico Educators retirement system will be deducted from your pay check as required by law. These deductions will be itemized on your check stub. The amount of the deductions will depend on your earnings and on the information you furnish on your W-4 form regarding the number of exemptions you claim. If you wish to modify the number of deductions, please request a new W-4 form from the Business Manager. Only you may modify your W-4 form. Verbal or written instructions are not sufficient to modify withholding allowances. We advise you to check your pay stub to ensure that it reflects the proper number of withholdings. Other mandatory deductions from your

paycheck include court-ordered garnishments or support deductions. If TMP receives a court order mandating that your pay be garnished you will be notified and provided a copy of the order. TMP will comply with the court order until such time as you provide a subsequently dated and signed court order directing TMP to cease making the deduction from your pay check.

**G. Reimbursement for Travel and Expenses:** Employees will be reimbursed for authorized travel and per diem expenses pursuant to the New Mexico Travel and Per Diem Rule, NMAC 2.24.2 as amended. You must obtain prior written authorization for expenditures for which you expect to be reimbursed for by TMP. Failure to follow the appropriate procedures **prior** to incurring an expense for which you want to be reimbursed, may result in a denial of your request for reimbursement.

**H. Employment Classifications:** Your position at TMP is classified as either regular full-time, part-time or short-term. In addition, you are classified as either **non-exempt** or **exempt**. Certain policies and procedures outlined in the Employee Handbook may apply differently to you depending on how your job position is classified. If you have a question concerning applicability of any particular provision, contact the Headmaster or the Business Manager prior to signing the receipt for this Handbook.

1. Non-Exempt and Exempt Employees. At the time you are hired or you transfer to a new position, you will be classified as either "exempt" or "nonexempt." This is necessary because, by law, employees in certain types of jobs are entitled to overtime pay for hours worked in excess of forty (40) hours per workweek. These employees are referred to as "non-exempt" in this Employee Handbook. This means that they are not exempt from (and therefore should receive) overtime pay.

Exempt employees are Headmasters, business managers, teachers, counselors, social workers, and others whose duties and responsibilities allow them to be "exempt" from overtime pay provisions as provided by the Federal Fair Labor Standards Act (FLSA) and any applicable state laws.

2. Full-Time Employees. An employee who works 40 hours per week, is considered a full-time employee.

3. Part-Time Employees. An employee who is regularly scheduled to work less than 40 hours per week is considered a part-time employee. If you are a part-time employee working less than 25 hours per week, you are not eligible for the employee benefits described in this Employee Handbook. Benefits will be prorated for employees working between 25 and 39 hours per week.

4. Overtime Pay. If you are a non-exempt employee you will be paid overtime in accordance with state and federal laws. Any overtime must be approved in advance by your supervisor; failure to obtain authorization prior to working overtime may result in disciplinary action. For purposes of determining overtime pay, TMP's work week shall be from 12:00 a.m. Monday until 11:59 p.m. Sunday.

## IV. PERFORMANCE

**A. Performance Reviews:** The Headmaster will follow governing council policies and New Mexico Public Education Department requirements when conducting performance reviews for all licensed and certified personnel. The performance reviews will be conducted collaboratively between the Headmaster and TMP employees. Nonexempt employees will be evaluated annually; licensed personnel will be evaluated in a manner consistent with PED regulations. The school's Headmaster will be evaluated no less frequently than once per year by TMP's Governing Council.

During a formal performance review the Headmaster may cover the following areas:

- The quality and quantity of your work.
- Strengths and areas for improvement.
- Initiative and teamwork.
- Attendance.
- Customer service orientation.
- Problem solving skills.
- Ongoing professional growth and development.
- **All other competencies for your position, level of licensure or certification.**

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

Your review provides an opportunity for collaborative, two-way communication between you and the Headmaster. This is a good time to discuss your interests and future goals. The Headmaster is interested in helping you to progress and grow in order to achieve personal as well as work-related goals. The Headmaster can answer any questions you may have about the performance review process.

The Headmaster uses your annual performance evaluation as a factor in recommending your rate/salary increase, promotions, or award of subsequent contracts, if any. Your performance evaluation may also be impacted by your willingness to follow and cooperate with TMP's employee conduct policies as described in this Handbook or other directives or instruction given to you by the Headmaster or your supervisor.

## V. STANDARD OF CONDUCT

Generally speaking, we expect each employee to act in a mature and responsible way at all times. If you have any questions concerning any work or safety rule, or any of the unacceptable activities listed below, please see the Headmaster for an explanation.

**A. Smoking:** The use of tobacco, or tobacco products at school or any TMP-sponsored functions, events or activities is prohibited for students, faculty, and staff.

**B. The MASTERS Program and Staff Meetings:** On occasion, we may require that you attend a meeting or school function outside your duty day. If you are a non-exempt employee, you will be paid for time spent. Prior approval by the Headmaster will be required for any overtime.

**C. Computer Software (Unauthorized Copying):** TMP licenses the use of computer software from a variety of outside companies. TMP does not have the right to reproduce the software or to grant licenses for other users. Employees shall use the software only in accordance with the software publisher's license agreement. As a rule do not download school-purchased software on any other computer without verifying the right to do so. Illegal reproduction of software can subject an employee to civil damages and criminal penalties, including fines and imprisonment.

**D. Employee Technology Acceptable Use Policy:** The MASTERS Program provides technology resources and business equipment to its staff for educational and administrative purposes. This policy governs the use of business equipment, computers and telephonic communication systems, including e-mail, Internet and Internet systems (collectively referred to as (technology resources). The use of The MASTERS Program technology resources is a privilege granted to employees for the enhancement of job-related functions. Violation of which may result in disciplinary actions.

TMP does not attempt to articulate all possible violations of this policy. In general, users are expected to use The MASTERS Program computers and computer networks in a responsible, polite, and professional manner. Users are not allowed to:

1. Knowingly send, receive, or display sexually oriented images, messages, or cartoons.
2. Knowingly or recklessly send, receive, or display communications that ridicule, disparage, or criticize a person, a group of people, or an organization based upon race, national origin, sex, sexual orientation, age, disability, religion, or political beliefs or for any other reason.
3. Knowingly send, receive, or display communications that demean, threaten, insult, harass, or defame others.
4. Knowingly send, receive, or display communications that disparage or berate TMP, Board Members, or employees, or diminish employee productivity and/or professionalism.

5. Violate any local, State, or Federal statute or regulation including, but not limited to copyright laws.
6. Solicit, endorse, or proselytize others for commercial ventures, outside organizations, or religious, social, or political causes.
7. Disrupt, disable, damage, or interfere with services, equipment, or other users.
8. Access, assist, or allow others to access equipment, files, passwords, user codes, or information without authorization.
9. Use TMP computers for personal business.

TMP reserves the right to review, audit, intercept, access, and disclose all matters placed on TMP technology resources, as business conditions and/or security considerations warrant, without employee notice, during or after employee working hours. The use of a TMP provided password by an employee does not restrict TMP's right to access electronic communications. While TMP does not regularly monitor electronic communications it reserves the right to do so without notice. **Because TMP reserves the right to access and monitor the use of TMP's technology resources, no employee should have any expectation of privacy in connection with the use of this equipment or the transmission, receipt, or storage of information in such equipment, whether the information is personal or school-related.**

**E. Dress Code and Personal Appearance:** Please understand that you are expected to dress and groom yourself in accordance with accepted social and business standards. You are expected to be suitably attired and groomed during working hours or when representing TMP. If the Headmaster decides that your attire and/or grooming are inappropriate for school you may be asked to leave your workplace until you are properly attired and/or groomed. Employees who violate dress code standards may be subject to disciplinary action.

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

**Prohibition and Standards.**

1. General Prohibition. No employee or student will unlawfully possess, use, distribute, dispense, manufacture or be under the influence of alcohol or drugs while on TMP school grounds; at TMP sponsored or supervised activities (e.g., field trips); in any TMP owned, leased or used vehicle; while engaged in or going



to or from TMP activities; or, while attending a school-related activity (e.g., workshop).

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

3. Exceptions. This policy is not intended to prevent possession of a controlled substance if it was obtained directly pursuant to a valid prescription or order, from a physician, dentist or other person duly licensed, registered, or otherwise permitted under federal and state law to distribute or dispense the substance in the course of professional practice. If an employee is taking prescribed or over-the-counter medication that may affect work performance, this information should be immediately reported to the Headmaster or her designee.

4. Conditions of employment. As a condition of employment, each employee will abide by the terms of this drug-free workplace policy. Every employee is required to notify the Headmaster of any criminal drug conviction or plea of no contest for a violation occurring in the workplace no later than five (5) days after such conviction.

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

**G. Acceptance of Gifts:** Advance approval from the Headmaster is required before an employee may solicit a gift on behalf of The MASTERS Program. The MASTERS Program staff members are not to receive payment for tutoring, counseling, advising or providing services related to special programs from any student assigned to their classroom or other school functions.

**H. Employment of Relatives:** If you and members of your family are employed by The MASTERS Program, one may not supervise the other nor work in the same department. If the employees are unable to develop a workable solution, the Headmaster will decide which employee may be transferred in such situations. Family members include the employee's spouse, child, parent, parent-in-law, grandparent, grandparent-in-law, granddaughter, grandson, daughter-in-law, son-

in-law, step-parent, domestic partner (a person with whom the employee's life is interdependent and with whom the employee shares a mutual residence), brother, sister, brother-in-law, sister-in-law, daughter or son of the employee's spouse or domestic partner, and any relative living in the household of the employee or domestic partner. Should two employees who work together or supervise each other enter into a personal, non-work related relationship, one or both employees may have to be transferred.

No person who is the spouse, father, father-in-law, mother, mother-in-law, son, son-in-law, daughter, or daughter-in-law of the head administrator may be employed by TMP unless approved by the governing council. The Governing Council may not hire a head administrator who is the spouse, father, father-in-law, mother, mother-in-law, son, son-in-law, daughter, or daughter-in-law of any member of the Governing Council.

**I. Solicitations and Distributions:** Solicitation for any cause during working time and in working areas is not permitted. You are not permitted to distribute non-TMP literature in work areas at any time during working time. Employees are not permitted to sell raffle chances, merchandise or otherwise solicit or distribute literature without management approval. Persons not employed by The MASTERS Program are prohibited from soliciting or distributing literature on TMP property.

**J. Confidentiality:** As an employee of TMP, you may learn confidential information about students, other employees or school business (together referred to as “confidential school information”). During and after employment with TMP, confidential school information may not be shared with non-employees of TMP and may only be shared with other TMP employees on a need-to-know basis. If you violate this policy, disciplinary action will be taken up to and including termination or discharge.

TMP will provide employee information to outside agencies only upon written authorization of the employee or as provided by law. Only the Headmaster is or her designee can make decisions about releasing confidential personnel information. Most banks, credit agencies, or other parties requiring employment information will provide you with an appropriate form. You must provide a written and signed authorization form to the school, before TMP will release your personal information. TMP’s standard reference letters are limited to confirming dates of employment, job title, and current rate of pay. All requests for employment verification must be received by the Headmaster or Business Manager in writing. TMP’s response will be in writing. TMP does not provide letters of recommendation.

TMP protects employees' confidentiality and expects the employees to protect confidential school information as well. No one should provide any information about an employee and must refer any phone calls seeking such information to Headmaster or Business Manager. Under no circumstances will TMP verify employment by telephone.

In addition, TMP also expects that you respect the privacy of your fellow employees, both with employees and non-employees. Personal information about any employee may not be discussed with other employees or non-employees without written authorization. Breaching confidences may be grounds for disciplinary action up to and including termination or discharge.

**K. Employee Privacy:** TMP reserves the right to search any person entering on its property or offsite while performing services for TMP and to search property, equipment, and storage areas including but not limited to, clothing, personal effects, vehicles, buildings, rooms, facilities, offices, parking lots, desks, cabinets, lunch and equipment boxes or bags, and equipment. Any items that you do not want to have inspected should not be brought to work.

**L. Basis for Conduct-related Discipline:** In addition to the foregoing described standards of conduct, the following is a list of unacceptable activities that can result in disciplinary action, up to and including termination. This list should NOT be considered comprehensive and nothing in this list alters the at-will nature of employment for some employees.

1. Violation of any TMP policy.
2. Violation of security or safety rules or failure to observe safety rules or TMP safety practices.
3. Negligence or any careless action which endangers the life or safety of another person.
4. Being intoxicated or under the influence of a controlled substance, including alcohol, while at work; use, possession or sale of a controlled substance in any quantity while on TMP premises, except medications prescribed by a physician which do not impair work performance.
5. Unauthorized possession of dangerous or illegal firearms, weapons or explosives on TMP property or while on duty.
6. Engaging in criminal conduct or acts of violence, or making threats of violence toward anyone on TMP premises or when representing TMP; fighting, or provoking a fight on TMP property.
7. Insubordination or refusing to obey instructions properly issued by your supervisor pertaining to your work; unreasonably refusing to help out on a special assignment.
8. Threatening, intimidating or coercing fellow employees on or off the premises at any time, for any purpose.
9. Intentional or negligent destruction of or damage to school property, or the property of fellow employees, customers, suppliers, or visitors in any manner.

10. Theft or unauthorized possession of school property or the property of fellow employees; unauthorized possession or removal of any school property, including documents, from the premises without prior permission from management; unauthorized use of school equipment or property for personal reasons; using school equipment for personal profit or business.
11. Dishonesty; falsification or misrepresentation on your application for employment or other work records; untruthfulness about sick or personal leave; falsifying reason for a leave of absence or other data requested by TMP; unauthorized alteration of TMP or student records or other documents.
12. Spreading malicious gossip and/or rumors; engaging in behavior which creates discord and lack of harmony; interfering with another employee on the job; restricting work output or encouraging others to do the same.
13. Immoral conduct or indecency on TMP property.
14. Conducting a lottery or gambling on TMP premises.
15. Unsatisfactory or careless work, failure to meet work productivity or work quality standards.
16. Any act of harassment as described above.
17. Leaving work before the end of a workday or not being ready to work at the start of a workday without approval of your supervisor; stopping work before time specified for such purposes.
18. Sleeping or loitering during working hours.
19. Excessive use of TMP telephones for personal calls.
20. Smoking on TMP property or in TMP vehicles.
21. Creating or contributing to unsanitary conditions.
22. Failure to report an absence or late arrival; excessive absence or lateness.
23. Obscene or abusive language toward any supervisor, employee, parent, or student; indifference or rudeness; any disorderly/antagonistic conduct on TMP premises.
24. Speeding or careless driving of vehicles.
25. Failure to immediately report damage to, or an accident involving, TMP equipment.
26. Unauthorized soliciting during working hours and/or in working areas; selling merchandise or collecting funds of any kind for charities or others without

authorization during business hours, or at a time or place that interferes with the work of another employee on TMP premises.

27. Failure to use required timesheets, alteration of your own timesheet or records or attendance documents, punching or altering another employee's timesheet or records, or causing someone to alter your timesheet or records.

28. Any other act or omission which impairs or restricts the ability of TMP to provide a safe and healthy environment for employees and students.

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

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

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

In the case of serious misconduct, it may be necessary to protect the safety and security of the workplace by suspending or placing the involved employees on administrative leave in order to remove them from the workplace. In addition, in some instances, while your supervisor is investigating and considering appropriate action, you may be relieved from duty pending a full investigation of the circumstances. The investigation may have one of the following results: (a) if the circumstances do not justify suspension, you will be allowed to return to work, although other disciplinary action may be taken; (b) if the circumstances do justify suspension you will be notified of the suspension and dates and conditions for returning to work. You will not be paid or accrue sick leave (if applicable to you) for the period suspension occurs; or (c) if the circumstances justify termination, and you are not a "tenured" employee within the meaning of the New Mexico School Personnel Act, you will be dismissed and a final paycheck will be issued excluding time of unpaid suspension. If you are a "tenured" employee and the circumstances justify termination or discharge, the process outlined in this handbook will be followed.

**N. Grievance Procedures for on the Job Problems:** As an employee of TMP and an important member of our team, we are concerned that your on the job problems are brought to the attention of TMP. Many problems tend to arise out of misunderstanding or lack of complete information. If problems are kept hidden, they tend to fester and to grow out of proportion to their seriousness. If you feel that anything has occurred that is in any way unfair to you, or if you have any

complaints, requests, or constructive criticism, the best way to eliminate the problem is to talk it over. If the problem involves harassment of any kind, please see previous section. This grievance procedure policy does not apply for complaints about the following situations:

1. The contents of an evaluation or the discretionary act(s) of professional judgment relating to the evaluation of the work performance of any employee by his/her immediate supervisor;

2. Discharge or termination decisions (See below);

3. Situations in which the remedy for the alleged violation resides exclusively in some person, agency, or authority other than TMP, its Headmaster or Governing Council;

4. A former employee cannot file a grievance after the effective date of separation from employment.

All problems should be taken to your immediate supervisor first for discussion. Your supervisor is always ready and willing to answer your questions about your work or your progress. If you have ideas for doing things a better way or encounter a problem about practices discussed herein or if any problems arise in the course of your work, talk to your supervisor. In most instances, the problem can be immediately solved after this first step is taken.

If, after talking to your supervisor, you have not received a satisfactory explanation or decision, you should notify your supervisor that you wish to present the problem to the Headmaster. To do this, please write a note to the Headmaster stating

- (1) your name and department;
- (2) what the problem is;
- (3) when you discussed it with your supervisor;
- (4) what your supervisor's response was;
- (5) why you disagree; and
- (6) what you suggest as the proper response to the problem you raised.

The Headmaster will investigate and, to the extent necessary, will discuss the problem with you.

Option for a third step: If you feel you did not receive a satisfactory explanation or decision, you should notify the Headmaster that you wish to present the problem to a neutral third party. To do this, please write a note to the Headmaster stating

- (1) your name and department;
- (2) what the problem is;
- (3) when you discussed it with your supervisor and the human resources manager;
- (4) what their responses were;

- (5) why you disagree; and
- (6) what you suggest as the proper response to the problem you raised.

The person designated by the Headmaster will investigate and, to the extent necessary, will discuss the problem with you.

In all cases, if an immediate decision is possible, it will be given to you; if not, you will be informed of a time when an answer will be available.

We urge that you bring all problems or complaints out into the open since only in this manner can any action be taken by the company. All complaints should be brought no later than ten (10) school days from the complained of incident. This is to insure that a proper investigation and fair evaluation can take place.

## **VI TERMINATION AND DISCHARGE**

### **A. Definitions.**

1. Termination. In the case of a licensed employee, “termination” means non-renewal of a contract at the end of its term. For all other employees, “termination” means severing or ending the employment relationship.

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

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

### **B. Termination/Discharge Policy for Employees with Less than Three (3) Consecutive Years of Service:**

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

a. Non-contract employees. Employees with three (3) years or less of consecutive service and who are not employed pursuant to a contract are considered at-will employees. A written notice of termination will be provided to the employee.

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

2. Protest Procedure for Employees with Less than Three (3) Consecutive Years of Service. For an employee of less than three (3) consecutive years who was terminated or whose contract was not renewed, there is no protest procedure because such an employee may be terminated or not renewed without just cause. However, an employee of less than three (3) years may request a written explanation from the Headmaster that details the rationale for his/her termination or non-renewal. Requests for an explanation will be made in writing and delivered to the Headmaster no later than five (5) working days after receipt of the notice of termination or notice of non-renewal. Reasons for the determination will be provided to the employee within ten (10) days of receiving his/her request. The decision of the Headmaster to terminate is final and not subject to appeal.

### **C. Termination/Discharge Policy for Employees with Three (3) Years or More Years of Consecutive Service.**

1. Non-Contract and Contract: No employee who has been employed by TMP for three (3) years or more of consecutive service may be discharged except for just cause.



2. Protest Procedure. TMP provides the following procedures for challenges to termination or discharge decisions for employees with three (3) or more years of consecutive service:

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

b. Hearing Before the Governing Council. If after receiving the Headmaster's written reasons for termination, the employee contends that the reasons do not constitute just cause, the employee will be granted permission to address his/her objections to termination to the Governing Council by following these steps:

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

ii. The Governing Council will meet to hear the employee present the statement in no less than five (5) and no more than fifteen (15) working days after receipt of the employee's written statement of contentions.

iii. At the hearing, both the employee and the Governing Council may have representation of their choice, but at their own expense. Both parties will notify the other no later than 10 calendar days prior to the scheduled hearing date whether either will have an attorney present. Failure to notify the other of having an attorney representative will be good cause to postpone the hearing.

iv. Rules for Hearing:

(A) The hearing will be conducted in accordance with the provisions of the Open Meetings Act; i.e. the employee may request that the hearing be held in a public session. The TMP Governing Council, however, reserves the right to deny an open meeting if the grounds for termination are based on issues that will include identifiable student information and the employee has not secured a full release from the named student's legal guardian at least three days prior to the proceedings. The employee must provide the original release to the school.

(B) A designee of the Governing Council will first state the reasons for termination and present the factual support for those reasons. The reasons will be limited to those first provided to the employee after his/her request for an opportunity to address the Governing Council.

(C) The employee will next state his/her reasons and factual support for contending that the termination was not for just cause. Those reasons and factual support must be the same as those provided in the employee's written response to the statement provided by the Headmaster.

(D) The Headmaster may offer such rebuttal testimony that she deems appropriate.

(E) Each party may question all witnesses.

(F) Only evidence presented at the hearing will be considered and the Governing Council is only required to consider that testimony it considers reliable.

(G) No record will be kept of the hearing.

(H) The Governing Council will notify the employee and the Headmaster of its decision in writing within five (5) working days from the conclusion of the meeting.

[Reference, NMSA 1978 §22-10A-24.]

**D. Appeals from Determinations by Governing Council: Arbitration.** Either the terminated employee or other representatives of TMP may appeal the decision of the Council. The matter will be appealed to an independent arbitrator who will hear all evidence as if presented for the first time. The arbitration process takes place as follows:

1. **Timely Request.** The employee must submit a request for appeal in writing that states his/her reasons for the appeal to the President of the Governing Council within five (5) working days from the receipt of the Governing Council's written decision. The request for appeal must include a statement of facts supporting the basis for appeal. Failure to submit a timely appeal will bar the employee's objection to the decision of the Governing Council and will render the Governing Council's decision final.

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

3. **Scope of Arbitration.** The arbitrator will hear all of the evidence presented and not be limited to a review of the Governing Council's decision. The issue before

the arbitrator will be limited to whether the evidence presented demonstrates just cause for termination.

