

STAFF HANDBOOK

NMSBVI ~ CHANGING WHAT IT MEANS TO BE BLIND

2008-2009 SCHOOL YEAR



NEW MEXICO SCHOOL FOR THE BLIND & VISUALLY IMPAIRED
ALAMOGORDO • ALBUQUERQUE • STATEWIDE OUTREACH

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October 19, 2008

Dear NMSBVI Community,

As the 2008-09 school year continues to unfold, I am continually struck by the dedication and hard work that I find on both of our campuses and in our statewide programs. Thank you for the energy and commitment you demonstrate toward our students and toward one another. Especially, thank you for the joy with which you do your work.

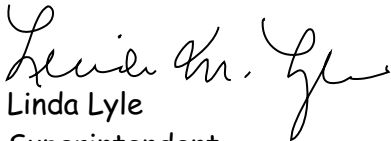
Communication is very important to me; I am committed to working to make that happen on every level. To that end, the Leadership Team has heard your request for a staff handbook that gives you the information and guidance you need to support your work at the school. Our Human Resources Department has spent several months reworking this handbook. Their goal: to create a product that you would find useful and that would answer the questions that you have about the workings of NMSBVI.

We appreciate your feedback. If there is something missing in the book or if there is something that you find unclear, please let Human Resources know. We plan to revise this book yearly and would like to have an evolving handbook that meets your needs.

May this year continue to be a year not only 'under construction' but a year of vision and planning with plenty of wonderful conversation that helps us look back at the end of it and know that we gave each student and each employee our very best.

Enjoy the year!

Sincerely,


Linda Lyle
Superintendent

New Mexico School for the Blind and Visually Impaired

Strategic Plan 2004-2009

Mission:

The mission of the New Mexico School for the Blind and Visually Impaired is to provide the training, support and resources necessary to prepare blind / visually / multiply impaired children in New Mexico to participate fully in their families, community, and work force and to lead independent, productive lives.

Vision:

Our vision is to provide leadership that will create a comprehensive program of educational services for all blind / visually / multiply impaired children in New Mexico that is world class and recognized nationally as the most knowledgeable, effective and efficient educational program for blind children in the United States.

Goals:

1. Identify and serve blind / visually / multiply impaired children birth through age twenty-one through site based, outreach and resource programs.
2. Provide academic and compensatory skills training, support and ancillary services and resources to empower every student to reach his or her full potential.
3. Assure adequate training to meet the changing needs of the population served, promote advocacy and understand the implications of federal and state legislation for NMSBVI staff, parents and public school teachers teaching blind / visually impaired students.
4. Maintain accountability measures that assure compliance with federal and state laws and regulations and board of regent's policies.
5. Provide a safe, productive, nurturing environment for students and develop community relations that assure a public positive image of NMSBVI that will encourage enrollment.

Now that you have reviewed our mission, vision and goals.....think about how you are incorporating them into the job you do each day.....