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

5. Rules of Arbitration:

a. TMP and the employee may have representation of their choosing, but at their own expense; both parties will notify the other no later than 10 calendar days prior to the scheduled hearing date whether either will have an attorney present. Failure to notify the other of having an attorney representative will be good cause to postpone the hearing.

b. Discovery will be limited to depositions and requests for production of documents on a time schedule to be determined by the arbitrator;

c. The arbitrator has the power to issue subpoenas for witnesses and documents and to administer oaths;

d. The New Mexico Rules of Civil procedure will not be strictly enforced, however, the rules will apply to the extent that both contentions and responses are amply and fairly presented;

e. The Rules of Evidence will not strictly apply, but the arbitrator will permit either party to call and examine witnesses, to cross-examine witnesses and to introduce evidence. The arbitrator will require reasonable substantiation of statements and authentication of records where the accuracy or truth is in reasonable doubt;

f. The Governing Council will have the burden to show by a preponderance of evidence that the employee was terminated for reasons that constitute just cause.

g. If the Governing Council cannot show just cause, or the employee sufficiently rebuts the Governing Council's reasons, then the arbitrator will reverse the decision to terminate and order reinstatement of the employee;

h. Either the employee or TMP may record the proceeding at their own expense, but it will not constitute an official record for purposes of further appeal.

i. Departures from these procedures are considered harmless unless the party can demonstrate prejudice.

6. Decision. The arbitrator will issue a written decision within thirty (30) working days of the hearing, which will contain findings of fact and conclusions of law.

7. Remedies. The only remedies available to an employee who has been reinstated by the decision of an arbitrator are: reinstatement; back pay, but subject to any scheduled salary increase to which the employee may be entitled; or, both, less an offset for any compensation received by the employee during the period the compensation was terminated; e.g., unemployment benefits.

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

9. Costs/Fees. The employee and TMP will pay their own fees, expenses and costs. The arbitrator can assign to either party or both parties the fees and costs of the independent arbitrator.

**E. Report to PED:** TMP will report to the PED all terminations and all actions arising from terminations annually. [Reference NMSA 1978 §22-10A-25 (2003)]

**F. Termination/Discharge Policy for Other Personnel Exempt From Protest Procedures:** In addition to employees who have less than three (3) consecutive years of employment, the rights to due process protests upon termination do not apply to the following TMP personnel:

1. Certified school instructors employed to fill the position of certified school instructor entering military service;

2. Persons employed as licensed school administrators;

3. Non-certified school employees employed to perform primarily school-wide management functions. [Reference, NMSA 1978 §22-10A-26 (2003)]

**G. Termination/Discharge Policy for Contract Employees Discharged Prior to Contract Term:** A contract employee may be discharged prior to the end of his/her contract term for just cause according to the following procedures:

1. Notification and Immediate Removal.

a. Notice of discharge. The Headmaster will serve written notice (certified mail return receipt requested) or will arrange personal delivery retaining a receipt signed and dated by the employee, of intent to recommend to the Governing Council that the employee be discharged. Service otherwise consistent with the rule of civil procedure will be sufficient to complete service as meant by these provisions.

b. Stated reasons. The notice will include the reasons for the Headmaster's recommendation that the employee be discharged along with a written description of the employee's right to a hearing before the Governing Council.

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

2. Protest Procedure/Hearing. A contract employee who receives a notice of intent to recommend discharge may request a hearing before the Governing Council by giving the Headmaster a written notice of his/her decision to request a hearing within five (5) working days of receipt of the notice to recommend discharge.

a. Date of hearing. If the employee timely notifies the Headmaster that he/she is requesting a hearing on the recommendation for discharge, a hearing will be scheduled by for no less than twenty (20) and no more than forty (40) working days after the Headmaster receives the written election from the employee. The employee will have at least ten (10) working days prior notice of the hearing date.

b. Hearing Procedures.

i. TMP and the employee may have representation of their choosing and at their own expense. Both parties will notify the other no later than 10 calendar days prior to the scheduled hearing date whether either will have an attorney present. Failure to notify the other of having an attorney representative will be good cause to postpone the hearing

ii. Discovery will be limited to depositions and request for production of documents, which will be completed prior to the hearing.

iii. The Governing Council will have the authority to issue subpoenas for the attendance of witnesses and to produce documents and other evidence at the request of either party and will have the power to administer oaths.

iv. TMP will have the burden of proving the just cause for discharge by a preponderance of the evidence. The evidence at hearing will be limited to the reasons as stated in the notice to the employee recommending the discharge.

v. TMP will present its evidence first; the employee will present second; either party may present witnesses and introduce documents to prove their respective case.

vi. An official record must be kept of the preceding and the employee is entitled to one copy at the expense of TMP.

vii. The Governing Council will render its written decision within twenty (20) calendar days of the conclusion of the hearing and deliver its decision to the employee by certified mail return receipt requested or by personal delivery.

3. Appeal from Decision on Discharge: Arbitration. Either the discharged contract employee or a representative(s) of TMP may appeal the decision of the Governing Council. The matter will be appealed to an independent arbitrator who will hear all evidence as if presented for the first time.

a. Request Appeal/Arbitration. To request an appeal the employee must state his reasons for the appeal in writing (“request for appeal”) and submit it to the President of the Governing Council within five (5) working days from the receipt of the Governing Council’s written decision. The appeal must contain a statement of the particular reasons the employee believes the Governing Council’s decision was incorrect and include a statement of facts supporting his/her decision.

b. Timely Appeal. Failure to submit a timely appeal will bar the employee's right to object to the decision of the Governing Council and will render the Governing Council’s decision final.

c. Selection of Arbitrator. The Governing Council and the employee will meet within ten (10) working days from the receipt of the employee’s request for appeal to select an independent arbitrator. If they cannot decide they will request the presiding judge of the First Judicial District Court for the State of New Mexico to select an individual to hear the matter. The judge will make the selection within five (5) days of the request. The arbitrator selected will be experienced in school employment matters. He/she will have no financial, personal or other direct interest in the outcome of the proceeding.

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

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

f. Arbitration Rules:

i. TMP and the employee may have representation of their choosing, but at their own expense. Both parties will notify the other no later than 10 calendar days prior to the scheduled hearing date whether either will have an attorney present. Failure to notify the other of having an attorney representative will be good cause to postpone the hearing;

ii. Discovery is limited to depositions and requests for production of documents on a time schedule to be determined by the arbitrator;

- iii. The arbitrator has the power to issue subpoenas for witnesses and documents and to administer oaths;
- iv. The New Mexico Rules of Civil procedure will not be strictly enforced, however, the rules will apply to the extent that both contentions and responses are amply and fairly presented;
- v. The Rules of Evidence will not strictly apply, but the arbitrator will permit either party to call and examine witnesses, to cross-examine witnesses, and to introduce evidence. The arbitrator will require reasonable substantiation of statements and authentication of records where the accuracy or truth is in reasonable doubt;
- vi. The Governing Council will have the burden to show by a preponderance of the evidence that the reasons provided for recommended the employee's discharge constitute just cause;
- vii. If the Governing Council cannot show just cause, or the employee sufficiently rebuts the Governing Council's reasons, then the arbitrator will find in favor of the employee;
- viii. Either the employee or TMP may record the proceeding at their own expense, but it will not constitute an official record for purposes of appeal; only the official record prepared by a certified court reporter will constitute the official record;
- ix. Departures from these procedures are considered harmless unless the party can demonstrate prejudice;
- x. Decision. The arbitrator will issue a written decision within thirty (30) working days of the hearing, which will contain findings of fact and conclusions of law;
- xi. Final Decision. Decisions by the arbitrator are final and binding on both TMP and the employee; the decision may not be appealed unless the decision was procured by corruption, fraud, deception or collusion, in which case it will be appealed to the First Judicial District Court for the State of New Mexico.
- xii. Costs/Fees. The employee and TMP will pay their own fees, expenses and costs; the arbitrator may assign to either party, or both of them, the fees and costs of the independent arbitrator.
- xiii. Compensation after discharge. Payment of compensation to any certified school instructor or certified administrator will terminate as of the date a final decision, provided by the Governing Council, if not appealed, or by the arbitrator. If the contract is to be paid monthly during a twelve (12) month period for services to be performed during a period less than twelve (12) months, the person will be entitled to a pro rata share of the compensation payments due for the period during the twelve (12) months in which no services were to be performed.

**H. Phasing Out and Elimination of Positions/Reduction-in-Force:** From time-to-time, it may be necessary to phase-out or eliminate certain job classifications or reduce the number of positions in a particular employment category. An orderly process will be established by the TMP Reduction in Force Policy to guide such phase-out or reduction in force. A reduction in force carried out pursuant to TMP's policy is just cause for termination or discharge.

**I. Administrative Leave Pending Possible Disciplinary Action:** If you are suspected of violating TMP's policies, procedures, or work rules, you may be placed on administrative leave with pay pending an investigation of the situation.

**J. Resignation:** Non-exempt employees should give a minimum of two weeks written notice of resignation to the Headmaster. The MASTERS Program will consider you to have voluntarily terminated your employment if you do any of the following:

1. Resign from TMP,
2. Fail to return from an approved leave of absence on the date specified by The MASTERS Program, or
3. Fail to report to work or call in for two (2) or more consecutive work days

All contract employees are required to provide written notice of their intent to terminate employment with TMP to the Headmaster at least thirty (30) calendar days in advance. Failure to provide adequate notice may result in a complaint to the PED Licensing Bureau.

**K. Retirement:** Eligible employees who meet the criteria established by the New Mexico Educators Retirement Board and wish to retire and should contact the Business Manager in advance of the anticipated retirement date to initiate retirement proceedings. Employees anticipating retirement should contact the New Mexico Educators Retirement Board to ensure that the employee follows the most appropriate and current

**L. Return of The MASTERS Program Property:** Any TMP property issued to you, such as keys, computer equipment, etc. must be returned to TMP at the time of your resignation, termination, or discharge. You will be responsible for any lost or damaged items. If you not return property of value, you will be asked to sign a wage deduction authorization form for this purpose. Please see equipment sign out form in appendix 1.

**M. Safety:**



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

## **SAFETY COMMON SENSE:**

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

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

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

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

**Preventing Falls:** Keep aisles, work places and stairways clean, clear and well lighted. Walk, don't run. Watch your step.

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

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

**Work Areas:** Keep cabinet doors and file and desk drawers closed when not in use. Remove or pad torn, sharp corners and edges. Keep drawers closed. Open only one drawer at a time.

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

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

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

**Fire Prevention:** Know the location of the fire extinguisher(s) in your area and make sure they are kept clear at all times. Notify your supervisor if an extinguisher is used or if the seal is broken. Make sure all flammable liquids, such as alcohol, are stored in approved and appropriately labeled safety cans and are not exposed to any ignition source. Evacuation exits should be posted. Be familiar with fire drill procedures and plans for evacuating students.

## 2. Reporting Safety Issues

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

**N. Weapons:** TMP prohibits all persons who enter The MASTERS Program property from carrying a handgun, firearm, knives of any length, or other weapons regardless of whether the person is licensed to carry the weapon or not. The only exception to this policy will be police officers, security guards or other persons who have been given written consent by TMP to carry a weapon on the property. Any employee violating this policy will be subject to disciplinary action

All staff must review and be familiar with of safety policies and procedures listed in the SAFE SCHOOL PLAN.

**O. Violence in the Workplace Policy:** TMP has adopted a policy prohibiting workplace violence. Consistent with this policy, acts or threats of physical violence, including intimidation, harassment, and/or coercion, which involve or affect TMP or which occur on The MASTERS Program property will not be tolerated. Every employee is required to report incidents of threats or acts of physical violence of which he/she is aware to the Headmaster.

Acts or threats of violence include conduct which is sufficiently severe, offensive, or intimidating to alter the employment conditions at TMP, or to create a hostile, abusive, or intimidating work environment for one or several employees. Examples of workplace violence include, but are not limited to, the following:

1. Hitting or shoving an individual.
2. Threatening an individual or his/her family, friends, associates, or property with harm.
3. Intentional destruction of or threatening to destroy The MASTERS Program's property.
4. Making harassing or threatening phone calls.
5. Harassing surveillance or stalking (following or watching someone).
6. Unauthorized possession or inappropriate use of firearms or weapons.

**P. Security:** Maintaining the security of TMP buildings and vehicles is every employee's responsibility. Develop habits that insure security as a matter of course. For example:- When you leave The MASTERS Program premises make sure that all entrances are properly locked and secured.

**Q. Parking Areas:** You are encouraged to use the parking areas designated for employees. Remember to lock your car every day and park within the specified areas. Courtesy and common sense in parking will help eliminate accidents, personal injuries, and damage to your vehicle and to the vehicles of other employees. If you should damage another car while parking or leaving, immediately report the incident, along with the license numbers of both vehicles and any other pertinent information you may have, to your supervisor. TMP is not responsible for any loss, theft or damage to your private vehicle or any personal property.

**R. Conflict of Interest:** No person shall sell or use student, faculty or staff lists with personal identifying information obtained from a public school or a local school district for the purpose of marketing goods or services directly to students, faculty or staff or their families by means of telephone or mail. The provisions of this section shall not apply until the students, parent(s) have consented in writing or it is for a legitimate educational purpose as determined by PED regulations.

1. Employees of the school shall not directly or indirectly, sell or be a party to any transaction to sell or receiving any commission or profit from any contract for sale any instructional material, furniture, equipment, insurance, school supplies to TMP. This provision shall not apply in cases in which school employee contracts to perform special services with the school with which they are associated or employed during time periods wherein service is not required under a contract for instruction, administration or other employment.

2. No employee of the school shall solicit or sell or be the party to a transaction to solicit or sell insurance or investment securities to any employee of the school.

3. Violation of these conflict of interest provisions may constitute a fourth degree felony. In addition, the PED may suspend or revoke the licensure of a licensed school employee for acting in a manner that constitutes a conflict of interest.

## **VII. BENEFITS**

TMP is committed to sponsoring a comprehensive benefits program for all eligible employees. Literature is available from our insurance companies for details on your health/dental coverage. Please see the Business Manager for information on your benefits and coverages.

If you are a full-time employee, or a part-time employee who works more than twenty-five (25) hours per week, you will be eligible to receive all of the benefits described in this Employee Handbook. For part-time employees, benefits are prorated. Coverages are available to you and your dependents as defined in the benefit summary plan descriptions. Please see the Business Manager for details.

**A. Group Insurance:** A comprehensive, quality insurance program is available to employees and their families. You become eligible for coverage on the first day of the month following your date of hire.

The following benefits are provided, as defined and limited in the literature provided by our insurance company:

- Medical Care Coverage
- Dental Care Coverage
- Vision Care Coverage
- Retirement Savings

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

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

Employees may participate in the NMPSIA Employee Benefits Group Plan, which consists of Group Medical, Dental, Vision, and Basic Life coverage. Employees who are active at work and work the minimum qualifying number of hours shall be eligible for the following:

- a. All employees who work a minimum of twenty-five (25) hours or more per week shall be entitled to participate in Medical, Dental, and Vision coverage.
- b. Charter School shall enroll and pay premiums at the rate of 100% for Basic Life insurance coverage for any employee who works a minimum of fifteen (15) hours per week, regardless if the employee participates or is eligible to participate in any other line of NMPSIA coverage.
- c. Members of the Governing Council are not eligible to participate in medical, dental, vision, and life insurance coverage.
  - a. A newly eligible employee is required to enroll within thirty-one (31) calendar days of being hired or within thirty-one (31) calendar days of being upgraded to that of an eligible employee.
  - b. An eligible employee who has a change in status is required to complete the appropriate NMPSIA Employee Record Change Card within thirty-one (31) calendar days from the qualifying event.
  - c. Pursuant to federal law and NMPSIA rules, an eligible employee may enroll in medical coverage for the occurrence of “special events” as defined by NMPSIA rules. These enrollments do not apply to dental or vision coverage.
- D. The Charter School shall comply with the 1985 Consolidated Omnibus Budget Reconciliation Act (COBRA) in notifying employees of their right to continue health and life insurance coverage upon resignation, termination, or retirement. Dependents who are also losing coverage upon becoming ineligible shall also be informed of their COBRA rights.

## **II. LIFE INSURANCE COVERAGE**

5. The Charter School shall provide the following Basic Life/Accidental Death and Dismemberment coverage to all employees: \$25,000 Life/AD&D (\$4.00 per month).

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

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

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

**C. Social Security:** In accordance with the applicable federal law, all employees are required to participate in and contribute to Social Security. TMP also makes a mandatory matching contribution on behalf of employees. Contribution levels are established by law, and are subject to change. To obtain information about Social Security and related programs, you may contact the local Social Security office.

**D. Workers' Compensation:** TMP maintains Workers' Compensation Insurance coverage for employees who sustain an injury or illness compensable under the New Mexico workers' compensation laws. TMP pays the full cost of the workers' compensation insurance. All workers' compensation claims are subject to evaluation and investigation by TMP and its insurance carrier. If you are injured while performing duties related to your job at TMP, you must report the injury promptly to your immediate supervisor. More information is available from TMP's Business Manager.

**E. Unemployment Compensation:** TMP employees are covered in accordance with applicable unemployment compensation laws and regulations that also govern eligibility for unemployment benefits. All forms or contacts related to unemployment compensation claims should be delivered or referred to the TMP Headmaster or Business Manager.

**F. Leave Benefits:** As a part of the Benefits package provided to TMP employees, the Board may allow approved leaves of absence. Leaves may be granted with or without pay. Requests for Leave forms must be completed and submitted to the Headmaster for approval. Explanations of the reason for leave request need not be entered on a Request for Leave form for personal leave. However, explanations are necessary for all other types of leave

**G. Sick Leave:** Regular full-time employees are entitled for 10 paid sick days per school year; contract personnel are entitled to the number of sick leave days stated

in their contract. Unless otherwise provided for or as approved by the Headmaster, sick leave is to be used by employees in accordance with the following provisions:

**1. Sick leave** is to be used only in the event of illness of the employee, or of the employee's immediate family, and for no other purpose. Misuse of sick leave is cause for disciplinary reasons, up to and including termination or discharge. For the purposes of this section, "immediate family" is defined as a spouse, child, sibling, parent, grandparent, any other relative permanently residing with the employee, or any other person as defined by the Headmaster.

Notice of absence from work due to illness should be provided to the Headmaster or his or her designee by 7:30 a.m. on the day of illness, if possible, or as soon thereafter as is reasonable, allowing reasonably enough time for the Headmaster to find a substitute teacher, in the instance of instructional employees, or temporary help, in the instance of administrative staff.

When possible, such as in the event of foreseeable extended illnesses and planned medical procedures, advance notice of the use of Sick Leave should be given to the Headmaster or his or her designee

An employee will not be paid for unused sick leave days upon severance of his/her employment from TMP, however, unused sick leave may be carried over into succeeding school years up to a maximum of 200 hours. Accumulated unused sick leave may be used for personal or family illnesses as described in the Family Medical Leave provisions below.

If an employee misses three (3) consecutive workdays due to illness, the Headmaster may request that you bring a release to return to work notice from your physician or licensed health practitioner. The Headmaster may, at any time, request that an employee bring a doctor's note verifying that your leave was necessitated by illness

**2. Personal Leave** Personal Leave of up to two (2) days per year may be granted, upon request, to all eligible employees. This leave is granted to employees for personal matters that require absence during working hours. Requests for personal leave should be made at least two school days in advance and the Headmaster has the discretion to deny personal leave as she/he deems it appropriate. A request must be in writing and approved prior to taking the leave. Personal leave not taken shall be accumulated the next year as unused with sick leave up to the maximum set forth. Employees will not be paid for unused leave when employment with TMP is voluntarily or involuntarily served.

### **3. Family and Medical Leave Policy**

a. Leave. In accordance with the Family and Medical Leave Act of 1993, TMP has established a policy that will allow up to twelve weeks of unpaid leave in a twelve-month period:

- for an employee's own serious health condition that makes the employee unable to perform the functions of the employee's job;



- for a serious health condition of an employee's child, spouse, or parent where the employee is needed to care for that family member;
- upon the birth of a child to care for the child; or
- because of the placement of a child with an employee for adoption or foster care.
- 
- Any one of these reasons is referred to as an “employee’s serious health condition” in this policy.

b. Eligibility. In order to be eligible for family and medical leave an employee must have worked for TMP:

- For at least twelve months; and
- at least 1,250 hours during the year preceding the start of the leave.

c. Return to Work. Unless otherwise permitted by law, at the end of the approved family and medical leave, the employee will be offered restoration to the same position he/she held when leave commenced or to an equivalent position. TMP may choose to exempt certain highly compensated employees from this requirement and not return them to the same or an equivalent position.

An employee whose family and medical leave exceeds twelve weeks within a twelve-month period will not be guaranteed a job upon return from the leave, unless otherwise required by law. An employee who fails to return to work at the end of an approved medical leave will be considered as having voluntarily terminated.

TMP requires that upon returning from leave due to an employee's serious health condition, the employee must provide certification from his/her health care provider or that of his/her family member. If the employee is ill when the employee is able to resume work his/her health provider must provide certification that the employee is fit for duty with regard to the serious health condition that caused the employee's need for family and medical leave.

d. Request for Leave. Employees must provide thirty days' prior notice if the leave is foreseeable. If an employee is unable to provide such notice, notice must be provided as soon as practicable.

An employee undergoing planned medical treatment will be required to make a reasonable effort to schedule the treatment to minimize disruptions to TMP's operation.

Family and medical leave request forms are available from the Business Manager and completed and returned to the Business Manager for approval by the Headmaster.

e. Certification. An employee requesting a family and medical leave for a serious health condition must provide the TMP with certification from a health care provider.

The Business Manager has certification forms for the health provider to complete. The forms must be fully completed.

The employee should furnish the required certification when requesting leave or soon after the leave is requested, but not more than fifteen calendar days from the start of the requested leave, unless it is not practical under the particular circumstances. During the leave, TMP may also require that the employee obtain recertification of the medical condition supporting the leave.

TMP has the right to require an employee to obtain an opinion by a health care provider designated and paid for by the TMP either before or during the leave. If there is a disagreement, a third health care provider will settle the dispute.

f. Disability/Workers' Compensation Benefits. Employees on a family and medical leave due to their own serious health condition may be eligible for payments from other sources such as workers' compensation, state disability, or disability insurance, if any. Employees should ask the Business Manager if they think they are eligible for these benefits.

g. Intermittent Leave. If an employee requests intermittent leave, it may be necessary for the TMP to transfer him/her to another position that will better accommodate an intermittent or reduced schedule.

h. Substitution of Paid Leave Employees taking family and medical leave must use all of their available accrued and unused paid sick and personal days and vacation (if full time year around employee) as part of the leave. Once the employee's paid leave benefits are exhausted, the employee will continue for the duration of the family and medical leave without pay.

i. Benefit Continuation. TMP will continue to maintain group health insurance coverage for the employee and, where applicable, for his/her dependents during the family and medical leave, up to a maximum of twelve weeks in a twelve-month period. Employees must, however, arrange to pay the premium contributions they previously had deducted in order to continue group health or other insurance for themselves and, where applicable, their dependents during the family and medical leave. The employee will be required to arrange for and pay for other benefits while on leave without pay. Failure to make arrangements and to pay the premiums for benefits other than health insurance while on leave, by result in termination of those employee benefits.

If an employee fails to return to work at the end of the family and medical leave, TMP may require the employee to reimburse it for the amount TMP paid for the employee's health insurance premiums during the leave.

4. **Bereavement (Funeral) Leave:** may be granted, upon request, to all employees for a death in the immediate family of the employee. Up to three (3) working days of leave with pay (not charged to other leave time) shall be granted to regular, full-time employees upon request. The purpose of this leave is to make arrangements for and attend funeral services of the employee's spouse, child, parent, parent-in-law, grandparent, granddaughter, grandson, daughter-in-law, son-in-law, domestic partner, brother, sister, daughter or son of the employee's spouse or domestic partner, and any relative living in the household of the employee. Funeral leave pay will only be made to employees for actual time spent away from work for the funeral or its arrangements. For example, if the death occurs at a time when work is not scheduled, payment will not be made. Requests for extended bereavement may be considered by the Headmaster.

**5. Leave for Jury Duty and Court Subpoena Leave:** is available to employees as follows:

1. Full-time and part-time employees will receive their normal pay for days that they are required to report to jury duty. Employees must immediately report a call to jury duty or subpoena to their supervisor.

2. If an employee is excused from jury duty or the subpoena assignment prior for any full day, they must report to work on that day.

3. In order to receive compensation for jury duty leave, the employee must remit all fees paid by the courts to TMP.

**6. Professional Leave:** may be granted at the discretion of the Headmaster, upon request, for professional development, professional organizational activities, school-related professional activities, or other activities related to the employee's assignments.

**7. Religious Leave:** may be granted, upon request, to all employees for observance of recognized religious events. Personal leave may be used or leave without pay will be granted. This leave may be granted for up to two (2) days per year.

**8. Military Leave of Absence:** If you are a full-time employee and are inducted into the U.S. Armed Forces, you will be eligible for reemployment after completing military service, provided:

a. You show your orders to the Headmaster as soon as you receive them.

b. You satisfactorily complete active duty service of five years or less.

c. You enter the military service directly from your employment with TMP.

d. You apply for and are available for re-employment within ninety (90) days after discharge from active duty. If you are returning from up to six (6) months of active duty for training, you must apply within thirty (30) days after discharge.

**9. Military Reserves or National Guard Leave of Absence:** Employees who serve in the U. S. military organizations or state militia groups may take the necessary time off during the school year, with pay up to 15 days, to fulfill this obligation, and will retain all of their legal rights for continued employment under existing laws. These employees may apply accrued personal leave and unused earned vacation time to the leave if they wish, however, they are not obliged to do so. **You are expected to notify your supervisor as soon as you are aware of the dates you will be on duty so that arrangements can be made for replacement during this absence.**

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

**10. TMP EQUIPMENT SIGN OUT AGREEMENT**

I wish to sign out the following item(s):

ITEM	SERIAL # or NOTE

from The MASTERS Program Charter School (TMP).

1. I agree to return the above noted item(s) on or before the due date noted below.
2. I take full responsibility for any lost or damaged item(s).
3. If I do not return the item(s) in the condition in which it (they) was (were) borrowed (excepting reasonable wear and tear), I agree to reimburse TMP for the fair market value of the item(s). This may be deducted from a pay check if appropriate.

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Teacher/Employee (Print)	Teacher/Employee (Signature)	Date Out
Date Due		

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Supervisor/Designee (Print)	Supervisor/Designee (Signature)	Return Date
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## EXHIBIT B

### The MASTERS Program

#### Proposed Student Discipline Policies

##### a. In General

TMP was established for the purpose of allowing choice in education for students and their parents. Our goal is to maintain a positive yet well-disciplined learning environment based on mutual respect between staff and students. We expect students to be responsible as partners in this process. Students and parents will read and sign the TMP Rights and Responsibilities Contract located in the registration packet. This contract details the behavioral expectations held by TMP of all its students.

Students and their parents will receive a copy of the Student Handbook in the first week of school, and whenever a new student enrolls during the school year. Students review the Handbook with their Counselor during orientation. The student then takes the Handbook home for review by parents and the signing of the necessary signature pages. The Counselor is responsible for ensuring that all Handbook signature pages are returned and signed.

In all situations where a discipline problem arises in a conflict between students or between student(s) and staff, TMP staff and administration shall make all reasonable efforts to intervene before a situation escalates to physical conflict. Should a situation escalate to physical conflict, staff and administration shall intervene, if possible, in a timely and calm manner, while taking into account the safety of other students and of themselves. SFCC security may be called. Persons involved in a physical conflict shall be separated for a cool-down period in separate locations while staff and the Headmaster investigate the facts of the situation.

##### b. Disciplinary Actions

Disciplinary actions may include but are not limited to parent shadowing, parent/teacher conferences, detention, community service, Saturday school, suspension, and expulsion. TMP detailed discipline policies will be developed and incorporated into the Student Rights and Responsibilities Handbook before the initial opening of the school.

##### c. Disciplinary Code: Guidelines for Minimum and Maximum Consequences

Class 1 Offenses carry a penalty beginning with a conference/detention for a first occurrence, and suspension for repeated occurrences.

Class 2 Offenses carry a penalty beginning with conference/detention for a first occurrence, and suspension to expulsion for repeated occurrences.

Class 3 Offenses carry a penalty beginning with long-term suspension to expulsion for the first offense, and expulsion for repeated offenses.

Class 4 Offenses carry a penalty of expulsion.

- Substance abuse, Class 1 will carry a penalty beginning with assessment and intervention to suspension for the first offense, and long-term suspension for repeated offenses.
- Certain miscellaneous offenses have specific consequences, as noted in section d below.
- Certain offenses may be reported to the police, at the discretion of the

school Headmaster (as noted by \*), and other offenses MUST be referred to the police (as noted by \*\*).

**d. Disciplinary Code: Offenses listed by Class:**

**Class 1 Offenses:**

Dress Code Violation

Definition: Dressing or grooming in a manner that disrupts the teaching and learning of others and does not conform to the school standards as stated in the school handbook.

Gang-related symbols and signs

Definition: 1) wearing any jewelry, clothing, badges, or symbols that refer to gang activity; 2) showing or flashing hand signs; or 3) stating or yelling slogans or group names that show membership/affiliation in any gang.

Horseplay

Definition: Any student conduct or action that 1) threatens or risks the physical safety of staff, students or visitors; 2) may damage school materials or property; 3) disrupts the learning process or the learning environment. Determination of horseplay is based upon the reasonable judgment of school staff.

Gambling

Definition: Playing a game of skill for chance for money or anything of value.

**Class 2 Offenses:**

Disrespect

Definition: Language or conduct that is rude, offensive, vulgar, threatening, hostile, discriminatory, or sexually-oriented that is directed at or in response to staff, students or visitors.

Insubordination, Willful Disobedience

Definition: Failure to follow a reasonable direction issued by authorized school personnel.

Misbehavior on a Bus

Definition: Any failure to follow any of the state or local regulations required of students who ride the bus. The school bus driver also has the discretion to forbid a student from riding a bus.

Verbal Assault

Definition: Threatening or hostile verbal comments made toward a student, staff, or visitor.

Sexual Harassment

Definition: Uninvited, unwanted, or inappropriate behavior, including physical contact, gestures, or words, that is directed at a student or a member of the school staff because of his/her sex, which would cause a reasonable person of that sex to feel uncomfortable or offended. (\*)

### Racial or Religious Harassment

Definition: Uninvited, unwanted or inappropriate behavior, including gestures or words, that is directed at a student or a member of the school staff because of his/her race or religious preferences, which would cause a reasonable person of that race and/or religion to feel uncomfortable or offended. (\*)

### Bullying, Hazing, Intimidation

Definition: Any willful act done by a student, whether individually or in concert with others, to another student or students, for the purpose of subjecting such student(s) to humiliation, intimidation, physical abuse or threats of abuse, social ostracism, shame or disgrace. (\*)

### Gang-related Activity

Definition: Membership in or affiliation with any unauthorized group, the purpose of which is potentially violent or illegal, which threatens the health or safety of students or staff, or which is disruptive to the educational environment. Examples of gang-related activity may include the restriction of others from a certain area or territory having a name, having rival enemies, and exhibiting anti-social behavior. (\*)

### Vandalism/Graffiti

Definition: Maliciously and intentionally causing damage to school property or the property of others. This also includes situations in which minor damage can be replaced or repaired at no cost to the school district. The family of the student will be held responsible for the cost of damages.

### Drug Paraphernalia and Related Materials

Definition: Possessing, using, or having under one's control any substance, material, or related paraphernalia that is dangerous to health or safety or that disrupts the educational process, including but not limited to wine coolers, non-alcoholic beer, inhalants, look-a-likes, etc.

### Student Trespassing

Definition: Entering any school property or school facilities without proper authority, including any school entry during a period of out-of-school suspension.

### Truancy/Leaving School without Permission

Definition: Failure to report to school or class without prior permission, knowledge or excuse by the school or the parent. Leaving the school campus after having reported in, without permission, knowledge, or excuse from the school or the parent.

## **Class 3 Offenses:**

### Battery of Another Student

Definition: Intentional physical or offensive contact by a student on another student without consent that causes injury or bodily harm. (\*\*)



### Battery of School Personnel

Definition: Intentional physical or offensive contact by a student on TMP staff without consent. (\*\*)

### Weapons

Definition: Possessing, using or threatening another with a non-firearm weapon. (\*\*)

### Theft/Larceny

Definition: Taking property belonging to the school or any individual or group without prior permission. Knowingly being in possession of stolen property, goods or contraband.

### Robbery, Extortion, Coercion, Blackmail

Definition: Obtaining money or property or threatening to take money or property from a person by force, threat of force, or reprisal.

### False Alarms

Definition: Reporting of false emergencies to the school, fire officials, or students. Creating a disturbance by setting off a fire alarm without a reasonable belief that an emergency exists.

### Possession with Intent to Distribute Illegal Drugs/Alcohol

Definition: Selling, giving away, or otherwise transferring to another person any controlled substance or alcohol including any transfer of a prescription drug or any substance alleged to be a drug regardless of actual content. (\*)

### Threats of Bodily Harm

Definition: Threatening another student or students with bodily harm verbally, in writing, online, or in any other manner. Threats directed at specific population groups for reasons of race, color, national and ethnic origin, disability, age, creed, gender, religion or ancestry will result in immediate suspension or expulsion. (\*)

## **Class 4 Offenses:**

### Firearms

Definition: Possession of, use of or threatening to use a firearm. A firearm is defined in accordance with 14.704 NMSA as "any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosion ... includes any handgun, rifle or shotgun." (\*\*)

### Bomb Threat

Definition: Reporting to the school, police or fire officials the presence of a bomb on or near school property without reasonable evidence that a bomb is present. (\*\*)

### Arson

Definition: Intentionally starting any fire or combustion on school property without supervision of school personnel. (\*\*)

## **Substance Abuse, Class 1:**

### Possession/Ownership and Use of Illegal Drugs/Alcohol/Tobacco

Definition: Possessing, having under one's control, or using any controlled substance, alcoholic beverage (\*\*), or tobacco (\*).

### Intoxication

Definition: Exhibiting behavior such as slurred speech, staggering or other behavior that results from the use of drugs and/or alcohol.

## **Miscellaneous Offenses:**

### Skateboarding

Definition: Riding a skateboard on school property

First Occurrence: Confiscation of the skateboard

### Reckless Vehicle Use

Definition: Using any motorized or self-propelled vehicle on or near school grounds in a reckless manner that disrupts the educational process or that threatens the health and safety of others.

- First Occurrence: Restriction of vehicle use (\*)
- Repeated Occurrences: Automatic revocation of vehicle use (\*\*)

### Electronic Devices

Definition: Making or responding to cell phones or using other electronic devices while in classrooms.

- First Occurrence: Confiscation

### Disruptive and Dangerous Tactics

Definition: This includes offenses that are considered dangerous and disruptive and are not covered in another category. These offenses include but are not limited to playing with fire, matches, or lighters; discharging fire extinguishers; throwing rocks or snowballs; possession of or setting off fireworks; encouraging riots, walk-outs, or strikes, etc.

- First Occurrence: Conference/Detention to suspension (\*)
- Repeated Occurrences: Detention to Long-Term Suspension (\*)

### Indecent Exposure

Definition: The act of improperly exposing one's private parts in public.

- First Occurrence: Suspension and Counseling (\*\*)
- Repeated Occurrences: Suspension to Long-Term Suspension/Counseling (\*\*)

### Inappropriate Physical Contact

Definition: Behavior that includes but is not limited to intentionally pushing, shoving, bumping, running into, tripping, grabbing a student or school personnel. This also includes inappropriate public displays of affection.

- First Occurrence: Conference/detention to suspension (\*)
- Repeated Occurrences: Suspension to expulsion (\*)

Internet and E-mail Abuse, Computer Hacking

Definition: The act of violating the TMP computer use agreement.

- First Occurrence: Restriction of computer use to suspension (\*)
- Repeated Occurrences: Restriction of computer use to expulsion (\*)

Academic Cheating/Plagiarism

Definition: Knowingly using another student's work or a piece of work from an outside source as one's own, or the utilization of one's own notes for test-taking without permission.

- First Occurrence: Failed assignment and/or suspension
- Repeated occurrences: Failed assignment and/or suspension to expulsion

## **The TMP Student Behavior Contract**

I understand that, as a young adult enrolled in this institution of learning, I am expected to behave in a civilized, mature manner similar to the best-behaved adults in my community. As an individual who has willingly chosen to attend and be a part of The MASTERS Program community, I hereby make a commitment to respect the learning environment, faculty, staff, volunteers, and my peers at all times. I understand that the faculty considers learning to be a sacred activity and I respect their commitment to giving my peers and me the best possible preparation for a successful adult life.

I also understand that, although I may not always agree with everyone in the community, as a responsible citizen, it is my responsibility to treat each individual respectfully and to actively encourage my peers to treat other individuals respectfully. We are not only responsible for our own behavior; we are also responsible for the ways in which we encourage or discourage the behaviors of others.

Specifically, I understand that respectful behavior in my community consists of:

- Being polite and considerate in my interactions with other people in my community.
- Not insulting, pushing, shoving, shouting at inappropriate times, or otherwise exhibiting rude or distracting behaviors.
- Using the language of politeness, including "Please," "Thank You," "You're welcome," "Ma'am," and "Sir."
- Making eye contact when speaking with others.
- Being attentive throughout a given conversation.
- Not breaking off an interaction until the other party has given verbal or non-verbal signals that the interaction has concluded.
- Being attentive and considerate to those around me, including presentations by peers.
- Giving my full and respectful attention to staff members when they enter a room.

I understand that should I violate these norms of behavior, there will be consequences for my actions as detailed in the Student Handbook.

Finally, if I do not agree with the behavioral expectations set at TMP, I understand that I have educational options other than TMP that may be more appropriate for me. In making a deliberate, conscious decision to attend TMP, I have also made a conscious decision to do my best to adhere to the behavioral expectations outlined in this contract and throughout the TMP Student Handbook.

**Please read and sign the following. Detach this page and give to your Counselor. Please keep the Student Handbook in a safe place for your reference.**

**TMP Student Consent Form**

I have reviewed The MASTERS Program Student Handbook including:

1. The TMP Behavioral Standards Contract
2. The TMP Electronic Devices Policy
3. The TMP Dress Policy
4. The TMP Student Computer Use Guidelines
5. The TMP Disciplinary Policy
6. The TMP Substance Use/Abuse Policy

I fully support The MASTERS Program’s policies as outlined in the TMP Student Handbook and in other communications from the school and will support the school in applying these policies.

\_\_\_\_\_  
Student's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Student's Name (Printed)

**The MASTERS Program Parent Consent Form**

I have reviewed the TMP Student Handbook with my son or daughter. I fully support The Masters Program's policies as outlined in the TMP Student Handbook and in other communications from the school and will support the school in applying these policies.

\_\_\_\_\_  
Parent's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent's Name (Printed)

By signing the Student Behavior Contract, students and parents agree to the expectations of TMP. Should there be an occasion in which concerns arise, students and parents will follow the procedures below.

A. Student complaints:

A student should attempt to resolve classroom-related issues with the classroom teacher first. If that effort is unsuccessful, the student should contact his/her Counselor to act as a mediator. If the issue is still unresolved, the student should discuss the issue with the Headmaster. After counseling with the teacher, the Headmaster will provide the final decision with respect to the student's issue. When the situation warrants, parents will be notified of the issue and the resolution.

Issues regarding class schedules and requirements should be first discussed with the Advisor and/or Counselor.

B. Parent complaints:

Parents should first discuss issues with respect to specific classes with the classroom teacher. If the issue involves athletics, parents should first discuss the issue with the coach. If discussion does not result in a resolution, parents may discuss the issue with the Headmaster who will make a decision. If parents continue to be dissatisfied with the outcome of that discussion, they may appeal that decision to the Governing Council. In that case, parents should write a letter of appeal fully explaining the situation and a proposed resolution to the President of the Governing Council. If the Governing Council chooses to hear the appeal, the issue will be placed on the agenda of the next regularly scheduled Governing Council meeting.

In addition, TMP will incorporate NMAC 6.11.2 into its proposed student discipline policy which will comply with the Students Rights and Responsibilities set forth below from the PED rules and regulations 6.11.2 NMAC.

***OBJECTIVE:*** *To provide a comprehensive framework within which local school boards and local school districts can carry out their educational mission and exercise their authority and responsibility to provide a safe environment for student learning, and further to provide students and parents with an understanding of the basic rights and requirements necessary to effectively function in the educational community.*

*[08-15-97; 6.11.2.6 NMAC - Rn, 6 NMAC 1.4.6, 11-30-00]*

**6.11.2.7 DEFINITIONS:**

A. *"Administrative authority" means the local school district superintendent, a principal or a person authorized by either to act officially in a matter involving school discipline or the maintenance of order. The term may include school security officers, but only to the extent of their authority as established under written local school board policies.*

B. *"Criminal acts" are acts defined as criminal under federal and state law, and any applicable municipal or county criminal ordinances.*

C. *"Delinquent acts" are acts so defined in Subsection A of Section 32A-2-3 NMSA 1978 of the Delinquency Act.*

D. *"Detention" means requiring a student to remain inside or otherwise restricting his or her liberty at times when other students are free for recess or to leave school.*

E. *"Disciplinarian" means a person or group authorized to impose punishment after the facts have been determined by a hearing authority.*

- F. *"Disruptive conduct" means willful conduct which:*
- (1) *materially and in fact disrupts or interferes with the operation of the public schools or the orderly conduct of any public school activity, including individual classes; or*
  - (2) *leads an administrative authority reasonably to forecast that such disruption or interference is likely to occur unless preventive action is taken.*
- G. *"Expulsion" means the removal of a student from school either permanently or for an indefinite time exceeding ten (10) school days or a locally established lesser period.*
- H. *"Gang related activity" is disruptive conduct.*
- I. *"Hearing authority" means a person or group designated to hear evidence and determine the facts of a case at the required formal hearing.*
- J. *"Immediate removal" means the removal of a student from school for one school day or less under emergency conditions and without a prior hearing.*
- K. *"In-school suspension" means suspending a student from one or more regular classes while requiring the student to spend the time in a designated area at the same school or elsewhere.*
- L. *"Legal limits" include the requirements of the federal and state constitutions and governing statutes, standards and regulations, and also include the fundamental common-law requirement that rules of student conduct be reasonable exercises of the schools' authority in pursuance of legitimate educational and related functions. There are special limitations arising from constitutional guarantees of protected free speech and expression which must be balanced against the schools need to foster an educational atmosphere free from undue disruptions to appropriate discipline.*
- M. *"Long-term suspension" means the removal of a student from school for a specified time exceeding either ten (10) school days or any lesser period a local school board may set as a limit on temporary suspension.*
- N. *"Parent" means the natural parent, a guardian or other person or entity having custody and control of a student who is subject to the Compulsory School Attendance Law, Section 22-12-1 et seq. NMSA 1978, or the student if (s)he is not subject to compulsory attendance.*
- O. *"Public school" means the campus of and any building, facility, vehicle or other item of property owned, operated, controlled by or in the possession of a local school district. For purposes of student discipline, the term also includes any non-school premises being used for school-sponsored activities.*
- P. *"Refusal to cooperate with school personnel" means a student's willful refusal to obey the lawful instructions or orders of school personnel whose responsibilities include supervision of students.*
- Q. *"Refusal to identify self" means a person's willful refusal, upon request from school personnel known or identified as such to the person, to identify himself or herself accurately.*
- R. *"Review authority" is a person or group authorized by the local board to review a disciplinarian's final decision to impose a long-term suspension or expulsion.*
- S. *"Sexual harassment", regarding students, means unwelcome or unwanted conduct of a sexual nature (verbal, non-verbal or physical) when:*
- (1) *submission to such conduct is made either explicitly or implicitly a term or condition of the advancement of a student in school programs or activities;*
  - (2) *submission to or rejection of such conduct by a student is used as the basis for decisions/opportunities affecting the student;*

(3) *such conduct substantially interferes with a student's learning or creates an intimidating, hostile or offensive learning environment.*

T. *"School personnel" means all members of the staff, faculty and administration employed by the local school board. The term includes school security officers, school bus drivers and their aides, and also authorized agents of the schools, such as volunteers or chaperons, whose responsibilities include supervision of students.*

U. *"Student" means a person who is enrolled in one or more classes at a public school or a person who was a student during the previous school year and is participating in a school sponsored activity connected with his or her prior status as a student.*

V. *"Temporary suspension" means the removal of a student from school for a specified period of 10 school days or less after a rudimentary hearing.*

W. *"Weapon" as set forth in Section 22-5-4.7 NMSA 1978 means:*

(1) *any firearm that is designed to, may readily be converted to or will expel a projectile by the action of an explosion; and*