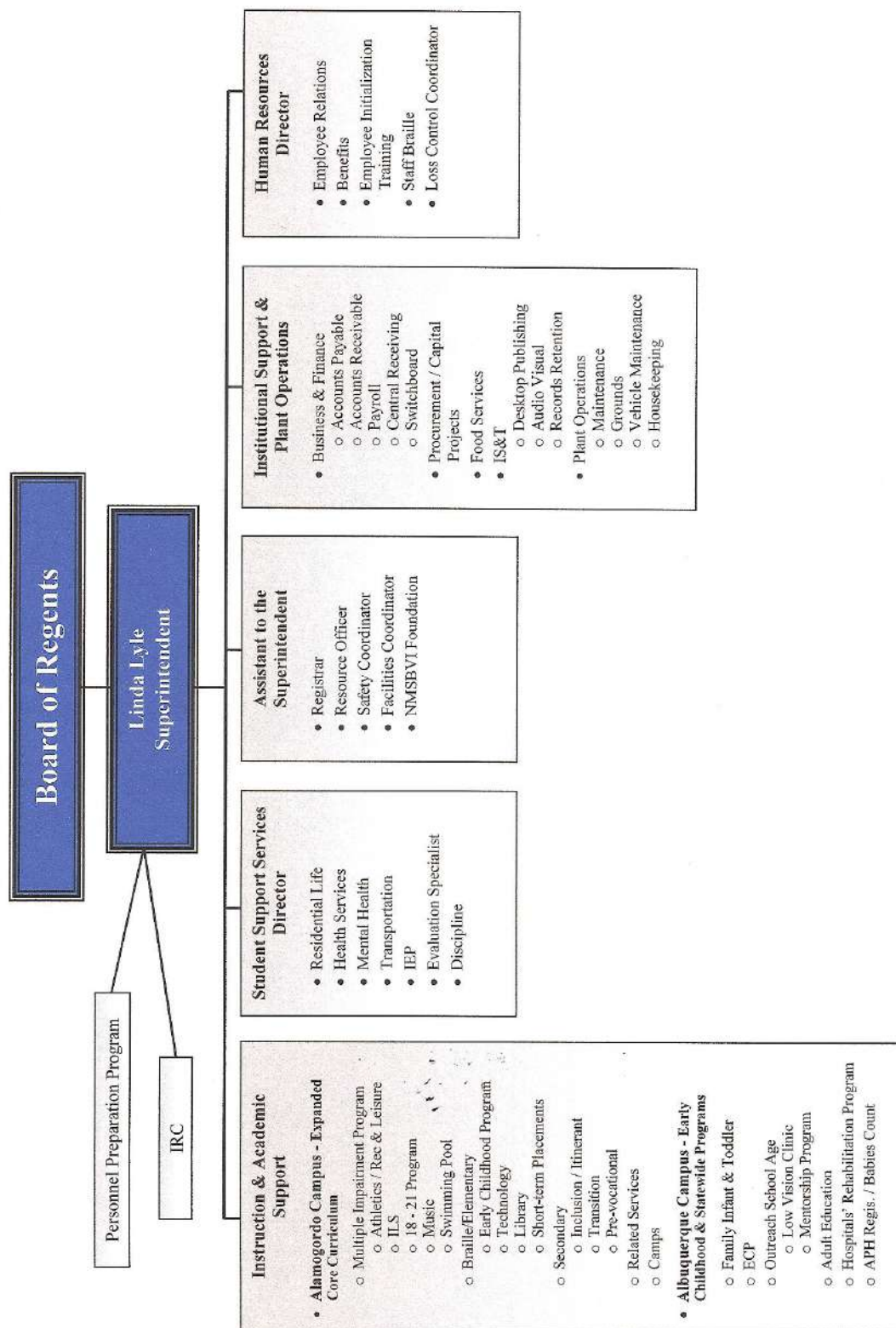
Board of Regents

The control and management of the New Mexico School for the Blind and Visually Impaired is provided by a Board of Regents consisting of five members. Members of the board are nominated and appointed by the governor with the consent of the state senate. The length of the terms of the regents is fixed at six years with the expiration of terms staggered at two year intervals. Not more than three of the members may belong to the same political party. (Constitution, Article 12, Section 13)

Current Members 2008-09

Alicia McAninch	President
Christine Hall	Vice President
David G. Baland	Secretary
James A. Miyagishima	Member
Caroline Benavidez	Member

New Mexico School f/t Blind & Visually Impaired



INTRODUCTION

This Staff Handbook provides a summary of employee benefits and guidelines with respect to your employment. It does not cover all aspects of your employment with NMSBVI. You are responsible for reading and understanding this Staff Handbook. If anything is unclear or if you have any questions, please discuss them with your supervisor.