(2) *any destructive device that is an explosive or incendiary device, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter-ounce, mine or similar device. [08-15-97; 6.11.2.7 NMAC - Rn, 6 NMAC 1.4.7, 11-30-00]*

#### **6.11.2.8 GENERAL PROVISIONS:**

A. *Jurisdiction over students. All officials, employees and authorized agents of the public schools whose responsibilities include supervision of students shall have comprehensive authority within constitutional bounds to maintain order and discipline in school. In exercising this authority, such officials, employees and authorized agents of the public schools may exercise such powers of control, supervision, and correction over students as may be reasonably necessary to enable them to properly perform their duties and accomplish the purposes of education. This authority applies whenever students are lawfully subject to the schools' control, regardless of place. During such periods, public school authorities shall have the right to supervise and control the conduct of students, and students shall have the duty to submit to the schools' authority. The foregoing is intended to reflect the common law regarding the rights, duties and liabilities of public school authorities in supervising, controlling and disciplining students. Nothing herein shall be construed as enlarging the liability of public school authorities beyond that imposed by statute, common law or state board of education regulation.*

B. *School authority over non-students. In furtherance of the state's compelling interest in the orderly operation of the public schools and school activities, school officials have the following forms of authority over non-students whose actions adversely affect school operations or activities.*

(1) *On school property: Local school boards may prohibit entry to and provide for the removal from any public school building or grounds of any person who refuses to identify him/herself and state a lawful purpose for entering. Any person who refuses may be removed by school authorities, who may use reasonable physical force to accomplish the removal. Alternately, a person who refuses and who then refuses a lawful request to leave school premises may be subject to arrest by law officers for criminal offenses including but not limited to criminal trespass, interference with the educational process or disorderly conduct. A person who does identify him/herself and states a lawful purpose may nevertheless be subject to removal by school officials for engaging in activities prohibited by this regulation. The person may also be subject to arrest by law officers if (s)he is committing any crime.*



(2) *Off school property: Public school authorities have indirect and limited authority over the activities of non-students off school property. To the extent that non-students' conduct at or near schools or school-sponsored activities may constitute a criminal offense, including the crimes of interference with the educational process, disorderly conduct or criminal trespass (after refusing a lawful request to leave), school authorities may request law enforcement agencies to arrest the offenders.*

C. *Statement of policy. A primary responsibility of the New Mexico public schools and their professional staffs shall be to instill in students an appreciation of our representative form of government, the rights and responsibilities of the individual or group and the legal processes whereby necessary changes are effected.*

(1) *The school is a community and the rules and regulations of a school are the laws of that community. All persons enjoying the rights of citizenship are subject to the laws of their community. Each carries with it a corresponding obligation.*

(2) *The right to attend public school is not absolute. It is conditioned on each student's acceptance of the obligation to abide by the lawful rules of the school community until and unless the rules are changed through lawful processes.*

(3) *Teachers, administrators and other school employees also have rights and duties. Teachers are required by law to maintain a suitable environment for teaming in their classes and to assist in maintaining school order and discipline. Administrators are responsible for maintaining and facilitating the educational program by ensuring an orderly, safe environment in the public schools. In discharging their duties, all school employees have the right to be free from intimidation or abuse and to have their lawful requests and instructions followed.*

(4) *Nothing in this regulation shall be held to affect the due process rights of school employees or their use of any local school district grievance procedure. This regulation does not address employment disputes.*

D. *Local school board authority: Local school boards have both the authority and the responsibility to ensure that suitable rules of student conduct and appropriate disciplinary processes are established within their school districts. Within legal limits as defined in Subsection L. of 6.11.2.7 NMAC above, and subject to the minimums prescribed in this regulation, local boards have discretion to develop such rules, regulations, policies and procedures as they deem appropriate to local conditions, including policies which afford students more protection than the minimums established here. Local school boards and administrative authorities which deem it appropriate may provide for student, community and/or appropriate state and local agency participation in the formulation and enforcement of school rules.*

E. *Severability: Any part of this regulation found by adjudication before a competent tribunal to be contrary to law shall be stricken without effect to the remainder.*  
[08-15-97; 6.11.2.8 NMAC - Rn, 6 NMAC 1.4.8, 11-30-00]

**6.11.2.9** **RULES OF CONDUCT FOR NEW MEXICO PUBLIC SCHOOLS:**  
*The acts specified in Subsection A. of 6.11.2.9 NMAC below are prohibited in all the public schools of New Mexico. Within legal limits as defined in Subsection L. of 6.11.2.7 NMAC above, local school boards have discretion to develop rules of conduct governing all others area of student and school activity.*

A. *Prohibited activities: The commission of or participation in the activities designated below is prohibited in all New Mexico public schools and is prohibited for students whenever they are subject to school control. Acts prohibited by this regulation:*

- (1) *criminal or delinquent acts;*
- (2) *gang related activity;*
- (3) *sexual harassment;*
- (4) *disruptive conduct;*
- (5) *refusal to identify self; and*
- (6) *refusal to cooperate with school personnel.*

*B. Regulated activities: Beyond those activities designated above as prohibited, all other areas of student conduct may be regulated within legal limits by local school boards as they deem appropriate to local conditions. Conduct by non students which affects school operations may be regulated within legal limits pursuant to any of the forms of authority described in Subsection B. of 6.11.2.8 NMAC above. Activities subject to local board regulation within legal limits include, but are not limited to:*

- (1) *school attendance;*
  - (2) *use of and access to the public schools, including:*
    - (a) *restrictions on vehicular traffic on school property,*
    - (b) *prohibition of or conditions on the presence of non-school persons on school grounds or in school buildings while school is in session; and*
    - (c) *reasonable standards of conduct for all persons attending school-sponsored activities or other activities on school property;*
  - (3) *students' dress and personal appearance;*
  - (4) *use of controlled substances, alcohol and tobacco in the public schools;*
  - (5) *speech and assembly within the public schools;*
  - (6) *publications distributed in the public schools;*
  - (7) *the existence, scope and conditions of availability of student privileges, including extracurricular activities and rules governing participation;*
  - (8) *by statute, Section 22-5-4.7 NMSA 1978, each school district is required to adopt a policy providing for the expulsion from school, for a period of not less than one year, of any student who is determined to have knowingly brought a weapon to a school under the jurisdiction of the local board; the local school board or the superintendent of the school district may modify the expulsion requirement on a case-by-case basis; the special rule provisions of Subsection D. of 6.11.2.11 NMAC apply to students with disabilities;*
  - (9) *the discipline of students for out-of-school conduct having a direct and immediate effect on school discipline or the general safety and welfare of the school.*
- [08-15-97; 6.11.2.9 NMAC - Rn, 6 NMAC 1.4.9, 11-30-00]*

#### **6.11.2.10 ENFORCING RULES OF CONDUCT:**

*A. Enforcing attendance requirements. Formal enforcement action under the Compulsory Attendance Law, supra, and the Family in Need of Services Act, Section 32A-3-1 et seq. NMSA 1978 shall be initiated whenever a student's absences indicate that the law is being violated. An administrative authority who has reason to believe a student is violating local school board attendance policies may take whatever further disciplinary action is deemed appropriate under local policies.*

*B. Search and seizure: School property assigned to a student and a student's person or property while under the authority of the public schools are subject to search, and items found are subject to seizure, in accordance with the requirements below.*

- (1) *Notice of search policy. Students shall be given reasonable notice, through distribution of written policies or otherwise, of each school's policy on searches at the beginning of each school year or upon admission for students entering during the school year.*

(2) *Who may search.* Certified school personnel, school security personnel and school bus drivers are "authorized persons" to conduct searches when a search is permissible as set forth below. An authorized person who is conducting a search may request the assistance of some other person(s), who upon consent become(s) an authorized person for the purpose of that search only.

(3) *When search permissible.* Unless local school board policy provides otherwise, an authorized person may conduct a search when (s)he has a reasonable suspicion that a crime or other breach of disciplinary rules is occurring or has occurred. An administrative authority may direct or conduct a search under the same conditions and also when (s)he has reasonable cause to believe that a search is necessary to help maintain school discipline.

(4) *Conduct of searches; witnesses.* The following requirements govern the conduct of permissible searches by authorized persons:

(a) *School property, including lockers and school buses, may be searched with or without students present unless a local school board or administrative authority provides otherwise. When students are not present for locker searches, another authorized person shall serve as a witness whenever possible. Locks furnished by students should not be destroyed unless a student refuses to open one or circumstances otherwise render such action necessary in the judgment of the administrative authority.*

(b) *Student vehicles when on campus or otherwise under school control and students' personal effects which are not within their immediate physical possession may be searched in accordance with the requirements for locker searches.*

(c) *Physical searches of a student's person may be conducted only by an authorized person who is of the same sex as the student, and except when circumstances render it impossible may be conducted only in the presence of another authorized person of the same sex. The extent of the search must be reasonably related to the infraction, and the search must not be excessively intrusive in light of the student's age and sex, and the nature of the infraction.*

(5) *Seizure of items: Illegal items, legal items which threaten the safety or security of others and items which are used to disrupt or interfere with the educational process may be seized by authorized persons. Seized items shall be released to appropriate authorities or a student's parent or returned to the student when and if the administrative authority deems appropriate.*

(6) *Notification of law enforcement authorities: Unless a local school board policy provides otherwise, an administrative authority shall have discretion to notify the local children's court attorney, district attorney or other law enforcement officers when a search discloses illegally possessed contraband material or evidence of some other crime or delinquent act.*

C. *Basis for disciplinary action: A student may appropriately be disciplined by administrative authorities in the following circumstances:*

(1) *for committing any act which endangers the health or safety of students, school personnel or others for whose safety the public school is responsible, or for conduct which reasonably appears to threaten such dangers if not restrained, regardless of whether an established rule of conduct has been violated;*

(2) *for violating valid rules of student conduct established by the local school board or by an administrative authority to whom the board has delegated rulemaking authority, when the student knew or should have known of the rule in question or that the conduct was prohibited; or*

(3) *for committing acts prohibited by this regulation, when the student knew or should have known that the conduct was prohibited.*

*D. Selection of disciplinary sanctions: Within legal limits as defined in Subsection L of 6.11.2.7 NMAC above, local school boards have discretion to determine the appropriate sanction(s) to be imposed for violations of rules of student conduct, or to authorize appropriate administrative authorities to make such determinations.*

(1) *School discipline and criminal charges: Appropriate disciplinary actions may be taken against students regardless of whether criminal charges are also filed in connection with an incident.*

(2) *Nondiscriminatory enforcement: Local school boards and administrative authorities shall not enforce school rules or impose disciplinary punishments in a manner which discriminates against any student on the basis of race, religion, color, national origin, ancestry, sex or disability, except to the extent otherwise permitted or required by law or regulation. This statement shall not be construed as requiring identical treatment of students for violation of the same rule; it shall be read as prohibiting differential treatment which is based on race, religion, color, national origin, ancestry, sex or disability rather than on other differences in individual cases or students.*

*E. Corporal punishment. Each local school board with community input shall determine whether to permit the use of corporal punishment and shall publish and distribute a written policy either authorizing or prohibiting its use. Where corporal punishment is authorized, the written policy shall specify the allowable forms of punishment, the conditions under which it may be used and the procedures to be followed in administering it. A school board policy authorizing corporal punishment will override any parents objection to its use unless the local board also authorizes individual parents to veto corporal punishment of their children. Where a local board has not authorized a parental veto, an administrative authority may in any event decline to apply corporal punishment if (s)he has reason to believe that an individual student is physically or emotionally unable to withstand reasonable corporal punishment or if (s)he believes that corporal punishment would be ineffective or inappropriate.*

*F. Detention, suspension and expulsion: Where detention, suspension and/or expulsion is determined to be the appropriate penalty, it may be imposed only in accordance with procedures that provide at least the minimum safeguards prescribed in Section 6.11.2.12 NMAC, below. Suspensions or expulsions of students with disabilities shall be subject to the further requirements of Subsection G of Section 6.11.2.10 NMAC and Section 6.11.2.11 NMAC below.*

*G. Discipline of students with disabilities: Students with disabilities are not immune from school disciplinary processes, nor are they entitled to remain in a particular educational program when their behavior substantially impairs the education of other children in the program. However, the public schools are required by state law and regulations to meet the individual educational needs of students with disabilities to the extent that current educational expertise permits. Public school personnel may consider any unique circumstances on a case-by-case basis when determining whether a change of placement, consistent with the other requirements of 6.11.2.11 NMAC, is appropriate for a student with a disability who violates a code of conduct as provided in 34 CFR Sec. 300.530.*

(1) *Long-term suspensions or expulsions of students with disabilities shall be governed by the procedures set forth in Section 6.11.2.11 NMAC below.*

(2) *Temporary suspensions of students with disabilities may be imposed in accordance with the normal procedures prescribed in Subsection D of Section 6.11.2.12 NMAC below, provided that the student is returned to the same educational placement after the*

temporary suspension and unless a temporary suspension is prohibited under the provisions of Subsection G, Paragraph (3) of 6.11.2.10 NMAC below.

(3) *Program prescriptions.* A student with a disability's Individualized Education Program (IEP), under the Individuals with Disabilities Education Improvement Act of 2004 (IDEA), need not affirmatively authorize disciplinary actions which are not otherwise in conflict with this rule. However, the IEP team may prescribe or prohibit specified disciplinary measures for an individual student with a disability by including appropriate provisions in the student's IEP. Administrative authorities shall adhere to any such-provisions contained in a student with a disability's IEP, except that an IEP team may not prohibit the initiation of proceedings for long-term suspension or expulsion which are conducted in accordance with this rule.

(4) *Immediate removal.* Immediate removal of students with disabilities may be done in accordance with the procedures of Subsection C of Section 6.11.2.12 NMAC below.

(5) A student who has not been determined to be eligible for special education and related services under 6.31.2 NMAC and who has engaged in behavior that violated a code of student conduct may assert any of the protections provided for in this subsection if the conditions set forth in 34 CFR Sec. 300.534 have been met.

(6) *Referral to and action by law enforcement and judicial authorities.*

(a) Nothing in these rules of conduct prohibits an administrative authority from reporting a crime committed by a student with a disability to appropriate authorities or prevents state law enforcement and judicial authorities from exercising their responsibilities with regard to the application of federal and state law to crimes committed by a student with a disability.

(b) *Transmittal of records.*

(i) An administrative authority reporting a crime committed by a student with a disability must ensure that copies of the special education and disciplinary records of the student are transmitted, for consideration by the appropriate authorities, to whom the administrative authority reports the crime.

(ii) An administrative authority reporting a crime under this section may transmit copies of the student's special education and disciplinary records only to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act.

[08-15-97; 6.11.2.10 NMAC - Rn, 6 NMAC 1.4.10, 11-30-00; A, 6/29/07]

### **6.11.2.11 DISCIPLINARY REMOVALS OF STUDENTS WITH DISABILITIES:**

A. *General.* The following rules shall apply when a student with a disability under IDEA violates a rule of conduct as set forth in this rule which may result in:

(1) long-term suspension or expulsion; or

(2) any other disciplinary change of the student's current educational placement as specified in the federal regulations implementing IDEA at 34 CFR Secs. 300.530 through 300.536 and these or other department rules and standards.

B. *When behavior is not a manifestation of disability.* For disciplinary changes in placement that would exceed 10 consecutive school days, if the behavior that gave rise to the violation of the school code is determined not to be a manifestation of the child's disability pursuant to Subsection C of this section, school personnel may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to children without disabilities, except as provided in Subsection I of this section.

C. *Manifestation determination.*

(1) *Within 10 school days of any decision to change the placement of a child with a disability because of a violation of a rule of student conduct, the administrative authority, the parent and relevant members of the child's IEP team (as determined by the parent and the administrative authority) must review all relevant information in the student's file, including the child's IEP, any teacher observations and any relevant information provided by the parents to determine:*

(a) *if the conduct in question was caused by, or had a direct and substantial relationship to the child's disability; or*

(b) *if the conduct in question was the direct result of the administrative authority's failure to implement the IEP.*

(2) *The conduct must be determined to be a manifestation of the child's disability if the administrative authority, the parent and relevant members of the child's IEP team determine that a condition in either Subparagraph (a) or (b) of Paragraph (1) of Subsection C of 6.11.2.11 NMAC was met.*

(3) *If the administrative authority, the parent and relevant members of the child's IEP team determine the condition described in Subparagraph (b) of Paragraph (1) of Subsection C of 6.11.2.11 NMAC was met, the administrative authority must take immediate steps to remedy those deficiencies.*

*D. Determination that behavior is manifestation of disability. If the administrative authority, the parent and relevant members of the IEP team make the determination that the conduct was a manifestation of the child's disability, the IEP team must comply within 34 CFR Sec. 300.530(f).*

*E. Special circumstances. School personnel may remove a student to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the child's disability, if the child's behavior involves one of the special circumstances listed in 34 CFR Sec. 300.530(g). For purposes of this subsection, the definitions provided in 34 CFR Sec. 300.530(i) shall apply.*

*F. Determination of setting. The student's IEP team determines the interim alternative educational setting for services under Subsections B and E of this section.*

*G. Change of placement because of disciplinary removals. For purposes of removals of a student with a disability from the child's current educational placement under 6.11.2.11 and 6.11.2.12 NMAC, a change of placement occurs if the conditions provided in 34 CFR Sec. 300.536 are met.*

*H. Parental notification. On the date on which the decision is made to make a removal that constitutes a change of placement of a student with a disability because of a violation of a code of student conduct, the administrative authority must notify the parents of that decision, and provide the parents the procedural safeguards notice described in 34 CFR Sec. 300.504.*

*I. Services. A student with a disability who is removed from the student's current placement pursuant to this section must continue to receive special education and related services as provided in 34 CFR Sec. 300.530(d).*

*J. Appeal.*

(1) *The parent of a student with a disability who disagrees with any decision regarding the placement or the manifestation determination under this section, or an administrative authority that believes that maintaining the current placement of the student is substantially likely to result in injury to the student or others, may appeal the decision by requesting a hearing. The hearing is requested by filing a complaint pursuant to Subsection I of 6.31.2.13 NMAC.*

(2) *A hearing officer who hears a matter under Paragraph (1) of Subsection J of 6.11.2.11 NMAC, has the authority provided in 34 CFR Sec. 300.532(b).*

(3) *When an appeal under this subsection has been made by either the parent or the administrative authority, the student must remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the time period specified in Subsections B or E of this section, which ever occurs first, unless the parent and the administrative authority agree otherwise.*

*[08-15-97; 6.11.2.11 NMAC - Rn, 6 NMAC 1.4.11 & A, 11-30-00; A, 9-15-05; A, 6/29/07]*

### **6.11.2.12 PROCEDURE FOR DETENTIONS, SUSPENSIONS AND EXPULSIONS:**

*The authority of the state and of local school boards to prescribe and enforce standards of conduct for public school students must be exercised consistently with constitutional safeguards of individual student rights. The right to a public education is not absolute; it may be taken away, temporarily or permanently, for violations of school rules. But it is a property right which may only be denied where school authorities have adhered to the minimum procedural safeguards required to afford the student due process of law. This section prescribes minimum requirements for detention, in-school suspension and temporary, long-term or permanent removal of students from the public schools. Local school boards may adopt procedures which afford students more protection than this rule requires. The procedures in this section apply only to disciplinary detentions, suspensions and expulsions. They do not apply to disenrollment of students who fail to meet immunization, age, residence or other requirements for valid enrollment, nor to the removal from school membership reports of students who have been absent from school for ten (10) consecutive school days in accordance with Subsection B of Section 22-8-2 NMSA 1978. Nothing in this section should be construed as prohibiting school boards or administrative authorities from involving other school staff, students and members of the community in the enforcement of rules of student conduct to the extent they believe is appropriate.*

*A. Post-suspension placement of students. Any student suspended from school shall be delivered directly by a school official to the student's parent(s), legal guardian or an adult designated by the parent(s) or the legal guardian, or kept on school grounds until the usual end of the school day.*

*B. Students with disabilities. This Section does not apply to long-term suspension or expulsion of students who are disabled pursuant to the IDEA or Section 504. The procedures for long-term suspension or expulsion of disabled students are set forth in Section 6.11.2.11 NMAC above. School personnel under this section may remove a student with a disability who violates a rule of student conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension, for not more than 10 consecutive school days (to the extent those alternatives are applied to students without disabilities), and for additional removals of not more than 10 consecutive school days in that same school year for separate incidents of misconduct (as long as those removals do not constitute a change of placement under Subsection G of 6.11.2.11 NMAC above).*

*C. Immediate removal: Students whose presence poses a continuing danger to persons or property or an ongoing threat of interfering with the educational process may be immediately removed from school, subject to the following rules.*

*(1) A rudimentary hearing, as required for temporary suspensions, shall follow as soon as possible.*

*(2) Students shall be reinstated after no more than one school day unless within that time a temporary suspension is also imposed after the required rudimentary hearing. In*

*such circumstances, a single hearing will support both the immediate removal and a temporary suspension imposed in connection with the same incident(s).*

*(3) The school shall exert reasonable efforts to inform the student's parent of the charges against the student and the action taken as soon as practicable. If the school has not communicated with the parent by telephone or in person by the end of the school day following the immediate removal, the school shall on that day mail a written notice with the required information to the parent's address of record.*

*D. Temporary suspension.*

*(1) A local school board may limit temporary suspensions to periods shorter than ten (10) school days.*

*(2) A student facing temporary suspension shall first be informed of the charges against him or her and, if (s)he denies them, shall be told what evidence supports the charge(s) and be given an opportunity to present his or her version of the facts. The following rules apply.*

*(a) The hearing may be an informal discussion and may follow immediately after the notice of the charges is given.*

*(b) Unless the administrative authority decides a delay is essential to permit a fuller exploration of the facts, this discussion may take place and a temporary suspension may be imposed within minutes after the alleged misconduct has occurred.*

*(c) A student who denies a charge of misconduct shall be told what act(s) (s)he is accused of committing, shall be given an explanation of the evidence supporting the accusation(s) and shall then be given the opportunity to explain his or her version of the facts. The administrative authority is not required to divulge the identity of informants, although (s)he should not withhold such information without good cause. (S)he is required to disclose the substance of all evidence on which (s)he proposes to base a decision in the matter.*

*(d) The administrative authority is not required to allow the student to secure counsel, to confront or cross-examine witnesses supporting the charge(s), or to call witnesses to verify the student's version of the incident, but none of these is prohibited.*