Departments may establish additional guidelines and procedures appropriate to their department. Please learn those guidelines and observe them at all times. They are established for your benefit, the department and our students. This Staff Handbook replaces any earlier NMSBVI Staff Handbook. In addition, this Handbook may be revised from time to time, as needed, without prior notice as business, employment, legislative and/or economic conditions dictate. Any such revisions apply to existing as well as future employees. Revisions will be noted in the Staff Handbook section located on the Human Resources Department page of the NMSBVI website, www.nmsbvi.k12.nm.us.

Only the Superintendent may alter or modify any of the provisions of this Staff Handbook. Any such alterations or revisions must be in writing and approved by the Superintendent. Statements or promises by an administrator, supervisor, manager or department head may not be interpreted as a change in policy and do not constitute an agreement with an employee.

In the event of a conflict between school or department policies and this Handbook, NMSBVI Board approved Policies and Procedures will govern. NMSBVI policies can found on the NMSBVI's website at www.nmsbvi.k12.nm.us.

WORKPLACE PRACTICES

Customer and Community Relations

The success of NMSBVI depends upon the quality of the relationships between NMSBVI, our employees, customers and community. NM families' impressions of NMSBVI and their interest and willingness to send their children to our schools are greatly influenced by the people who serve them. You are an ambassador of NMSBVI. The more good will you promote, the more our families will respect and appreciate you, NMSBVI and the programs we offer to students.

Open Communication

NMSBVI 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 your supervisor 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 gossip.

Title IX Notification, Sex Discrimination/Section 504, ADA (NMSBVI Policy 105)

In compliance with Title IX of the 1972 Education Amendments, NMSBVI hereby notifies all parents, students, patrons, and employees that NMSBVI will not discriminate on the basis of sex in the areas of education, activities, admissions, or employment practices.

Section 504 of the Rehabilitation Act of 1973, as amended, provides that:

"No otherwise qualified individual...shall solely by reason of his/her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Reasonable Accommodation of Individuals with Disabilities

NMSBVI makes reasonable accommodations to qualified employees with disabilities for the performance of essential job functions without undue hardship to the school. Accommodations are reviewed case by case in accordance with the Americans With Disabilities Act and any state or local laws that prohibit disability discrimination. Contact the Human Resources Department for questions or assistance.

Equal Employment Opportunity (NMSBVI Policy 200)

NMSBVI is an equal opportunity employer. In order to provide equal employment and advancement opportunities to all individuals, employment decisions at NMSBVI will be based on merit, qualifications, and abilities. NMSBVI does not discriminate in employment opportunities

or practices on the basis of race, color, religion, sex, national origin, age, disability, or any other characteristic protected by law.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

Reduction in Force (NMSBVI Policy 266)

A reduction in force of school personnel may be initiated by the Board of Regents as a result of decreased enrollment, a decrease of educational programs, insufficient state or federal funds for the performance of contracts, or such other circumstances that the Board believes, in the best interest of NMSBVI, requires such reduction. If reduction in force (RIF) cannot be accomplished through normal attrition, such shall be accomplished according to the criteria stated in Policy 266.

Harassment and Discrimination (NMSBVI Policy 155)

NMSBVI intends to provide a work environment that is pleasant, professional, and free from intimidation, hostility or inappropriate behavior which might interfere with work performance. Harassment or discrimination of any sort - whether verbal, physical, or visual based upon race, color, religion, gender, age, sexual orientation, national origin or ancestry, disability, veteran status, or other protected status defined by law, will not be tolerated. .

Responsibility

All NMSBVI employees, and particularly those in leadership, have a responsibility for keeping our work environment free of harassment and discrimination. Any employee who becomes aware of an incident of harassment or discrimination, whether by witnessing the incident or being told of it, must report it to their immediate supervisor or the Human Resources Department. When the school becomes aware of the existence of harassment or discrimination, it is obligated by law to take prompt and appropriate action, whether or not the victim wants the school to do so.

NMSBVI prohibits any employee from retaliating in any way against anyone who has raised any concern about harassment or discrimination against another individual.