*(e) The school shall exert reasonable efforts to inform the student's parent of the charges against the student and their possible or actual consequence as soon as practicable. If the school has not communicated with the parent by telephone or in person by the end of the first full day of suspension, the school shall on that day mail a written notice with the required information to the parent's address of record.*

*E. In-school suspension.*

*(1) In-school suspension may be imposed with or without further restriction of student privileges. Any student who is placed in an in-school suspension which exceeds ten (10) school days must be provided with an instructional program that meets both state and local educational requirements. Student privileges, however, may be restricted for longer than ten (10) school days.*

*(2) In-school suspensions of any length shall be accomplished according to the procedures for a temporary suspension as set forth above. A local school board may limit the length of in-school suspensions which may be accomplished under temporary suspension procedures. No in-school suspension student shall be denied an opportunity to eat lunch or reasonable opportunities to go to the restroom.*

*F. Detention.*

*(1) Detention may be imposed in connection with in-school suspension, but is distinct from in-school suspension in that it does not entail removing the student from any of his or her regular classes.*



(2) *The authority of the schools to supervise and control the conduct of students includes the authority to impose reasonable periods of detention during the day or outside normal school hours as a disciplinary measure. No detained student shall be denied an opportunity to eat lunch or reasonable opportunities to go to the restroom. Reasonable periods of detention may be imposed in accordance with the procedures for temporary suspension.*

**G. Long-term suspension and expulsion.**

(1) *Each local school board shall authorize appropriate administrative authorities to initiate procedures leading to long-term suspension or expulsion. Where prompt action to suspend a student long-term is deemed appropriate, a temporary suspension may be imposed while the procedures for long-term suspension or expulsion are activated. However, where a decision following the required formal hearing is delayed beyond the end of the temporary suspension, the student must be returned to school pending the final outcome unless the provisions of Subsection G, Paragraph (4), Subparagraphs (j) and (k) of Section 6.11.2.12 NMAC below apply.*

(2) *A student who has been validly expelled or suspended is not entitled to receive any educational services from the local district during the period of the exclusion from school. A local school board may provide alternative arrangements, including correspondence courses at the student's or parent's expense pursuant to state board of education requirements, if the board deems such arrangements appropriate.*

(3) *Each local school board shall establish, or shall authorize appropriate administrative authorities to establish, appropriate processes for handling long-term suspensions and expulsions. Unless the terms expressly indicate otherwise, nothing in the procedures below shall be construed as directing that any required decision be made by any particular person or body or at any particular level of administrative organization.*

(4) *The following rules shall govern the imposition of long-term suspensions or expulsions:*

(a) *Hearing authority; disciplinarian. The same person or group may, but need not, perform the functions of both hearing authority and disciplinarian. Where the functions are divided, the hearing authority's determination of the facts is conclusive on the disciplinarian, but the disciplinarian may reject any punishment recommended by the hearing authority.*

(b) *Review authority. Unless the local school board provides otherwise, a review authority shall have discretion to modify or overrule the disciplinarian's decision, but may not impose a harsher punishment. A review authority shall be bound by a hearing authority's factual determinations except as provided in Subsection G, Paragraph (4), Subparagraph (o) of Section 6.11.2.12 NMAC below.*

(c) *Disqualification. No person shall act as hearing authority, disciplinarian or review authority in a case where (s)he was directly involved in or witnessed the incident(s) in question, or if (s)he has prejudged disputed facts or is biased for or against any person who will actively participate in the proceedings.*

(d) *Local board participation. A local board may act as hearing authority, disciplinarian or review authority for any cases involving proposed long-term suspensions or expulsions. Whenever a quorum of the local board acts in any such capacity, however, the Open Meetings Act, Section 10-15-1 et seq., NMSA 1978 requires a public meeting.*

(e) *Initiation of procedures. An authorized administrative authority shall initiate procedures for long-term suspension or expulsion of a student by designating a hearing authority and disciplinarian in accordance with local board policies, scheduling a formal hearing in consultation with the hearing authority and preparing and serving a written notice*

meeting the requirements of Subsection G, Paragraph (4), Subparagraph (h) of Section 6.11.2.12 NMAC below.

(f) *Service of notice.* The written notice shall be addressed to the student, through his or her parent(s), and shall be served upon the parent(s) personally or by mail.

(g) *Timing of hearing.* The hearing shall be scheduled no sooner than five (5) nor later than ten (10) school days from the date of receipt of the notice by the parent(s). The hearing authority may grant or deny a request to delay the hearing in accordance with the provisions of Subsection G, Paragraph (4), Subparagraph (i) of Section 6.11.2.12 NMAC below.

(h) *Contents of notice.* The written notice must contain all of the following information, parts of which may be covered by appropriate reference to copies of any policies or regulations furnished with the notice:

(i) *the school rule(s) alleged to have been violated, a concise statement of the alleged act(s) of the student on which the charge(s) are based and a statement of the possible penalty;*

(ii) *the date, time and place of the hearing, and a statement that both the student and parent are entitled and urged to be present;*

(iii) *a clear statement that the hearing will take place as scheduled unless the hearing authority grants a delay or the student and parent agree to waive the hearing and comply voluntarily with the proposed disciplinary action or with a negotiated penalty, and a clear and conspicuous warning that a failure to appear will not delay the hearing and may lead to the imposition of the proposed penalty by default;*

(iv) *a statement that the student has the right to be represented at the hearing by legal counsel, a parent or some other representative designated in a written notice filed at least seventy-two (72) hours before the hearing with the contact person named pursuant to Subsection G, Paragraph (4), Subparagraph (h), Sub-subparagraph (vi) of Section 6.11.2.12 NMAC below;*

(v) *a description of the procedures governing the hearing;*

(vi) *the name, business address and telephone number of a contact person through whom the student, parent or designated representative may request a delay or seek further information, including access to any documentary evidence or exhibits which the school proposes to introduce at the hearing; and*

(vii) *any other information, materials or instructions deemed appropriate by the administrative authority who prepares the notice.*

(i) *Delay of hearing.* The hearing authority shall have discretion to grant or deny a request by the student or the appropriate administrative authority to postpone the hearing. Such discretion may be limited or guided by local school board policies not otherwise inconsistent with this regulation.

(j) *Students status pending hearing.* Where a student has been suspended temporarily and a formal hearing on long-term suspension or expulsion will not occur until after the temporary suspension has expired, the student shall be returned to school at the end of the temporary suspension unless:

(i) *the provisions of Subsection G, Paragraph (4), Subparagraph (k) of Section 6.11.2.12 NMAC below apply, or*

(ii) *the student and parent(s) have knowingly and voluntarily waived the students right to return to school pending the outcome of the formal proceedings, or*

(iii) *the appropriate administrative authority has conducted an interim hearing pursuant to a written local school board policy made available to the student*

*which affords further due process protection sufficient to support the student's continued exclusion pending the outcome of the formal procedures.*

*(k) Waiver of hearing; voluntary compliance or negotiated penalty. A student and his or her parent(s) may elect to waive the formal hearing and review procedures and comply voluntarily with the proposed penalty, or may waive the hearing and review and negotiate a mutually acceptable penalty with the designated disciplinarian. Such a waiver and compliance agreement shall be made voluntarily, with knowledge of the rights being relinquished, and shall be evidenced by a written document signed by the student, the parent(s), and the appropriate school official.*

*(l) Procedure for hearing and decision. The formal hearing is not a trial. It is an administrative hearing designed to ensure a calm, orderly determination by an impartial hearing authority of the facts of a case of alleged serious misconduct. Technical rules of evidence and procedure do not apply. The following-rules govern the conduct of the hearing and the ultimate decision.*

*(i) The school shall have the burden of proof of misconduct.*

*(ii) The student and his or her parent shall have the following rights: The right to be represented by legal counsel or other designated representative, however, the school is not required to provide representation; the right to present evidence, subject to reasonable requirements of substantiation at the discretion of the hearing authority and subject to exclusion of evidence deemed irrelevant or redundant; the right to confront and cross-examine adverse witnesses, subject to reasonable limitation by the hearing authority; the right to have a decision based solely on the evidence presented at the hearing and the applicable legal rules, including the governing rules of student conduct.*

*(iii) The hearing authority shall determine whether the alleged act(s) of misconduct have been proved by a preponderance of the evidence presented at a hearing at which the student and/or a designated representative have appeared.*

*(iv) If no one has appeared on the students behalf within a reasonable time after the announced time for the hearing, the hearing authority shall determine whether the student, through the parent, received notice of the hearing. If so, the hearing authority shall review the schools' evidence to determine whether it is sufficient to support the charges(s) of misconduct.*

*(v) A hearing authority who is also a disciplinarian shall impose an appropriate sanction if (s)he finds that the allegations of misconduct have been proved under the standards of either Subsection G, Paragraph (4), Subparagraph (l), Sub-subparagraph (iii) or Sub-subparagraph (iv) of Section 6.11.2.12 NMAC above. A hearing authority who is not a disciplinarian shall report its findings, together with any recommended sanction, to the disciplinarian promptly after the hearing.*

*(vi) Arrangements to make a tape recording or keep minutes of the proceedings shall be made by the administrative authority who scheduled the hearing and prepared the written notice. A verbatim written transcript is not required, but any minutes or other written record shall fairly reflect the substance of the evidence presented.*

*(vii) The hearing authority may announce a decision on the question of whether the allegation(s) of misconduct have been proved at the close of the hearing. A hearing authority who is also a disciplinarian may also impose a penalty at the close of the hearing.*

*(viii) In any event, the hearing authority shall prepare and mail or deliver to the student, through the parent, a written decision within five (5) working days after the hearing. The decision shall include a concise summary of the evidence upon which the*

hearing authority based its factual determinations. A hearing authority who is also a disciplinarian shall include in the report a statement of the penalty, if any, to be imposed, and shall state reasons for the chosen penalty. A hearing authority who is not a disciplinarian shall forward a copy of his or her written decision to the disciplinarian forthwith. The disciplinarian shall prepare a written decision, including reasons for choosing any penalty imposed, and mail or deliver it to the student, through the parent, within five (5) working days of receipt of the hearing authority's report.

(ix) A disciplinarian who is not a hearing authority may observe but not participate in the proceedings at a formal hearing. If the disciplinarian has done so and if the hearing authority announces a decision at the close of the hearing, the disciplinarian may also announce his or her decision at that time.

(x) The disciplinarian's decision shall take effect immediately upon initial notification to the parent, either at the close of the hearing or upon receipt of the written decision. If initial notification is by mail, the parent shall be presumed to have received the notice on the fifth calendar day after the date of mailing unless a receipt for certified mail, if used, indicates a different date of receipt.

(m) *Effect of decision.* If the hearing authority decides that no allegation(s) of misconduct have been proved, or if the disciplinarian declines to impose a penalty despite a finding that an act or acts of misconduct have been proved, the matter shall be closed. If the disciplinarian imposes any sanction on the student, the decision shall take effect immediately upon notification to the parent and shall continue in force during any subsequent review.

(n) *Right of review.* Unless the local school board was the disciplinarian, a student aggrieved by a disciplinarian's decision after a formal hearing shall have the right to have the decision reviewed if the penalty imposed was at least as severe as a long-term suspension or expulsion, an in-school suspension exceeding one school semester or a denial or restriction of student privileges for one semester or longer. A local school board may grant a right of review for less severe penalties. Local school boards shall establish appropriate mechanisms for review except where the local board was the disciplinarian, in which case its decision is final and not reviewable administratively. A student request for review must be submitted to the review authority within ten (10) school days after the student is informed of the disciplinarian's decision.

(o) *Conduct of review.* Unless the local board provides otherwise, a review authority shall have discretion to modify the disciplinarian's decision, including imposing any lesser sanction deemed appropriate. A review authority shall be bound by the hearing authority's factual determinations unless the student persuades the review authority that a finding of fact was arbitrary, capricious or unsupported by substantial evidence or that new evidence which has come to light since the hearing and which could not with reasonable diligence have been discovered in time for the hearing would manifestly change the factual determination. Upon any such finding, the review authority shall have discretion to receive new evidence, reconsider evidence introduced at the hearing or conduct a *de novo* hearing. In the absence of any such finding, the review shall be limited to an inquiry into the appropriateness of the penalty imposed.

(p) *Form of review.* Unless the local board provides otherwise, a review authority shall have discretion to conduct a review on the written record of the hearing and decision in the case, to limit new submissions by the aggrieved student and school authorities to written materials and/or to grant a conference or hearing at which the student and his or her representative, and school authorities may present their respective views in person. Where a conference or hearing is granted, the record-keeping requirements of Subsection G., Paragraph (4), Sub-paragraph (l), Sub-sub-paragraph (vi) of Section 6.11.2.12 NMAC above apply.

(q) *Timing of review.* Except in extraordinary circumstances, a review shall be concluded no later than fifteen (15) working days after a student's written request for review is received by the appropriate administrative authority.

(r) *Decision.* A review authority may announce a decision at the close of any conference or hearing held on review. In any event, the review authority shall prepare a written decision, including concise reasons, and mail or deliver it to the disciplinarian, the hearing authority and the student, through the parent, within ten (10) working days after the review is concluded.

(s) *Effect of decision.* Unless the local school board provides otherwise, a review authority's decision shall be the final administrative action to which a student is entitled. [08-15-97; 6.11.2.12 NMAC - Rn, 6 NMAC 1.4.12, 11-30-00; A, 6/29/07]

TMP students shall be held responsible for complying with both the TMP Student Handbook and the Santa Fe Community College Code of Conduct as defined in the SFCC Student Handbook. Each faculty member is responsible for discipline in classes or groups they supervise. Teachers have authority to discharge the duties of instruction and control students under their supervision without the use of corporal punishment.

TMP students shall be held responsible for complying with all policies and procedures of the SFCC Code of Conduct. Additionally TMP students shall sign the TMP Student Behavior Contract included herein in the Appendices.

## EXHIBIT C

### Bibliography

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- Page 15 - The Early College High School Initiative web site - <http://earlycolleges.org/>
- Page 15 - Zubov- Shenberger, Jill - Principal at Academy of the Canyons
- Page 16 - Adelman, Clifford 2006. The Toolbox Revisited: Paths to Degree Completion from High School Through College. Washington, DC: U.S. Department of Education.
- Page 18 – STEM Coalition letter to President Barack Obama
- Page 19 – Sheila Ortego quote from Santa Fe Community College Web Site
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## **EXHIBIT D**

### **LIST OF ACRONYMS**

AA – Associate in Arts  
ACC – American Competitiveness Council  
ACT/SAT – American College Test/Scholastic Assessment Test  
ADA – Americans with Disabilities Act  
AP – Advanced Placement  
AYP – Adequate Yearly Progress  
BAR – Budget Adjustment Request  
BIP – Behavioral Intervention Plan  
CHS – Capital High School  
CNRS – Centre National de la Recherche Scientifique  
COBRA - Consolidated Omnibus Budget Reconciliation Act  
CPO – Community Programs Office (LANL)  
DFA – Department of Finance Administration  
DOE – Department of Energy  
DOL – Department of Labor  
5E - Engagement, Exploration, Explanation, Elaboration, and Evaluation  
ELL – English Language Learners  
ELOB - Expeditionary Learning Outbound  
EPSS – Educational Plan for Student Success  
ERA – Educational Retirement Act  
ERB – Educational Retirement Board  
ESL – English as a Second Language  
FAPE – Free Appropriate Public Education  
FBA – Functional Behavioral Assessment  
FTE – Full Time Equivalents  
GAAP – Generally Accepted Accounting Principles  
GASB – Governmental Accounting Standards Board  
GED – General Education Diploma  
IDEAL- NM – Innovative Digital Education and Learning in New Mexico  
IEP – Individualized Education Plan  
IDEA - Individuals with Disabilities Education Act  
IPT Test – IDEA Proficiency Test  
LANL – Los Alamos National Laboratory  
LEA – Local Educational Agency  
MASTERS – **Math, Arts, Science, Technology, Engineering, Reading and Service**  
MDT – Multidisciplinary Team  
MEM - Member  
MSI – Middle School Initiative  
NMAC – New Mexico Administrative Code  
NMELPT – New Mexico English Language Placement Test  
NMPED – New Mexico Public Education Department also PED  
NSTC – National Science and Technology Council  
NWEA – Northwest Evaluation Association  
OMB – Office of Management and Budget

OBMS – Operating Budget Management System  
PHLOTE – Primary Home Language Other Than English  
PSIA – Public Schools Insurance Authority – also NMPSIA  
PSCOG – Public School Capital Outlay Council  
PTO – Paid Time Off  
SAT – Student Assistance Team  
SBA – Standards Based Assessment  
SCA – Short Cycle Assessments  
SCANS - Secretary's Commission on Achieving Necessary Skills  
SEG – State Equalization Guarantee  
SFCC – Santa Fe Community College  
SFHS – Santa Fe High School  
SFPS – Santa Fe Public Schools  
STARS – Student Teacher Accountability Reporting System  
STEM – Science, Technology, Engineering and Math  
SY – School Year  
TESOL - Teachers of English to Speakers of Other Languages  
TMP – The MASTERS Program  
USDA – United States Department of Agriculture



# EXHIBIT E

## DRAFT<sup>2</sup>

### TMP GOVERNING COUNCIL POLICES, PROCEDURES AND BYLAWS

#### I. NUMBER OF GOVERNING COUNCIL MEMBERS:

- A. Governing Council will serve as the governing body of TMP. The Governing Council will be established with no less than five (5) and no more than nine (9) members; each position shall be assigned a number.

#### II. GOVERNING COUNCIL MEMBERSHIP:

##### A. Procedure for Electing Directors:

1. **Election of Council Members:** Governing Council Members shall be elected by a majority vote of the existing Council and selected from the nominations.
2. **Term of Council Members:** The terms of the Governing Council members shall be as follows: Positions 1 through 3 shall serve two-year term, which terms will expire at the end of the school year in odd-numbered years (e.g. June 2011); positions 4 through 9 shall serve two-year terms, which terms will expire at the end of the school year in even numbered years (e.g. June 2012).
3. **Compensation:** Governing Council members will not receive compensation for their services; however, members may be compensated for reasonable expenses in accordance with the New Mexico Mileage and Per Diem Act.
4. **Resignations and Removal:** Any member may resign at any time by giving written notice to the President or to the Secretary, and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.  
Any member may be removed by a majority vote of the Governing Council whenever such removal is in the best interests of the School. Grounds for removal will include without limitation the following acts or omissions:
  - a. Violation of the Conflict of Interest Policy;
  - b. Violation of *Governing Council Commitment Agreement*;
  - c. Failure to attend three consecutive scheduled meetings of the Governing Council, except when such absence is due to exigent circumstances;
  - d. Violation of the member's duty of loyalty;
  - e. Violation of the Governing Council's Code of Ethics; or
  - f. Any other grounds the Governing Council deems appropriate.
5. **Vacancies:** A vacancy on the Governing Council shall be filled by the Governing Council after a nomination process. Once the vacancy is filled, the term shall only be for the unexpired portion of the term of the member being replaced.
6. **Attendance:** Members of the Governing Council are required to attend all scheduled meetings of the Governing Council unless exigent circumstances arise. If a Council member cannot be physically present at a meeting for unavoidable

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<sup>2</sup> These draft bylaws will be used as a guide for the Governing Council, and are not intended to be final.

conflict, he/she may make arrangements to appear by telephone in accordance with the provisions of the Open Meetings Act. A member of the Governing Council who will be unable to attend a Governing Council meeting will notify the president of the Governing Council prior to the meeting and if he/she intends to appear by telephone the Council member shall make arrangements with the Headmaster or his/her designee. Notice may be made by e-mail as long as it is made four hours in advance of the meeting. If the President cannot attend the meeting, he/she must notify the Vice-President and forward all information regarding the upcoming meeting to him/her, including notices of non-appearances by other Council members.

### **III. POWERS AND AUTHORITY OF THE GOVERNING COUNCIL:**

#### **A. Authority of the Governing Council:**

- 1. General:** The Governing Council is the governing body of the charter school and is responsible for ensuring the fair and uniform application of all federal, state and local laws in the operation of the School as well as the school's charter and policies. The School will be operated for the educational benefit of its students. The Governing Council is the policy-making body for the School. The TMP Governing Council will exercise leadership primarily through the formulation and adoption of policies.
- 2. Delegation to the Headmaster:** The Governing Council shall concern itself primarily with broad questions of policy and with the appraisal of results rather than with administrative detail. The application of policies is an administrative task to be performed by the Headmaster and designated staff, and they shall be held responsible for the effective implementation of Governing Council policies. The Headmaster shall be held responsible for keeping the Governing Council informed of all matters within its purview so that the Governing Council can fulfill the above described functions of a governing body.

The Headmaster 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 Council policies. The teachers and staff of TMP will report to the Headmaster.

- 3. Individual Member's Authority:** A member of the Governing Council is a public officer, but has no power or authority individually. The charter vests power in the Governing Council, and not in the members, either individually or otherwise and these powers must be exercised by the Governing Council at a public meeting in regular or special called meetings, with action duly recorded in its minutes.
- 4. Binding Authority:** The Governing Council shall not be bound in any way by any action or statement on the part of any individual Governing Council member except when such a statement or action is in pursuance of specific instructions

from the Governing Council. Any such exception shall be recorded as an action item of the Governing Council and recorded in the minutes.

- 5. Advanced Notice:** The Governing Council recognizes the importance of timely communication among its members and between the Governing Council and the Headmaster. The Headmaster or his/her designee will strive to insure that the Governing Council is given prior notice of matters submitted by members for deliberation at meetings.

**B. Powers of the Governing Council:**

The powers and duties of the Governing Council prescribed by the TMP Charter and the New Mexico Public School Code and all applicable laws and regulations. Complete and final control of all matters pertaining to the School's educational system shall be vested in the Governing Council. The Governing Council of TMP shall have the following powers and duties:

1. Those powers as set forth in the TMP Charter that are not inconsistent with federal or state laws or constitutions, or as otherwise set forth in the Charter Schools Act, NMSA 1978 §§22-8B-1, *et seq.*
2. Employ the Headmaster/Principal of TMP;
3. Delegate administrative and supervisory functions of the Headmaster/Principal of TMP when appropriate;
4. Approval of the annual budget of anticipated income and expenditures, and direct the preparation of the annual financial audit report in connection with the New Mexico Public Education Department's annual audit;
5. Have the capacity to sue or be sued;
6. Contract for services with any school district, a university or college or any third party for the use of a facility, its operation and maintenance and the provision of any service or activity that TMP is required to perform in order to carry out the educational program described in its charter.
7. Acquire and dispose of property provided that at the termination of the charter, all assets of the charter shall revert to the local school board that authorized the charter, unless otherwise amended by law.
8. Accept or reject any charitable gift, grant, devise or bequest not otherwise contrary to law or the terms of the charter.
9. Contract for provision of financial management, food services, education related services or other services.