Political Activities (NMSBVI Policy 135)

Political activities prohibited to NMSBVI employees include soliciting or handling political contributions, distributing of campaign literature, and soliciting political support for a party, faction, or candidate while on duty for the school. Employees who engage in political activity outside regular work hours will make it clear that individual comments and actions do not represent the view of the New Mexico School for the Blind and Visually Impaired.

Should an employee decide to announce for a public office, it should be determined whether there are any conflicts that are apparent between the employee's responsibilities to NMSBVI and the position of the public office. This should be done through counsel with immediate supervisor and the Superintendent. The school and employees who hold public office will observe compliance with laws, especially those relating to Article Nine, Section Fourteen (the anti-donation clause) of the Constitution of the State of New Mexico.

Drug Free Workplace (NMSBVI Policy 150)

It is NMSBVI's desire to provide a drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

While on NMSBVI premises and while conducting school or business-related activities off NMSBVI premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace. All safety-sensitive personnel are subject to random drug and alcohol testing in accordance with Policy 150. Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences. Employees with questions or concerns about substance dependency or abuse are encouraged to discuss these matters with their supervisor or the appropriate department director to receive assistance or referrals to appropriate resources in the community.

Employees are required to notify their supervisor within five (5) days if they are convicted of a criminal controlled-drug statute violation. Failure by an employee to report such a conviction may be grounds for disciplinary action. Supervisors who become aware of a conviction of an employee for a criminal controlled-drug statute violation occurring in the workplace should immediately notify the Human Resources Department. Violation of this policy will result in disciplinary action, up to and including discharge, and referral to law enforcement.

NMSBVI reserves the right to search and inspect for the maintenance of a safe drug-free workplace.

Violence in the Workplace (NMSBVI Policy 261)

NMSBVI prohibits violence in the workplace. Acts or threats of physical violence, including intimidation, harassment and/or coercion which involve or affect NMSBVI or its employees or which occur on NMSBVI property will not be tolerated. This applies to all persons involved in NMSBVI' operation, including personnel, contract and temporary employees and anyone else on NMSBVI property.

Any act or threat of violence will result in disciplinary action, up to and including discharge, and referral to law enforcement.

NMSBVI encourages employees to bring their disputes or differences with other employees to the attention of their supervisors or the Human Resources office before the situation escalates into potential violence. NMSBVI is eager to assist in the resolution of employee disputes, and will not discipline employees for raising such concerns.

Weapons

Possession of dangerous weapons – concealed or unconcealed – on school property, in school vehicles, or in personal vehicles when on school property, shall be in violation of school policy. A dangerous weapon shall include guns, knives, explosives, or any other device defined by statute or as determined by the school, which in the manner used or intended is capable of producing death, harm to person or property, or bodily injury. Violation of this policy shall make the offender subject to appropriate disciplinary or legal action.

This policy shall not apply to authorized law enforcement personnel performing duties as Campus Resource Officer or acting within the scope of their law enforcement authority.

Smoking (NMSBVI Policy 145)

NMSBVI prohibits the use of tobacco products by students, school staff, parents and school visitors in school buildings, on school property and for students at school functions away from school property.

Personal Visitors (NMSBVI Policy 130)

Personal visitors, except on school business, are discouraged during duty time. It is the immediate supervisor's responsibility to insure that no disruption of duties is taking place. Employees shall insure that appropriate child care arrangements are made for periods of duty. Employees will not bring their children to their duty location.

Computer, Telephone and Voice & E-Mail Usage (NMSBVI Policy 645)

Computer systems, e-mail systems, telephone systems, voice-mail systems and software furnished to employees are NMSBVI property intended for business use. Employees should not use a password, access a file, or retrieve any stored communication without authorization. To ensure compliance with this policy, computer and e-mail usage is monitored and archived.

NMSBVI strives to maintain a workplace free of harassment and sensitive to the diversity of its employees. Therefore, NMSBVI prohibits the use of computer systems, e-mail systems,

telephone systems, voice-mail systems in ways that are disruptive, offensive to others, illegal or harmful to morale.

For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment or showing disrespect for others.

E-mail may not be used to solicit others for commercial ventures, religious or political causes, outside organizations, or other non-business matters.

NMSBVI purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, NMSBVI does not have the right to reproduce such software for use on more than one computer.

Employees may only use software on local area networks or on multiple machines according to the software license agreement. NMSBVI prohibits the illegal duplication of software and its related documentation.

Employees should notify their immediate supervisor, the Information Systems office, or any member of the leadership team upon learning of violations of this policy. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

Intra and Inter Networks Usage

Intranet and Internet access to local and global electronic information resources is provided by NMSBVI to assist employees in obtaining work-related data, information and technology. The following guidelines have been established to help ensure responsible and productive usage. Network usage is intended for job-related activities.

All network data that is composed, transmitted, or received via NMSBVI's computer and communications systems is considered to be part of the official records of NMSBVI and, as such, is subject to disclosure to law enforcement or other third parties. Consequently, employees should always ensure that the business information contained in messages, files and other transmissions is accurate, appropriate, ethical, and lawful.

The equipment, services, and technology provided to access the networks remain at all times the property of NMSBVI. As such, NMSBVI reserves the right to monitor network traffic, and retrieve and read any data composed, sent, or received through NMSBVI online connections and stored in NMSBVI network systems.

Data that is composed, transmitted, accessed, or received via NMSBVI networks must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or other person. Examples of

unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, age, sex, religious or political beliefs, national origin, disability, sexual orientation, or any other characteristic protected by law.

The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material is expressly prohibited. As a general rule, if an employee did not create material, does not own the rights to it, or has not received written authorization for its use, it should not be used or distributed. Employees are also responsible for ensuring that the person sending any material has the appropriate distribution rights.

Network users should take the necessary electronic anti-virus precautions nor should users disable any anti-virus or spam filtering before downloading or copying any file from network sources.

Abuse of network access provided by NMSBVI in violation of law or NMSBVI policies will result in disciplinary action, up to and including termination of employment. Employees may also be held personally liable for any violations of this policy. The following behaviors are examples of previously stated or additional actions and activities that are prohibited and can result in disciplinary action:

- Sending or posting discriminatory, harassing, or threatening messages or images
- Using the organization's time and resources for personal gain
- Stealing, using, or disclosing someone else's codes or passwords without authorization
- Copying, pirating, or downloading software and electronic files without permission
- Sending or posting confidential material, trade secrets, or proprietary information outside of the organization
- Violating copyright law
- Failing to observe licensing agreements
- Engaging in unauthorized transactions that may incur a cost to the organization or initiate unwanted services and transmissions
- Sending or posting messages or material that could damage the school's image or reputation
- Participating in the viewing or exchange of pornography or obscene materials
- Sending or posting messages that defame or slander other individuals
- Attempting to break into the computer system of another organization or person
- Refusing to cooperate with a security investigation
- Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities
- Using NMSBVI networks for political causes or activities, religious activities, or any sort of gambling
- Jeopardizing the security of NMSBVI's electronic communications systems
- Sending or posting messages that disparage another organization's products or services

- Passing off personal views as representing those of the school
- Sending anonymous voice or e-mail messages
- Engaging in any other illegal activities

Workplace Monitoring (NMSBVI Policy 647)

Workplace monitoring may be and is conducted by NMSBVI to ensure quality control, employee safety, security, and customer satisfaction.

Resources furnished to employees are the property of NMSBVI. As such, computer usage and files may be and are monitored or accessed.

Because NMSBVI is sensitive to the legitimate privacy rights of employees, every effort will be made to guarantee that workplace monitoring is done in an ethical and respectful manner.

Gifts/Donations (NMSBVI Policy 115)

Employees shall not accept or solicit any favor or gratuity from any person, firm, corporation, or other entity which might even remotely affect or appear to affect the employee's judgment in the performance of duties in an impartial manner.