**IV. GOVERNING COUNCIL OFFICERS**

- A. Officers:** The Officers of the Governing Council shall be a President, a Vice President, a Treasurer and a Secretary. The School may, at the discretion of the Board, provide for different categories of Officers, including, without limitation, one or more Assistant Treasurers and/or Assistant Secretaries. The duties of certain officers are set forth herein. When the incumbent of an office is unable to perform the duties thereof or when there is no incumbent of an office (both such situations referred to hereafter as the "absence" of the Officer), the duties of the office shall, unless otherwise provided by the Board or these Bylaws, be performed by the next

Officer set forth in the following sequence: President, Vice President, Treasurer and Secretary.

- B. Appointment and Tenure:** All Officers shall be elected each year by the Council at its Annual Meeting for terms of one (1) year, with a two (2) term maximum or until their successors have been duly elected and qualified, or until their death, resignation or removal. Officers' terms shall commence immediately following the Annual Meeting of the Board.
- C. Resignations and Removal:** Any Officer may resign at any time by giving written notice to the President or to the Secretary, and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective. Any Officer may be removed by the Council whenever in its judgment he/she fails to perform the duty of office or such other duties as appointed by the Council and the best interests of the School would be served thereby.
- D. Vacancies:** A vacancy in any office may be filled by the Council for the unexpired portion of the term of the officer being replaced.
- E. President:** The president of the Governing Council shall preside at all meetings and shall appoint committees with approval of the Governing Council. He/She shall have the right, as other members of the Governing Council, to make or second motions, to discuss questions, and to vote. The president of the Governing Council may not act for or on behalf of the Governing Council without prior specific authority from a majority of the Governing Council to do so. All communications addressed to the president shall be considered by him or her for appropriate action, which consideration may include consulting with legal counsel, and consideration by the Governing Council. The president shall sign legal documents as required by law and perform such other duties as may be prescribed by the Governing Council. It is the President's responsibility to ensure that Governance Council members uphold their commitments/responsibilities to the school. The President is responsible for compiling the topics for business to be placed on the agenda. Any member of the Governing Council may offer items to be heard or discussed at any meeting of the Council.
- F. Vice President:** The vice-president shall perform the duties of the president in the absence of the president or at the request of the president. In the event a vacancy occurs in the presidency, the vice-president will act in the capacity of the president until the office has been filled by a vote of the Council membership.
- G. Treasurer (this office may be filled initially by the President):** The Treasurer shall be familiar with the fiscal affairs of the School and keep the Council informed thereof in the event that the School's Business Manager is unable to so act. He/She will have knowledge of public school finance laws, rules and policies and shall serve as the Chairperson of the TMP Finance Committee. He/She shall attend the PED Spring Budget Workshop and/or any other financial regulatory training recommended by the Headmaster or the Business Manager.

**H. Secretary:** The Secretary shall keep the minutes of the Governing Council meetings, subject to the direction of the President, assure that all notices are given in accordance with the provisions of the Charter, Governing Council policies and as required by law; shall countersign, when required, all authorized bonds, contracts, deeds, leases, or other legal instruments; and in general perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned to the Secretary by the Governing Council. The Council may appoint a designee to assist with the responsibilities of the Secretary as described herein, including recording and transcribing the minutes of the meetings, posting notices and agendas and preparing packets for the Governing Council's review. The Council Secretary will review the minutes prior to presentation to the Governance Council for approval. The Secretary shall be responsible for presenting the minutes to the Council at meetings.

**I. Compensation:** The officers shall not be compensated for their services; however, they may be compensated for reasonable expenses in accordance with the New Mexico Mileage and Per Diem Act.

**J. Directors and Officers Insurance:** The Governing Council may secure officers and directors insurance in excess of the coverage provided by the NM Public School Insurance Authority upon appropriate approval of the Governing Council and if provided for in the charter school's approved budget.

**K. Delegation:** The Governing Council may delegate temporarily the powers and duties of any Officer, in case of such Officer's absence or for any other reason, to any other Officer, and may authorize the delegation by any Officer of any of such Officer's powers and duties to any agent or employee subject to the general supervision of such Officer.

**V. STANDING COMMITTEES OF THE GOVERNING COUNCIL:** The Governing Council will have the authority to form the following committees based on the needs of the School;

**A. Proposed Committees:**

**1. School Advisory Committee:** The Headmaster will be instrumental in developing this committee. TMP shall create a School Advisory Council to assist the Headmaster with school-based decision-making and to involve parents in their children's education. The School Advisory Council shall be created and its membership elected in accordance rules that will be adopted by the Governing Council. Membership on the council shall reflect an equitable balance between school employees and parents and community members. At least one community member shall represent the business community, if such person is available. The Headmaster may serve as chair. The Headmaster shall be an active member of the school council.

**2. Audit and Finance Committee:** TMP's Audit and Finance Committee has a vital role in keeping the Governing Council apprised of the school's business affairs and financial condition.

a. Appointments and Composition

The members of the finance committee shall be the treasurer of the Governing Council who shall serve as the chair, the TMP Business Manager, and at least one other member who is a non-TMP employee and disinterested party selected by the treasurer and business manager and approved by the Council.

b. Responsibilities

- Prepare and maintain the annual budget for the charter school in collaboration with the Headmaster.
- Also in collaboration with the Headmaster, develop and annually revise a long-term financial forecast.
- Review all grant proposals and when necessary, make recommendations to the council.
- Prepare all Budget Adjustment Requests (BAR) and present with recommendations to the Governance Council as necessary.
- Represent the school throughout all phases of the annual audit.
- Review business manager's required reports and make recommendations to the Governing Council regarding the reports as necessary.

**3. Policy Committee:** The policy council development committee is commissioned by and responsible to the governing council to assume the primary responsibility for matters pertaining to development of governing council policies.

**4. Professional Development Committee.** The committee is commissioned by and responsible to the governing council. The committee will provide the Governing Council in formation and recommendations concerning the School's budget with regard to expenditures on professional development opportunities.

**5. Student Support and Safety Committee.** This committee will be created to ensure that the school's services are adequately providing the necessary support to students attending TMP.

**6. Committee Selection and Membership:**

a. Election and Term: Members of each Committee may be chosen from time to time by the Governing Council and shall serve for such period of time as the Governing Council shall from time to time determine. The specific composition of the Audit and Finance Committee, however, shall be governed by the provisions of paragraph 2, above.

b. Meetings: Committees may meet at such times and for such purposes as they shall from time to time determine. Provisions for notice and procedures applicable to meetings of the Governing Council's committees shall be as prescribed by the Governing Council and shall comply with the Open Meetings Act if the purpose of such meeting is to set policy affecting the School.

c. Resignations and Removal: Any member of a committee may, at any time, resign by giving written notice to the President or the Secretary and, unless otherwise specified therein, the acceptance of such resignation shall not be

necessary to make it effective. Any member of a committee may be removed by the Governing Council whenever in its judgment the best interests of the School would be served thereby.

- d. Compensation. Members of the committees shall not receive any compensation for their services; however, they may be compensated for reasonable expenses in accordance with the New Mexico Mileage and Per Diem Act.
- e. The Governance Council has the authority to create *ad hoc* committees as deemed necessary. The policies and procedures that govern *ad hoc* committees will be determined as specified by the Governing Council action creating and approving the existence of any such committee.

## **VI. MEETINGS OF THE GOVERNING COUNCIL:**

All meetings of the TMP Governance Council shall be held in accordance with the New Mexico Open Meetings Act, NMSA 1978 §§10-15-1, *et seq.*

**A. Meetings.** The Governance Council shall pass a resolution annually describing what notice of a public meeting is reasonable when applied to the TMP Governing Council. The resolution shall describe appropriate notice and methods for posting agendas for regular, special and emergency meetings of the Governing Council.

**B. Special Meetings.** Special meetings of the Governing Council may be called at the direction of the Governing Council. Such meetings to be held at such time and place consistent with the Governing Council's annual resolution for conducting its public meetings.

**C. Attendance via Telephone Conference Call.** Except to the extent otherwise provided by law, any meeting of the Governing Council may be attended by any or all of the Council Members by means of a conference telephone (or similar communications equipment) when it is otherwise difficult or impossible for the member to attend the meeting in person, provided that each member participating by conference telephone can be identified when speaking, all participants are able to hear each other at the same time and members of the public attending the meeting are able to hear any other member of the Governing Council who speaks during the meeting. Such attendance shall constitute presence by the Governing Council member as if in person at such meeting and for purposes of determining a quorum. Any action taken by the Governing Council at such meeting shall constitute a valid action of the Governing Council.

**C. Notice.** The Governing Council shall provide notice and post agendas in accordance with the New Mexico Open Meetings Act. Reasonable notice of the Governing Council shall include broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have provided a written require for such notice. Notice of meetings and the availability of meeting agendas shall be consistent with the Governing Councils annual resolution. Except in cases of emergency the Governing Council shall only act on matters identified on the agenda.

**D Emergency:** An emergency meeting or agenda item is one necessitated by unforeseen circumstances that if not addressed immediately by the Governing Council, will likely result in injury or damage to persons or property or substantial financial loss to the public body.

**E. Minutes:** The Governing Council shall keep written minutes of all its meetings. The minutes shall include a minimum the date, time and place of the meeting, the names of members in attendance and those absent, the substance of the proposals considered and a record of any decisions and votes taken that show how each member voted. All minutes are open for public inspection. Draft minutes shall be prepared within ten working days after the meeting and shall be approved, amended or disapproved at the next meeting where a quorum is present. Minutes shall not become official until approved by the Governing Council.

**VII. Confidential Matters of the Governing Council:** The Governing Council recognizes that confidential information will be brought to the attention of individual Governing Council members and/or the Governing Council as a whole pertaining to, but not limited to, the following:

- matters relating to the employment or dismissal of, or charges against, specific TMP personnel;
- matters relating to litigation or proposed litigation in which the Governing Council is or may become a party, or attorney-client communications;
- consideration of the acceptance of gifts, bequests, or donations where confidentiality has been requested by the donor;
- consideration of wages and benefits for the Headmaster; ;
- consideration of suspension, expulsion, or disciplinary action in connection with a student;
- matters relating to the security of students, personnel, visitors, and/or school property; and
- such matters that may arise and qualify as being confidential by law.

The Governing Council further recognizes that public disclosure of such information may result in injury to individual or potential harm and possible liability to the TMP and that the Governing Council members who must respect confidentiality of information that is privileged under applicable law. It is the policy of the Governing Council that Council members shall discuss or disclose confidential information only in connection with legitimate School business and only with individuals with a legitimate right to know.

**VIII. Manner of Action:**

**A. Quorum:** A majority of the seated Council Members, whether personally present or appearing telephonically shall constitute a quorum for the transaction of business at any meeting of the Governing Council.

**B. Financial Matters:** The Governance Council shall approve all contracts, except for employee contracts (other than the Headmaster) and for purchases up to the limit of



the New Mexico Procurement Code; which shall be by the authority of the Headmaster.

- C. Manner of Acting:** No action of the Governing Council shall be valid unless taken at a meeting at which a quorum as defined herein is present and which has been properly noticed pursuant to the New Mexico Open Meetings Act. NMSA (1978) §§10-15-1 *et seq.*

**IX. CONFLICTS OF INTEREST AND CODE OF ETHICS:**

**A. General Statement:** It shall be the duty of each Governing Council member to voluntarily excuse him/herself from discussions of confidential information and abstain from voting on matters in which the Governing Council member has a personal or financial interest, including an interest by a member of the Governing Council's immediate family, or where the Governing Council's participation will or may compromise the confidential nature of the discussion. Failure to voluntarily remove himself/herself from such conflicts of interest may result in a vote to remove the member from the Governing Council.

**B. Disclosure:** Each Council Member agrees to complete and sign a Disclosure of Conflicts of Interest statement prior to accepting his/her position on the Council. In addition to this statement, Council Members shall annually update the disclosure statement and shall otherwise immediately notify the President of the Council when he or she becomes aware that an actual or potential conflict may exist.

**C. Conflict of Interest Policy:** Each Council Member agrees to abide by the TMP Conflict of Interest Policy adopted by the Governing Council.

**D. Code of Ethics:** Each Council Member agrees to abide by the TMP Code of Ethics adopted by the Governing Council.

**X. HEADMASTER SELECTION.**

Headmaster criteria

The Headmaster will hold a Level IIIB license and - The Headmaster will be someone who can take charge of academic program and recognize educational expertise. He/she will be experienced in leading an organization and be a self starter. The Headmaster will be a competent and dedicated teacher with established classroom experience. He or she is expected to engage in teaching as a role model to other teacher

Process to select Headmaster. TMP will recruit individuals for the Headmaster position through a public process including advertising in local and national newspapers and professional printed media, referral, and through appropriate electronic recruitment mechanisms.

**XI. MISCELLANEOUS:**

**A. Checks, Drafts, Etc.** All checks, drafts or other orders for the payment of money, and all notes or other evidences of indebtedness issued in the name of the School

shall be signed by such Officer or Officers, agent or agents of the School as designated by the Governing Council.

- B. Books and Records:** The Governing Council shall keep accurate and complete books and records of the actions of the Governing Council, which records shall be open to inspection by the members of the Governing Council at any time, or members of the public pursuant to the Inspection of Public Records Act, NMSA 1978 14-2-1 *et seq.*

## EXHIBIT F



# Summer 2009 IDEAL-NM Course Offerings

Summer registration is now open. Coursework begins June 8 and ends on August 7. Enrollment is open throughout the semester.

The following courses have been developed by IDEAL-NM and are taught by highly-qualified New Mexico Teachers:

### Math

Math Refresher  
Pre-Algebra  
Algebra 1  
Algebra 2  
Geometry  
Fractal Math\*  
Consumer Math

### Science

Biology  
Introduction to Cell Biology  
Chemistry  
Environmental Science  
Computer Science (AP)  
Nanoscience\*  
Physics  
Physics (Honors)  
Astronomy  
Geology

### Social Studies

New Mexico History\*  
U.S. Government\*  
U. S. History & Geography  
Economics\*  
World History & Geography

### Language Arts

English 1 (Freshman)  
English 2 (Sophomore)  
English 3 (Junior)  
English 4 (Senior)  
Creative Writing  
Grammar & Composition

### Languages

French 1  
Spanish 1  
Spanish 2  
Spanish 3

### Fine Arts & Electives

ACT/SAT Preparation\*  
Art Appreciation  
Career Exploration\*  
Computer Fundamentals  
Creative Art  
Entrepreneurship\*  
Financial Literacy\*  
Fitness Fundamentals\*  
Health & Personal Wellness\*  
Media Literacy\*  
Psychology

### Middle School

English 8  
Earth Science

## Life Science

**\*Denotes single semester courses.**

Students may register for AP exams via the College Board website.

### Course Fees:

Districts will be invoiced \$200 for each semester seat. Regional Education Cooperatives have special incentives for member districts. Districts will be invoiced for IDEAL-NM semester course fees on the following semester cycle: September 15, January 15 and June 15. Districts may drop students for non-participation or other reasons before those dates without incurring course fees.

The following AP courses are offered through IDEAL-NM.:

[AP Art History](#)

[AP Biology](#)

[AP Calculus AB](#)

[AP Calculus BC](#)

[AP Chemistry](#)

[AP Computer Science A](#)

[AP English Language](#)

[AP English Literature](#)

[AP Environmental Science\\*](#)

[AP European History](#)

[AP French Language](#)

[AP Macroeconomics\\*](#)

[AP Microeconomics\\*](#)

[AP Physics B](#)

[AP Psychology\\*](#)

[AP Spanish Language](#)

[AP Statistics](#)

[AP US Government\\*](#)

[AP US History](#)

[AP World History](#)

## EXHIBIT G

### STATEWIDE DUAL CREDIT MASTER AGREEMENT

June 30, 2008

#### NEW MEXICO SECONDARY AND POSTSECONDARY DUAL CREDIT PROGRAM

##### MEMORANDUM OF AGREEMENT

Between \_\_\_\_\_ (POSTSECONDARY INSTITUTION)

And \_\_\_\_\_ (DISTRICT) *Note*

SB 943 (Laws 2007, Chapter 227) creates a dual credit program in state statute. The master agreement goes into effect beginning the 2008-2009 school year. Affected parties must refer to 6.30.7 New Mexico Administrative Code (NMAC) or 5.55.4 NMAC for rules regarding dual credit program implementation.

### TERMS OF AGREEMENT

#### PART 1 – GENERAL PROVISIONS OF AGREEMENT

##### A. SCOPE

Dual credit shall be provided in accordance with the terms and conditions of this uniform Master Agreement (*hereafter* Agreement), which supersedes all previous agreements, versions and addenda. This Agreement applies to all public school districts, including a charter school or charter school district, a state-supported educational institution and a state-chartered school (*hereafter* District, as defined in the dual credit rule), high school students who attend district schools and public postsecondary institutions (*hereafter* Postsecondary Institution) in New Mexico. Districts and postsecondary institutions are required to implement rules no later than the beginning of the 2008-2009 school year. Districts may complete agreements with multiple postsecondary institutions. Refer to 6.30.7 NMAC and 5.55.4 NMAC for definitions.

##### B. DEFINITION OF DUAL CREDIT PROGRAM

“Dual credit program” means a program that allows high school students to enroll in college-level courses offered by a POSTSECONDARY INSTITUTION that may be academic or career technical but not remedial or developmental, and simultaneously to earn credit toward high school graduation and a postsecondary degree or certificate.

##### C. AUTHORIZATION

Dual Credit Programs are authorized by Laws 2007, Chapter 227 and Laws 2008, Chapter 14 (SB943 and SB31), state rules 6.30.7 NMAC and 5.55.4 NMAC, and statutes Section 22-2-1, 22-2-2, 9-24-8, 9-25-8, 21-1-1.2 NMSA 1978.

##### D. PURPOSES

The primary purposes of a dual credit program are to increase the educational options and opportunities for high school students and increase the overall quality of instruction and learning available through secondary schools. Fundamentally, dual credit programs allow students to earn credit at the secondary and postsecondary levels simultaneously, and they provide students an early glimpse of college life. The programs may also encourage more students to consider higher education, especially students from underrepresented groups. Research indicates that dual credit programs can lead to better completion rates for both high school and college; reduce the need for remediation; shorten time to a diploma or degree completion; reduce the cost of higher education; reinforce the concept of life-long learning through an educational continuum; provide an alternative for students tempted to leave high school to enter the workforce; and, especially when offered

through distance learning, provide equal access to higher education opportunities to students, whether rural or urban.

In New Mexico, dual credit opportunities have existed for years. Until now, there has been no statewide consistency in the arrangements, meaning that some students have had better or more economical access to dual credit courses than others. There has also been no reliable system of collecting or disseminating data on enrollment in dual credit classes or on the effect that these classes have on student achievement or degree completion.

As a result, the 2007 Legislature passed and the Governor signed legislation (Laws 2007, Chapter 227) to provide a statutory framework for a dual credit program. This framework:

- specifies the program and the kinds of courses the program may include;
- defines student eligibility;
- requires uniform administrative procedures; and
- provides a uniform funding mechanism that requires a contribution from each party involved: the district, the postsecondary institution, and the student and student's family.

This legislation also corresponds to other initiatives enacted during the 2007 session: the Cyber Academy Act, which will facilitate distance education as a means of offering courses for dual credit; and the high school redesign legislation, which requires secondary schools to offer options for course delivery, including dual credit and distance education. In 2008, the Legislature revised the dual credit program by extending eligibility to students at state-supported schools; in addition, all eligible students may take dual credit courses during the summer if they meet minimum requirements.

Finally, the statutory provisions establish the basis for this agreement and for rules promulgated by the New Mexico Higher Education Department (NMHED) and Public Education Department (PED). Together with the statute, these documents will offer New Mexico high school students equitable opportunities to enrich their high school experiences and to begin their postsecondary education.

## **E. ELIGIBILITY AND APPROVAL**

The following general eligibility and approval requirements shall apply to all Agreements. The Agreement specifies the means by which the state will provide equal opportunities to all high school students who wish to participate in the dual credit program. The Agreement: 1) specifies eligible courses, academic quality of dual credit courses, student eligibility, course approval, course requirements, required content of the form, state reporting, liabilities of parties, and student appeals; and 2) states the roles, responsibilities, and liabilities of the district, the postsecondary institution, student, and the student's family.

### **1. Eligible Courses**

College courses that are academic or career technical but not remedial or developmental and that simultaneously earn credit toward high school graduation and a postsecondary degree or certificate shall be eligible for dual credit.

Dual credit courses may be taken as elective high school credits. Dual credit courses may satisfy the requirements of high school core courses when the PED standards and benchmarks are met and curriculum is aligned to meet postsecondary requirements.

Dual credit courses may substitute for high school core courses when the Dual Credit Council (hereafter Council) determines there are exigent circumstances. For example, there is limited high school capacity, staff, space, or scheduling and the NMHED and PED cabinet secretaries approve the

Council recommendation.

The DISTRICT in collaboration with the POSTSECONDARY INSTITUTION shall determine a list of academic and career technical courses eligible for dual credit for inclusion into the appendix. The appendix shall contain the higher education common course number, if applicable, course subject and number, course title, and location of course delivery. The DISTRICT shall annually submit the appendix to NMHED and PED (Subsection B of 5.55.4.9 NMAC still applies). NMHED and PED shall post the appendix on their respective websites and update the appendix as needed.

Dual credit courses may be offered at DISTRICTS, POSTSECONDARY INSTITUTIONS, and off-campus centers as determined by the DISTRICT in collaboration with the POSTSECONDARY INSTITUTION offering the courses. Dual credit courses may be delivered during or outside of DISTRICT hours.

The POSTSECONDARY INSTITUTION may offer dual credit courses via distance learning (ITV, online, hybrid, correspondence) in accordance with 6.30.7.8 NMAC and 5.55.4 NMAC as this option becomes available and cost-effective. All dual credit course rules apply. The DISTRICT and POSTSECONDARY INSTITUTION participating in the Cyber Academy shall be subject to applicable rules pertaining to it.

The DISTRICT and POSTSECONDARY INSTITUTION shall be allowed to continue current practices regarding core courses offered for dual credit until the Council issues its recommendations or no later than the beginning of the 2009-2010 school year, the time that dual credit courses become a high school graduation requirement.

## **2. Academic Quality of Dual Credit Courses**

College courses eligible for dual credit shall meet the rigor for POSTSECONDARY INSTITUTION credit and be congruent with the POSTSECONDARY INSTITUTION's normal offerings. Classes offered in DISTRICT settings shall conform to the POSTSECONDARY INSTITUTION's academic standards. Faculty for all dual credit courses shall be approved by the POSTSECONDARY INSTITUTION.

## **3. Student Eligibility**

The DISTRICT and POSTSECONDARY INSTITUTION shall qualify and advise candidates for dual credit from the pool of eligible high school students. A candidate for dual credit is eligible for consideration for fall, winter and summer semesters if he or she:

1. is enrolled during the fall and winter in a DISTRICT in one-half or more of the minimum course requirements approved by PED for public school students;
2. obtains permission from the DISTRICT representative (in consultation with the student's individualized education program team, as needed), the student's parent or guardian, and POSTSECONDARY INSTITUTION representative prior to enrolling in a dual credit course; and
3. meets POSTSECONDARY INSTITUTION requirements to enroll as a dual credit student.

## **4. Course Approval**

Approval for dual credit shall be by the DISTRICT and POSTSECONDARY INSTITUTION representatives on a course-by-course basis each semester based on the student's prior coursework, career pathway, and/or academic readiness. There is no state limit to the number of credits a student may earn through dual credit in an academic term; however, the student must meet eligibility requirements.

## **5. Course Requirements**

The course requirements for high school students enrolled in dual credit courses shall be equal to those of regular college students. Course requirement information shall include the course prerequisites, course content, grading policy, attendance requirements, course completion requirements, performance standards, and other related course information.

## **6. Eligible Semesters**

Eligible students may enroll in dual credit courses year-round.

## **7. Course Transcribing Ratios**

Unless otherwise approved by the secretaries of NMHED and PED, one SECONDARY SCHOOL credit shall be awarded for the successful completion of three credit hours of POSTSECONDARY INSTITUTION instruction for elective courses not comparable to existing DISTRICT elective courses. If the DISTRICT and POSTSECONDARY INSTITUTION determine that a different ratio is warranted for a particular dual credit course comparable to DISTRICT core courses in order to meet PED standards and benchmarks, they may appeal to the Council, which may recommend a different ratio to the secretaries of PED and NMHED. The joint decision of the NMHED and PED cabinet secretaries will be final.

## **8. Required Content of Dual Credit Request Form**

Each semester, the Dual Credit Request Form (hereafter Form) shall be used to document each student request for enrollment in dual credit courses and the review and approval process within the DISTRICT and POSTSECONDARY INSTITUTION. DISTRICTS and POSTSECONDARY INSTITUTIONS shall provide the form to eligible students and appropriate DISTRICT staff online and in hard copy. The form appears at the end of this Agreement. 6.30.7.12 NMAC and 5.55.4.12 NMAC specify Form content.

## **9. State Reporting**

The DISTRICT and POSTSECONDARY INSTITUTION shall retain educational records in accordance with New Mexico statutes and record retention regulations as per 1.20.2 NMAC and 1.20.3 NMAC. NMHED and PED shall verify and reconcile the respective dual credit reports at the end of each academic year. Students enrolled in dual credit courses shall be classified as such and reported to NMHED and PED as per 6.30.7.12 NMAC and 5.55.4.12 NMAC.

## **10. Liabilities of Parties**

Dual credit status shall neither enhance nor diminish on-campus liabilities for the DISTRICT or POSTSECONDARY INSTITUTION. Management of risk and liabilities shall be in accordance with the DISTRICT and POSTSECONDARY INSTITUTION policies and codes of conduct.

Personal liabilities for the student shall be equal to those of POSTSECONDARY INSTITUTION students.

## **11. Appeals**

Each STUDENT, DISTRICT, and POSTSECONDARY INSTITUTION has the right to appeal decisions concerning the dual credit program.

The DISTRICT and POSTSECONDARY INSTITUTION shall have a student appeals process pertaining to student enrollment in dual credit programs. DISTRICT and POSTSECONDARY INSTITUTION decisions are final.

The Dual Credit Council (Council) shall administer an appeals process for DISTRICT and POSTSECONDARY INSTITUTION representatives to address issues outside the scope of the



Agreement, including the determination of alignment of course content to determine the appropriate credit ratio. The Council is an advisory group consisting of NMHED and PED staff that issues recommendations to the NMHED and PED Cabinet Secretaries. The NMHED and PED secretaries shall act jointly upon Council recommendations; their joint decisions shall be final.

## **PART 2 – SPECIFIC PROVISIONS OF AGREEMENT**

The following provisions outline the specific responsibilities and duties that apply to the POSTSECONDARY INSTITUTION, SECONDARY SCHOOL, and STUDENTS participating in the dual credit program to ensure adequate participation by each party.

### **A. RESPONSIBILITIES AND DUTIES OF THE POSTSECONDARY INSTITUTION**

#### **1. Admission and Enrollment of Students**

*The POSTSECONDARY INSTITUTION shall:*

1. designate a representative to review and sign the completed Form with the understanding that only a form endorsed by all parties shall constitute a dual credit approval request;
2. determine, in collaboration with the DISTRICT, the required academic standing of each student eligible to participate in the dual credit program.
3. collaborate with the DISTRICT to reach agreement on admission and registration of eligible dual credit students for the stated semester;
4. employ a method of qualifying the student for dual credit that demonstrates that the student has the appropriate skills and maturity to benefit from the instruction requested;
5. provide advisement to review the appropriateness of each student's enrollment in a course prior to registration in terms of academic readiness, age requirements, and programmatic issues;
6. provide the Form to eligible students and appropriate DISTRICT staff online and in hard copy;
7. approve the Form each semester based on each student's prior coursework, career pathway, and/or academic readiness;
8. provide a copy of each approved Form to the appropriate DISTRICT representative;
9. provide course placement evaluation services and consider a high school college readiness assessment to verify a student's academic skill level and to ensure compliance with course prerequisites;
10. provide information and orientation, in collaboration with the DISTRICT, to the student and parent or guardian regarding the responsibilities of dual credit enrollment including academic rigor, time commitments, and behavioral expectations associated with taking POSTSECONDARY INSTITUTION courses and the importance of satisfactorily completing the POSTSECONDARY INSTITUTION credits attempted in order for dual credit to be awarded;
11. inform students of course requirement information which includes course content, grading policy, attendance requirements, course completion requirements, performance standards, and other related course information; and
12. advise parents of federal Family Educational Rights and Privacy Act (FERPA) rules.

#### **2. Responsibility for Funding Dual Credit**

*The POSTSECONDARY INSTITUTION shall:*

1. waive all general fees for dual credit courses;
2. waive tuition for high school students taking dual credit courses; and
3. make every effort to adopt textbooks for at least three years.

### **3. Reporting of Student Records**

*The POSTSECONDARY INSTITUTION shall:*

1. provide the DISTRICT, within the first thirty days of the academic term, access to each student's official schedule of classes as verification of registration. The DISTRICT shall notify the POSTSECONDARY INSTITUTION if the report is in conflict with the school endorsed registration;
2. track progress of dual credit enrolled students on the issue of academic performance and provide reports, as needed, to the DISTRICT;
3. retain the official transcript or grade report of the dual credit student that records the term of enrollment, courses/credits attempted, courses/credits completed, grades and grade point average earned;
4. release, at the request of the student, official POSTSECONDARY INSTITUTION transcripts in accordance with the POSTSECONDARY INSTITUTION transcript request practices; and
5. provide final grades to the DISTRICT for each dual credit student;
6. deliver final grades for all dual credit students to the DISTRICT with sufficient time to be included with final grades; this schedule shall be defined by the parties in the agreement and shall address the time frame appropriate for determining student graduation from high school; and
7. comply with data collection and reporting provisions in 5.55.4.12 NMAC.

## **B. RESPONSIBILITIES AND DUTIES OF THE DISTRICT**

### **1. Admission and Enrollment of Students**

*The DISTRICT shall:*

1. designate a representative to collaborate with the POSTSECONDARY INSTITUTION to reach agreement on admission and registration of eligible dual credit students for the stated semester;
2. determine, in collaboration with the POSTSECONDARY INSTITUTION, the required academic standing for students eligible to participate in the dual credit program;
3. collaborate with the POSTSECONDARY INSTITUTION to reach agreement on admission and registration of eligible dual credit students for the stated semester;
4. employ a method of qualifying the student for dual credit based on factors which may include academic performance review, use of Next Step Plan, assessments, advisement and career guidance, and therefore recommend enrollment at the POSTSECONDARY INSTITUTION with evidence that the student has the appropriate skills and maturity to benefit from the instruction requested;
5. provide information and orientation to students about opportunities to participate in dual credit programs during student advisement, academic support, and formulation of annual Next Step Plans;
6. provide the Form to eligible STUDENTS and appropriate DISTRICT staff online and in hard copy;
7. approve the Form each semester based on each student's prior coursework, career pathway, and/or academic readiness;
8. provide information and orientation, in collaboration with the POSTSECONDARY INSTITUTION, to the STUDENT and STUDENT's family regarding the responsibilities of dual credit enrollment, including academic rigor, time commitments, and behavioral expectations associated with taking college courses and the importance of satisfactorily completing the college credits attempted in order for dual credit to be awarded;

9. inform students of course requirement information which includes course content, grading policy, attendance requirements, course completion requirements, performance standards, and other related course information;
10. notify the POSTSECONDARY INSTITUTION if the student's official schedule of classes is in conflict with the school endorsed registration;
11. provide appropriate accommodations and services for special education students while the students are enrolled in dual credit classes, including academic adjustments and auxiliary aids and services for eligible students across educational activities and settings (e.g. equipping school computers with screen-reading, voice recognition or other adaptive hardware or software and providing note-takers, recording devices, or sign language interpreters, or other adaptation as required by law);
12. inform students in need of accommodations or other arrangements of the need to speak directly with the disabilities coordinator at the POSTSECONDARY INSTITUTION;
13. work collaboratively with the POSTSECONDARY INSTITUTION to submit a student's request for change in registration according to POSTSECONDARY INSTITUTION policies and within officially published deadlines (e.g. add, drop, withdrawal); and
14. make it clear to students that if they fail or withdraw from dual credit classes that they were intending to use to substitute for a high school requirement that they will have to make up those credits in order to graduate. The dual credit course grade will appear on the student high school transcript;

## **2. Responsibility for Funding Dual Credit**

*The DISTRICT shall:*

Pay the cost of the required textbooks and other course supplies for the postsecondary course the dual credit student is enrolled in through purchase arrangements with the bookstore at the POSTSECONDARY INSTITUTION or other cost-efficient methods.

## **3. Dual Credit Courses Offered at High School**

Upon the agreement of the DISTRICT and the POSTSECONDARY INSTITUTION, courses may be offered at high school sites. In these instances, courses shall follow established DISTRICT site time blocks.

## **4. Reporting of Student Records**

*The DISTRICT shall:*

1. furnish an official high school transcript to the POSTSECONDARY INSTITUTION if required by the POSTSECONDARY INSTITUTION;
2. record, unchanged, the grade given to the dual credit student by the POSTSECONDARY INSTITUTION on each student high school transcript;
3. retain educational records in accordance with New Mexico statutes and record retention regulations as per 1.20.2 NMAC; and
4. comply with data collection and reporting provisions in 6.30.7.12 NMAC.

## **C. RESPONSIBILITIES AND DUTIES OF STUDENTS AND PARENTS**

### **1. Admission and Enrollment of Students**

*For a student to be accepted and enrolled into a dual credit program, the STUDENT shall:*

1. discuss potential dual credit courses with the appropriate DISTRICT and POSTSECONDARY INSTITUTION staff, including POSTSECONDARY INSTITUTION admission and registration requirements, course requirements, credits to be attempted, credits

to be awarded, scheduling under dual credit, and implications for failure to successfully complete the course;

2. obtain course requirements for each course, including course prerequisites, course content, grading policy, attendance requirements, course completion requirements, performance standards, and other related course information;
3. meet the prerequisites and requirements of the course(s) to be taken;
4. complete the Form available online or in hard copy from the DISTRICT or POSTSECONDARY INSTITUTION;
5. obtain approval for enrolling in the dual credit program each semester by acquiring all necessary signatures on the Form;
6. register for courses during the POSTSECONDARY INSTITUTION standard registration periods (*Note*: enrollments shall not be permitted after the close of posted late registration);
7. discuss any request for a change in registration (add, drop, withdrawal) and complete all necessary forms and procedures with appropriate DISTRICT and POSTSECONDARY INSTITUTION staff; and
8. comply with the POSTSECONDARY INSTITUTION and DISTRICT student code of conduct and other institutional policies.

## **2. Rights and Privileges of Student**

*The right and privileges of STUDENTS participating in Dual Credit include:*

1. the rights and privileges equal to those extended to DISTRICT and POSTSECONDARY INSTITUTION students, unless otherwise excluded by any section of this Agreement;
2. the use of the POSTSECONDARY INSTITUTION library, course-related labs and other instructional facilities, use of the POSTSECONDARY INSTITUTION programs and services such as counseling, tutoring, advising, and special services for the students with disabilities, and access to POSTSECONDARY INSTITUTION personnel and resources as required; and
3. the right to appeal, in writing to the DISTRICT or POSTSECONDARY INSTITUTION, as applicable, any decision pertaining to enrollment in the dual credit program.

## **3. Financial Responsibility for Funding Dual Credit**

*The STUDENT shall:*

1. return the textbooks and unused course supplies to the DISTRICT when the student completes the course or withdraws from the course (subject to provisions in Subsection B of Section 22-15-10 NMSA 1978 regarding lost or damaged instructional material);
2. arrange transportation to the site of the dual credit course. Depending upon the time and course location, the student may have access to transportation through the DISTRICT if the dual credit course is offered during the school day; and
3. be responsible for course-specific (e.g. lab, computer) fees.

## **4. Confidentiality of Student Records**

1. Student educational records created as a result of this Agreement shall be retained and disseminated in accordance with Family Educational Rights and Privacy Act (FERPA) requirements.
2. Participation in dual credit courses requires STUDENT and, if applicable, PARENT/GUARDIAN signatures on the Form for compliance with FERPA regulations.

## **5. Secondary School and Postsecondary Institution Calendars**

STUDENTS earning dual credits shall abide by the regular operating calendars, schedules and associated requirements of the DISTRICT and POSTSECONDARY INSTITUTION. In instances in

which the calendars are incongruent, the dual credit STUDENT is required to independently satisfy both calendar requirements and may consult with DISTRICT counselors for assistance.

### **PART 3 – TERM AND FILING OF AGREEMENT**

#### **A. TERMS AND CONDITIONS**

The initial term of this Agreement shall be from July 1, 20\_\_ to June 30, 20\_\_. With the exception of the appendix, this Agreement may not be altered or modified by either party. This Agreement shall automatically renew for additional fiscal years unless either party notifies the other party of their intent not to renew 60 days before the end of the fiscal year. The DISTRICT, in collaboration with the POSTSECONDARY INSTITUTION, may modify the list of dual credit courses in the Appendix of the Agreement. Modifications to the Appendix must be submitted to NMHED and PED by the end of each semester.

The DISTRICT and POSTSECONDARY INSTITUTION providing dual credit programs shall complete the Agreement and the DISTRICT shall submit the completed Agreement to PED.

A completed Agreement shall contain signatures from all parties and includes an Appendix developed collaboratively by the DISTRICT and POSTSECONDARY INSTITUTION that specifies eligible dual credit courses.

#### **B. FILING**

A fully executed copy of this Agreement shall be submitted by the DISTRICT to PED within 10 days of approval.

<b>APPROVED</b>	
<b>POSTSECONDARY INSTITUTION</b>	<b>DISTRICT</b>
Postsecondary Name	District Name
Postsecondary Representative Name	District Representative Name
Postsecondary Representative Title	District Representative Title
Postsecondary Representative Signature	District Representative Signature
Date	Date

**EXHIBIT H**  
**SANTA FE COMMUNITY COLLEGE LIST OF APPROVED DUAL CREDIT COURSES**

<b>SFCC Course</b>	<b>Course Title</b>	<b>School</b>
AHST 201	Art History I	School of Arts & Design
AHST 202	Art History II	School of Arts & Design
AHST 203	Hist Of Women Artists: Renaissance To 21st Century	School of Arts & Design
AHST 205	History Of Photography: 19th Century	School of Arts & Design
AHST 206	History Of Photography: 20th Century	School of Arts & Design
AHST 207	Contemporary Art	School of Arts & Design
ARCH 111L	Introduction To Architectural Drawing	School of Arts & Design
ARCH 123	Introduction To Architecture	School of Arts & Design
ARCH 126	Digital Architectural Design	School of Arts & Design
ARTS 113L	Two-Dimensional Design	School of Arts & Design
ARTS 116L	Three-Dimensional Design	School of Arts & Design
ARTS 120L	Color Theory I	School of Arts & Design
ARTS 151L	Creative Expression	School of Arts & Design
BART 165L	Book Arts	School of Arts & Design
BART 166L	Pleasures Of Papermaking	School of Arts & Design
BART 167L	Introduction To Papermaking	School of Arts & Design
CLAY 127L	Hand-Building Functional Ceramics	School of Arts & Design
CLAY 128L	Clay Hand Building I	School of Arts & Design
CLAY 129L	Ceramics: Wheel Throwing I	School of Arts & Design
DESN 130	Fashion Illustration	School of Arts & Design
DESN 134	Interior Architecture	School of Arts & Design
DESN 135	Introduction To Interior Design	School of Arts & Design
DRAM 111	Introduction to Theater and Drama	School of Arts & Design
DRAM 160	Acting I	School of Arts & Design
DRAM 260	Acting II	School of Arts & Design
DRPT 118L	Drawing I	School of Arts & Design
DRPT 121L	Painting I	School of Arts & Design
DRPT 130L	Watercolor Painting	School of Arts & Design
DRPT 224L	Landscape Painting	School of Arts & Design
DRPT 226L	Collage/Mixed Media	School of Arts & Design
JEWL 114L	Jewelry/Metal Arts I	School of Arts & Design
JEWL 158L	Silversmithing I	School of Arts & Design
JEWL 159L	Wax Carving For Jewelry	School of Arts & Design
MUSC 100	Fundamentals of Music Theory	School of Arts & Design
MUSC 111L	Chorus	School of Arts & Design
MUSC 115	Music Theory I	School of Arts & Design
MUSC 116	Music Theory II	School of Arts & Design
MUSC 118L	Guitar I	School of Arts & Design
MUSC 140	Music Appreciation	School of Arts & Design
PHOT 111	Digital Photography I	School of Arts & Design
PHOT 140L	Photography & Studio Lighting I	School of Arts & Design
PHOT 150	Camera Use And The Art Of Seeing	School of Arts & Design
PRNT 174L	Introduction To Printmaking	School of Arts & Design
PRNT 175L	Monotype Printmaking (Oil)	School of Arts & Design
PRNT 176L	Monotype Printmaking (Water-Based)	School of Arts & Design

SCUL 115L	Materials And Safety	School of Arts & Design
SCUL 117L	Santerios: Craft And Tradition	School of Arts & Design
SCUL 213L	Sculpture I	School of Arts & Design
SCUL 261L	Stone Sculpture	School of Arts & Design
SCUL 262	Artistic Welding	School of Arts & Design
SCUL 263L	Sculpture II	School of Arts & Design
SCUL 264L	Mixed-Media Sculpture Assemblage	School of Arts & Design
WOOD 111L	Introduction To The Fine Art Of Wood Working	School of Arts & Design
ACCT 111	Office Accounting	School of Business &
	Applied Technologies	
ACCT 121	Principles of Accounting I	School of Business &
	Applied Technologies	
ACCT 122	Principles of Accounting II	School of Business &
	Applied Technologies	
ACCT 124	Payroll Accounting	School of Business &
	Applied Technologies	
ACCT 125L	Computerized Accounting - Quickbooks	School of Business &
	Applied Technologies	
ACCT 140	Tax Prep - Tax Help New Mexico	School of Business &
	Applied Technologies	
ACCT 140L	Tax Prep Lab - Tax Help New Mexico	School of Business &
	Applied Technologies	
BLDG 112	Construction Technologies I	School of Business &
	Applied Technologies	
BLDG 113	Introduction to Green Building	School of Business &
	Applied Technologies	
BLDG 122	Construction Technologies II	School of Business &
	Applied Technologies	
BLDG 123	Building Information Modeling	School of Business &
	Applied Technologies	
BLDG 212	Construction Management I	School of Business &
	Applied Technologies	
BLDG 222	Construction Management II	School of Business &
	Applied Technologies	
BLDG 225	Green Building Policies, Codes & Incentives	School of Business &
	Applied Technologies	
BLDG 227	Concepts of LEED Certification	School of Business &
	Applied Technologies	
BSAD 111	Introduction to Business	School of Business &
	Applied Technologies	
BSAD 112	Business Math	School of Business &
	Applied Technologies	
BSAD 119	Entrepreneurship Planning & Introduction	School of Business &
	Applied Technologies	
BSAD 211	Principles of Managing	School of Business &
	Applied Technologies	
BSAD 215	Entrepreneurship E-Commerce	School of Business &
	Applied Technologies	

BSAD 221	Entrepreneurship - Business Models	School of Business &
Applied Technologies		
BSAD 222	Entrepreneurship - International	School of Business &
Applied Technologies		
BSAD 232	Business Law I	School of Business &
Applied Technologies		
BSAD 233	Business Law II	School of Business &
Applied Technologies		
BSAD 235	Human Relations in the Workplace	School of Business &
Applied Technologies		
BSAD 240	Principles of Marketing	School of Business &
Applied Technologies		
BSAD 245	Principles of Finance	School of Business &
Applied Technologies		
BSAD 260	Business Statistical Analysis and Lab	School of Business &
Applied Technologies		
CISC 110L	Computer Literacy	School of Business &
Applied Technologies		
CISC 111	Introduction to Computer Science	School of Business &
Applied Technologies		
CISC 111L	Introduction to Computer Science Lab	School of Business &
Applied Technologies		
CISC 115	Web Computing	School of Business &
Applied Technologies		
CISC 125	Introduction to Programming	School of Business &
Applied Technologies		
CISC 126L	Object Oriented Programming	School of Business &
Applied Technologies		
CISC 219	Web Programming I	School of Business &
Applied Technologies		
CISC 225	Advanced Programming	School of Business &
Applied Technologies		
CISC 226L	Object Oriented Programming II	School of Business &
Applied Technologies		
CISC 227	Unix Fundamentals	School of Business &
Applied Technologies		
CITC 111	Computers & Technology	School of Business &
Applied Technologies		
CITC 112	Hardware/Software Fundamentals	School of Business &
Applied Technologies		
CITC 122	Computer Networks	School of Business &
Applied Technologies		
CITC 212	Database Fundamentals	School of Business &
Applied Technologies		
CITC 215	Network Administration	School of Business &
Applied Technologies		
CITC 226	Network Security	School of Business &
Applied Technologies		