NMSBVI falls under the N.M. Const. Art. IX, Sec. 14, Anti-Donation Clause. Under this clause, a donation is defined as a gift, an allocation or appropriation of something of value, without consideration. Should you have any questions on gifts or donations, please contact the Business Office.

Personal Appearance (NMSBVI Policy 120)

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affects the image NMSBVI presents to customers and visitors.

During business hours or when representing NMSBVI, you are expected to present a clean, neat, tasteful, and professional appearance. You should dress and groom yourself according to the requirements of your position and accepted social standards. This is particularly true if your job involves dealing with students, families, or visitors in person.

Your supervisor or department director is responsible for establishing a reasonable dress code appropriate to the job you perform. If your supervisor feels your personal appearance is inappropriate, you may be asked to leave the workplace until you are properly dressed or groomed. Under such circumstance, you will not be compensated for the time away from work.

Dress Code/Casual Days (NMSBVI Policy 120)

The following information is intended to serve as a guide to help define appropriate casual businesswear for employees in administrative support positions during designated casual days at NMSBVI. Each Friday will be a designated casual day, except those Fridays that are scheduled for Board of Regents meetings. NMSBVI desires to maintain its professional image in the eyes of any parents or other important personages who may be attending the Board meetings.

Our primary objective is to have employees project a professional image while taking advantage of more casual and relaxed fashions. Casual dress offers a welcome alternative to the formality of typical business attire.

Solicitations and Distributions (NMSBVI Policy 140)

Solicitation for any cause during working time and in working areas is not permitted. You are not permitted to distribute non-school literature in work areas at any time during working time. Working time is defined as the time assigned for the performance of your job and does not apply to break periods and meal times. Employees are not permitted to sell raffle chances, merchandise or otherwise solicit or distribute literature without management approval. Persons not employed by NMSBVI are prohibited from soliciting or distributing literature on school property.

FERPA

The Family Educational Rights and Privacy Act affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. They are:

- (1) The right to inspect and review the student's education records within 45 days of the day NMSBVI receives a request for access. Parents or eligible students should submit to the Superintendent's office, a written request that identifies the record(s) they wish to inspect. The Superintendent will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
- (2) The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading. Parents or eligible students may ask NMSBVI to amend a record that they believe is inaccurate or misleading. They should write the NMSBVI Superintendent, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If NMSBVI decides not to amend the record as requested by the parent or eligible student, NMSBVI will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

- (3) The right to consent to disclosures of personally identifiable information contained in the student's education record, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by NMSBVI as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board of Regents; a person or company with whom NMSBVI has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
- (4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by NMSBVI to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are: Family Policy Compliance Office U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-4605.

STANDARDS OF CONDUCT

Whenever people gather together to achieve goals, some rules of conduct are needed to help everyone work together efficiently, effectively, and congenially. By accepting employment with us, you have a responsibility to NMSBVI and to your fellow employees to adhere to certain rules of behavior and conduct. The purpose of these rules is not to restrict your rights, but rather to be certain that you understand what conduct is expected and necessary.

Schools Right to Manage, Discipline and Discharge (NMSBVI Policy 260)

The School shall retain the right, in accordance with applicable Federal and State Laws and Board policies to determine the mission of the school; to set standards; to exercise control and discretion over the School organization and its operations; to direct employees of the School; to hire, promote, transfer, assign, and retain employees in positions within the School, and to suspend, demote, discharge, or take other disciplinary action against employees for proper cause; to relieve employees from duties because of lack of work or for other lawful reasons; to maintain the efficiency of the operations entrusted to the administration; to determine the methods, means, and personnel by which such School operations are to be conducted; and to take whatever actions may be necessary to carry out the functions and mission of the School and maintain uninterrupted services to its students and faculty in situations of emergency.

Employee Standards of Conduct

NMSBVI employees serve as positive role models for students and set good examples in conduct, manners, dress and grooming. NMSBVI expects each employee to maintain the highest standards of conduct and act in a mature and responsible manner at all times. During working hours, employees are expected to devote all energies to the service of NMSBVI, and not to personal affairs. They are required to fully and professionally perform their job function. Employees must not engage in activities which violate federal, state or local laws or which, in any way, diminish the integrity, efficiency or discipline of the school.