CRJS 111	Introduction to Criminal Justice	School of Business &
Applied Technologies		
CRJS 135	Forensic Science I	School of Business &
Applied Technologies		
CRJS 201	Ethics of Law Enforcement	School of Business &
Applied Technologies		
CRJS 203	Criminal Law & Procedure	School of Business &
Applied Technologies		
CRJS 223	American Correctional Systems	School of Business &
Applied Technologies		
CRJS 231	Criminal Investigations	School of Business &
Applied Technologies		
CRJS 232	Crime Profiling	School of Business &
Applied Technologies		
CRJS 236	Forensic Science II	School of Business &
Applied Technologies		
CULA 111	Introduction to Culinary Arts	School of Business &
Applied Technologies		
CULA 113L	Basic Pastries I	School of Business &
Applied Technologies		
CULA 115	Culinary Fundamentals I	School of Business &
Applied Technologies		
CULA 151L	Culinary Fundamentals II	School of Business &
Applied Technologies		
CULA 213L	Basic Pastries II	School of Business &
Applied Technologies		
CULA 215L	International Cuisine	School of Business &
Applied Technologies		
CULA 218	Culinary Nutrition	School of Business &
Applied Technologies		
DRFT 110L	Tutorial Lab	School of Business &
Applied Technologies		
DRFT 111	Technical Drawing with CAD	School of Business &
Applied Technologies		
DRFT 121	Computer-Aided Drafting Foundation	School of Business &
Applied Technologies		
DRFT 123	Computer-Aided Modeling	School of Business &
Applied Technologies		
DRFT 211	Computer-Aided Drafting Proficiency	School of Business &
Applied Technologies		
DRFT 216	Civil 3-D Modeling	School of Business &
Applied Technologies		
DRFT 221	Computer-Aided Drafting Mastery	School of Business &
Applied Technologies		
ECON 200	Principles of Economics--Macroeconomics	School of Business &
Applied Technologies		
ECON 201	Principles of Economics--Microeconomics	School of Business &
Applied Technologies		

ELEC 111L	Electronic Fundamentals	School of Business &
	Applied Technologies	
ELEC 122	Digital Circuits	School of Business &
	Applied Technologies	
ELEC 212	Electronic Fundamentals II	School of Business &
	Applied Technologies	
ENGR 111	Introduction to Engineering	School of Business &
	Applied Technologies	
ENGR 121	Engineering Graphics	School of Business &
	Applied Technologies	
ENGR 122	Engineering Methods	School of Business &
	Applied Technologies	
ENGR 124	Introduction to Geomatics	School of Business &
	Applied Technologies	
ENGR 214	Geographic Information Systems I	School of Business &
	Applied Technologies	
ENGR 215	Engineering Programming Using MATLAB	School of Business &
	Applied Technologies	
ENGR 216	Field Surveying	School of Business &
	Applied Technologies	
ENGR 224	Geographic Information Systems II	School of Business &
	Applied Technologies	
ENVR 111	Introduction to Sustainability	School of Business &
	Applied Technologies	
ENVR 112	Introduction to Sustainable Energy Technologies	School of Business &
	Applied Technologies	
ENVR 113	Instrumentation and Controls Lab	School of Business &
	Applied Technologies	
ENVR 114	Electrical and Mechanical Fundamentals	School of Business &
	Applied Technologies	
ENVR 115	Introduction to Water Conservation Technologies	School of Business &
	Applied Technologies	
ENVR 122	Energy Efficiency & Management	School of Business &
	Applied Technologies	
ENVR 213	Systems Operations and Maintenance	School of Business &
	Applied Technologies	
ENVR 215	Active Water Harvesting and Distribution Systems	School of Business &
	Applied Technologies	
ENVR 216	Water Shed Management	School of Business &
	Applied Technologies	
FACT 111	Introduction to Plumbing Systems	School of Business &
	Applied Technologies	
FACT 112	Introduction to HAVAC-R Systems	School of Business &
	Applied Technologies	
FACT 113	Basic Blueprint Reading	School of Business &
	Applied Technologies	
FACT 114	Basic Electricity and Controls	School of Business &
	Applied Technologies	

FACT 115	Refrigerant Management	School of Business &
Applied Technologies		
FACT 116	Introduction to Gas Piping and Gas Appliances	School of Business &
Applied Technologies		
FILM 130	Video Production I	School of Business &
Applied Technologies		
FILM 131	Digital Video Editing I	School of Business &
Applied Technologies		
FILM 140	Film Crew I	School of Business &
Applied Technologies		
FILM 141	Film Crew II	School of Business &
Applied Technologies		
FILM 150	Introduction to Film Studies	School of Business &
Applied Technologies		
FILM 175	Scriptwriting for Film & TV	School of Business &
Applied Technologies		
FILM 192	Independent Film	School of Business &
Applied Technologies		
FILM 265	Performing for TV/Film	School of Business &
Applied Technologies		
HRMG 112	Introduction to the Casino Industry	School of Business &
Applied Technologies		
HRMG 115	Customer Relations	School of Business &
Applied Technologies		
HRMG 118	Sanitation & Safety	School of Business &
Applied Technologies		
HRMG 130	Purchasing/Food & Beverage Control	School of Business &
Applied Technologies		
HRMG 210	Hospitality Supervision	School of Business &
Applied Technologies		
MART 121	Adobe Illustrator	School of Business &
Applied Technologies		
MART 130	Introduction to Web Design	School of Business &
Applied Technologies		
MART 148L	3-D Graphics & Animation	School of Business &
Applied Technologies		
MART 154	DVD Production	School of Business &
Applied Technologies		
MART 160	Audio Production I	School of Business &
Applied Technologies		
MART 166	Narrative Radio	School of Business &
Applied Technologies		
MART 180	Photoshop I	School of Business &
Applied Technologies		
MART 231	Web Design II - Dreamweaver	School of Business &
Applied Technologies		
MART 235	Flash I	School of Business &
Applied Technologies		

OFTC 111	Business Software Essentials I	School of Business &
Applied Technologies		
OFTC 114	Introduction to Windows	School of Business &
Applied Technologies		
OFTC 115	Keyboarding Essentials I	School of Business &
Applied Technologies		
OFTC 116	Word Essentials I	School of Business &
Applied Technologies		
OFTC 117	Excel Essentials I	School of Business &
Applied Technologies		
OFTC 118	Access Essentials I	School of Business &
Applied Technologies		
OFTC 119	Outlook Essentials I	School of Business &
Applied Technologies		
PLST 111	Introduction to Law	School of Business &
Applied Technologies		
PLST 112	The Paralegal Profession	School of Business &
Applied Technologies		
PLST 121	Legal Research and Writing I	School of Business &
Applied Technologies		
PLST 230	Business Organizations	School of Business &
Applied Technologies		
STEM 101	Science, Technology, Engineering and Mathematics	School of Business &
Applied Technologies		
	Workshop	
STEM 111	Introduction to Science, Technology, Engineering	School of Business &
Applied Technologies		
	and Mathematics	
STEM 115	Team-Based Design Methods	School of Business &
Applied Technologies		
ECED 111	Child Growth, Development, & Learning	School of Education
ECED 112	Health, Safety, & Nutrition	School of Education
ECED 113	Family & Community Collaboration I	School of Education
ECED 114	Assessment of Children & Evaluation of Programs	School of Education
ECME 111	Foundations of Early Childhood	School of Education
ECME 154	Literacy through Play	School of Education
EDUC 111	Introduction to Education	School of Education
EDUC 112L	Field-Based Teaching Observations	School of Education
ASTR 111	Introduction to Astronomy	School of Health &
Sciences		
BIOL 111/111L	Introduction to Biology & Lab	School of Health &
Sciences		
BIOL 114/114L	Environmental Science & Lab	School of Health &
Sciences		
BIOL 115	Introduction to Ecology & Field Biology	School of Health &
Sciences		

BIOL 123/123L Sciences	Biology for Health Sciences & Lab	School of Health &
BIOL 130 Sciences	Anatomy & Physiology I	School of Health &
BIOL 130L Sciences	Anatomy & Physiology I Lab	School of Health &
BIOL 201/201L Sciences	Cell Biology & Lab	School of Health &
BIOL 202/202L Sciences	Genetics & Lab	School of Health &
CHEM 111 Sciences	Introduction to Chemistry	School of Health &
CHEM 111L Sciences	Introduction to Chemistry Lab	School of Health &
CHEM 121 Sciences	General Chemistry I	School of Health &
CHEM 121L Sciences	General Chemistry II	School of Health &
CHEM 122/122L Sciences	General Chemistry I & Lab	School of Health &
CHEM 212L Sciences	Integrated Organic/Biochemistry Lab	School of Health &
CHEM212 Sciences	Integrated Organic/Biochemistry	School of Health &
EMSI 151L Sciences	Basic Life Support--CPR	School of Health &
EMSI 153 Sciences	First Responder	School of Health &
EMSI 160 Sciences	EMT Basic	School of Health &
EMSI 160L Sciences	EMT Basic Lab	School of Health &
EXSC 111 Sciences	Fundamentals of Human Movement	School of Health &
EXSC 112 Sciences	Weight Management and Exercise Adherence	School of Health &
EXSC 113 Sciences	Exercise Physiology and Fundamentals of Anatomy	School of Health &
EXSC 114 Sciences	Health Screening and Fitness Testing	School of Health &
EXSC 115 Sciences	Exercise Prescription/Injury Management	School of Health &
EXSC 116 Sciences	Legal and Professional Responsibilities/Marketing	School of Health &
EXSC 120 Sciences	Instructional Methods: Pilates	School of Health &
EXSC 122 Sciences	Instructional Methods: Youth Fitness	School of Health &

EXSC 123 Sciences	Instructional Methods: Fitness Cycling	School of Health &
EXSC 124 Sciences	Instructional Methods: Senior Fitness	School of Health &
EXSC 126 Sciences	Instructional Methods: Personal Training	School of Health &
EXSC 127 Sciences	Certification Review	School of Health &
EXSC 129 Sciences	Instructional Methods: Dance Exercise	School of Health &
EXSC 130 Sciences	Instructional Methods: ACSM HFI Review	School of Health &
EXSC 132 Sciences	Instructional Methods: Alternative Strenght Training	School of Health &
EXSC 133 Sciences	Instructional Methods: Training Techniques Review	School of Health &
EXSC 134 Sciences	Instructional Methods: Outdoor Applications	School of Health &
EXSC 200 Sciences	Exercise Physiology	School of Health &
EXSC 201 Sciences	Human Movement	School of Health &
EXSC 202 Sciences	Instruction in Lifestyle Change	School of Health &
EXSC 210 Sciences	Prevention and Care of Exercise Injury	School of Health &
EXSC 211 Sciences	Fitness Management	School of Health &
EXSC 220 Sciences	Fitness and Exercise Testing	School of Health &
EXSC 230 Sciences	Physical Fitness Theory and Instruction	School of Health &
GEOL 111/111L Sciences	Physical Geology & Lab	School of Health &
GEOL 112/112L Sciences	Historical Geology & Lab	School of Health &
HLCR 111L Sciences	Introduction to Health Careers	School of Health &
HLCR 113 Sciences	Medical Terminology	School of Health &
HLCR 125L Sciences	Nurse Aide	School of Health &
HPER 111L Sciences	Beginning Yoga	School of Health &
HPER 114L Sciences	The Method Based on Pilates	School of Health &
HPER 117L Sciences	Beginning Body Sculpting	School of Health &

HPER 122L Sciences	Beginning Aerobic Kickboxing	School of Health &
HPER 134L Sciences	Conditioning: Abs, Hips, Thighs	School of Health &
HPER 144L Sciences	Backpacking	School of Health &
HPER 160L Sciences	Fitness Cycling	School of Health &
HPER 172L Sciences	Beginning Fitness Program	School of Health &
HPER 173L Sciences	Swimming Fitness Program	School of Health &
HPER 184L Sciences	Orienteering	School of Health &
HPER 200 Sciences	Lifetime Fitness & Wellness	School of Health &
HPER 210L Sciences	Meditation & Yoga	School of Health &
HPER 232L Sciences	LifeGuard Training	School of Health &
NUTR 200 Sciences	Nutrition	School of Health &
NUTR 209 Sciences	Nutrition in Chronic Disease	School of Health &
NUTR 221 Sciences	Diabetes Management	School of Health &
NUTR 230 Sciences	Nutrition for Fitness & Sport	School of Health &
PHYS 111 Sciences	Introduction to Physics	School of Health &
PHYS 111L Sciences	Introduction to Physics Lab	School of Health &
PHYS 121/121L Sciences	General Physics I & Lab	School of Health &
PHYS 122/122L Sciences	General Physics II & Lab	School of Health &
PHYS 161 Sciences	Calculus Physics I	School of Health &
PHYS 161L Sciences	Calculus Physics I Lab	School of Health &
PHYS 162/162L Sciences	Calculus Physics II & Lab	School of Health &
AMSL 111 Core Studies	American Sign Language I	School of Liberal Arts &
AMSL 112 Core Studies	American Sign Language II	School of Liberal Arts &
ANTH 111 Core Studies	Origins & Antiquity of Humankind	School of Liberal Arts &

ANTH 112 Core Studies	The Nature of Culture	School of Liberal Arts &
ANTH 113 Core Studies	World Archaeology	School of Liberal Arts &
ANTH 207 Core Studies	Cultures of the Southwest	School of Liberal Arts &
ARBC 111 Core Studies	Arabic I	School of Liberal Arts &
ARBC 111L Core Studies	Arabic I Lab	School of Liberal Arts &
CHIN 111 Core Studies	Beginning Mandarin I	School of Liberal Arts &
CHIN 112 Core Studies	Beginning Mandarin II	School of Liberal Arts &
ENGL 111 Core Studies	Composition & Rhetoric	School of Liberal Arts &
ENGL 112 Core Studies	Composition & Literature	School of Liberal Arts &
ENGL 119 Core Studies	Professional Communication	School of Liberal Arts &
ENGL 210 Core Studies	Film & Literature	School of Liberal Arts &
ENGL 216 Core Studies	Technical Writing	School of Liberal Arts &
ENGL 221 Core Studies	Beginning Creative Writing -Fiction	School of Liberal Arts &
ENGL 239 Core Studies	Myth & Literature	School of Liberal Arts &
ENGL 240 Core Studies	Bible as Literature	School of Liberal Arts &
ENGL 244 Core Studies	Literature of the Western World I	School of Liberal Arts &
ENGL 245 Core Studies	Literature of the Western World II	School of Liberal Arts &
ENGL 250 Core Studies	The Drama	School of Liberal Arts &
ENGL 251 Core Studies	British Literature I	School of Liberal Arts &
ENGL 252 Core Studies	British Literature II	School of Liberal Arts &
ENGL 253 Core Studies	Introduction to Shakespeare	School of Liberal Arts &
ENGL 261 Core Studies	American Literature I	School of Liberal Arts &
ENGL 262 Core Studies	American Literature II	School of Liberal Arts &
ENGL 270 Core Studies	Literature of the Southwest	School of Liberal Arts &



ENGL 273 Core Studies	Native American Literature	School of Liberal Arts &
ENGL 280 Core Studies	20th-Century Literature	School of Liberal Arts &
ENGL 286 Core Studies	The Novel	School of Liberal Arts &
ENGL 287 Core Studies	Introduction to Short Fiction	School of Liberal Arts &
ENGL 288 Core Studies	Introduction to Poetry	School of Liberal Arts &
FREN 111 Core Studies	French I	School of Liberal Arts &
FREN 112 Core Studies	French II	School of Liberal Arts &
FREN 211 Core Studies	Intermediate French I	School of Liberal Arts &
FREN 212 Core Studies	Intermediate French II	School of Liberal Arts &
GERM 111 Core Studies	German I	School of Liberal Arts &
GERM 112 Core Studies	German II	School of Liberal Arts &
HIST 111 Core Studies	Western Civilization I	School of Liberal Arts &
HIST 112 Core Studies	Western Civilization II	School of Liberal Arts &
HIST 161 Core Studies	United States History to 1877	School of Liberal Arts &
HIST 162 Core Studies	United States History from 1877	School of Liberal Arts &
HIST 260 Core Studies	History of New Mexico	School of Liberal Arts &
HUDV 170 Core Studies	Volunteer Service	School of Liberal Arts &
HUDV 270 Core Studies	Service Leadership	School of Liberal Arts &
HUMS 191 Core Studies	Media & Culture	School of Liberal Arts &
HUMS 211 Core Studies	Humanities I	School of Liberal Arts &
HUMS 212 Core Studies	Humanities II	School of Liberal Arts &
HUMS 221 Core Studies	The 20th Century World - Part I	School of Liberal Arts &
HUMS 222 Core Studies	The 20th Century World - Part II	School of Liberal Arts &
HUSV 111 Core Studies	Human Services Professions	School of Liberal Arts &

INTR 231 Core Studies	American Deaf Culture	School of Liberal Arts &
ITAL 111 Core Studies	Italian I	School of Liberal Arts &
ITAL 112 Core Studies	Italian II	School of Liberal Arts &
JAPN 111 Core Studies	Japanese I & Lab	School of Liberal Arts &
JAPN 112 Core Studies	Japanese II	School of Liberal Arts &
MATH 121 Core Studies	College Algebra	School of Liberal Arts &
MATH 135 Core Studies	Introduction to Probability & Statistics	School of Liberal Arts &
MATH 150L Core Studies	Pre-Calculus	School of Liberal Arts &
MATH 155 Core Studies	Trigonometry with Vectors	School of Liberal Arts &
MATH 162 Core Studies	Calculus I	School of Liberal Arts &
MATH 163 Core Studies	Calculus II	School of Liberal Arts &
MATH 180 Core Studies	Elements of Calculus I	School of Liberal Arts &
MATH 181 Core Studies	Elements of Calculus II	School of Liberal Arts &
MATH 264 Core Studies	Calculus III	School of Liberal Arts &
PHIL 111 Core Studies	Introduction to Philosophy	School of Liberal Arts &
PHIL 155 Core Studies	Logic & Critical Thinking	School of Liberal Arts &
PHIL 220 Core Studies	Ethical Theory	School of Liberal Arts &
PHIL 245 Core Studies	Business Ethics	School of Liberal Arts &
PHIL 246 Core Studies	Biomedical Ethics	School of Liberal Arts &
PHIL 258 Core Studies	Environmental Ethics & Sustainability	School of Liberal Arts &
PHIL 265 Core Studies	Comparative World Religions	School of Liberal Arts &
POLI 200 Core Studies	American Government & Politics	School of Liberal Arts &
POLI 211 Core Studies	New Mexico Government	School of Liberal Arts &
POLI 215 Core Studies	Comparative Politics	School of Liberal Arts &

PSYC 111 Core Studies	Psychology I	School of Liberal Arts &
PSYC 231 Core Studies	Psychology of Personality	School of Liberal Arts &
PSYC 240 Core Studies	Abnormal Psychology	School of Liberal Arts &
PSYC 250 Core Studies	Brain & Behavior	School of Liberal Arts &
PSYC 265 Core Studies	Cognitive Psychology	School of Liberal Arts &
PSYC 280 Core Studies	Human Sexuality	School of Liberal Arts &
PSYC 290 Core Studies	Developmental Psychology	School of Liberal Arts &
SOCI 111 Core Studies	Introduction to Sociology	School of Liberal Arts &
SOCI 209 Core Studies	Aging & The Family	School of Liberal Arts &
SOCI 216 Core Studies	Race, Class & Gender	School of Liberal Arts &
SOCI 220 Core Studies	Social Problems	School of Liberal Arts &
SOCI 225 Core Studies	Marriage, Family & Intimate Relationships	School of Liberal Arts &
SPAN 111/111L Core Studies	Spanish I	School of Liberal Arts &
SPAN 112/112L Core Studies	Spanish II	School of Liberal Arts &
SPAN 113L Core Studies	Beginning Heritage Spanish I	School of Liberal Arts &
SPAN 114L Core Studies	Beginning Heritage Spanish II	School of Liberal Arts &
SPAN 150 Core Studies	Conversational Spanish I	School of Liberal Arts &
SPAN 211 Core Studies	Intermediate Spanish I	School of Liberal Arts &
SPAN 212 Core Studies	Intermediate Spanish II	School of Liberal Arts &
SPAN 213 Core Studies	Intermediate Heritage Spanish I	School of Liberal Arts &
SPAN 214 Core Studies	Intermediate Heritage Spanish II	School of Liberal Arts &
SPAN 250 Core Studies	Conversational Spanish II	School of Liberal Arts &
SPAN 280 Core Studies	Introduction to Hispanic Literature	School of Liberal Arts &
SPAN 284 Core Studies	Chicano Literature & Expression	School of Liberal Arts &

SPAN 285 Core Studies	Latin American Feminist Expression	School of Liberal Arts &
SPAN 286 Core Studies	Southwest Culture through Film	School of Liberal Arts &
SPCH 111 Core Studies	Public Speaking	School of Liberal Arts &
SPCH 220 Core Studies	Interpersonal Communication	School of Liberal Arts &
SPCH 225 Core Studies	Small-Group Communication	School of Liberal Arts &

John Bishop  
The MASTERS Program  
P.O. Box 31279  
Santa Fe, NM 87594

Dear Mr. Bishop,

I appreciate working with you in the establishment of a new charter school in Santa Fe. The opportunity presented by The MASTERS Program will enrich those students choosing to pursue high school in this way.

Santa Fe Community College is committed to offering the space on campus as described in your application at an agreed upon cost. We also have the capacity in our classes to accommodate the charter school's students who are eligible to take dual credit courses. The College is prepared to enter into a dual credit master agreement with The MASTERS Program under the terms and conditions required by the New Mexico Public Education Departments regulation, if the charter school is approved.

For those students who are not eligible to take dual credit courses, the College is prepared to work out an arrangement as part of the premises lease or a memorandum of understanding whereby they can take advantage of the College's student services on par with enrolled dual credit students.

I look forward to the continued planning to make this a reality.

Sincerely,

Ron Liss, PhD  
Vice President for Academic and Student Affairs  
Santa Fe Community College