Unacceptable Activities

NMSBVI expects 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 your supervisor.

Note that the following list of unacceptable activities does not include all types of conduct that can result in disciplinary action, up to and including discharge. Nothing in this list alters the at-will nature of employment for some employees of the school.

1. Violation of any NMSBVI Policy or Procedural Directive.
2. Violation of security or safety rules or failure to observe safety rules or NMSBVI safety practices; failure to wear required safety equipment; tampering with NMSBVI equipment or safety equipment.
3. Negligence or any careless action which may endanger the health, safety or well being 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 school premises except medications prescribed by a physician which do not impair work performance.
5. Possession of dangerous or illegal firearms, weapons or explosives on school property or while on duty.
6. Engaging in criminal conduct or acts of violence, or making threats of violence toward anyone on school premises or when representing NMSBVI; fighting, or provoking a fight on school property; or negligent damage to property.
7. Insubordination or refusing to obey instructions properly issued by your supervisor pertaining to your work; refusal 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. Engaging in an act of sabotage; negligently causing the destruction or damage of 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 profit.
11. Dishonesty; falsification or misrepresentation on your application for employment or other work records; untruthfulness about sick or personal/vacation leave; falsifying reason for a leave of absence or other data requested by NMSBVI; unauthorized alteration of school 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 school property.
 14. Conducting a lottery or gambling on school premises.
 15. Unsatisfactory or careless work, failure to meet work productivity or work quality standards.
 16. Any act of harassment including but not limited to sexual, racial, religious, telling sexist or racist jokes, making racial or ethnic slurs.
 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 telephones for personal calls.
 20. Smoking on school property or in school vehicles.
 21. Creating or contributing to unsanitary conditions.
 22. Failure to report an absence or late arrival; unauthorized or excessive absences or lateness.
 23. Obscene or abusive language toward any supervisor, employee, parent, or student; indifference or rudeness; any disorderly/antagonistic conduct on school premises.
 24. Speeding or careless driving of school vehicles.
 25. Failure to immediately report damage to, or an accident involving, school 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 school premises.
 27. Failure to use required clocking in/out devices, alteration of your own time or records or attendance documents, punching or altering another employee's time or records, or causing someone to alter your time or records.
 28. Contracting or providing consulting work with outside agencies while on the job with NMSBVI and failing to disclose to NMSBVI.
 29. Sharing or disseminating personal or confidential information about students or employees.
 30. Negligence or any careless action which allows others access to personal or confidential information about employees or students. Willfully providing someone access to personal or confidential information about employees or students.

Staff Conduct With Students (NMSBVI Policy 125)

Staff members are expected at all times to maintain a proper and appropriate relationship with students. Contact and dealings with students should be friendly, respectful, professional and courteous at all times. Employees are encouraged to actively participate in learning and recreational activities with students, but are discouraged from showing favoritism to individual students. Employees will not allow students into personal residences, accompany students to an activity, make presentations of gifts, clothing, or cash, or transport students in private vehicles unless authorized specifically by the Superintendent. This does not preclude appropriate individual counseling, tutoring, etc. that are related to an employee's job description and responsibilities. Use of good judgment and avoidance of actions that might place the employee in precarious situations (appearing to be "playing favorites", for example) is strongly encouraged.

Conflict of Interest (NMSBVI Policy 115)

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which NMSBVI wishes the school to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation.

Employees of NMSBVI shall maintain the highest standards of business ethics in transactions with the school, the state, federal, and local governments and the public. Employees will maintain an attitude of courtesy and service to students, parents, fellow employees and the public. All employees are expected to devote their full working day to school business and to perform their assignments in a manner that reflects sound judgment, appropriate restraint and a sincere interest in the school's mission during the workers day. Employees will give precedence to job responsibilities over personal interests. Employees will not participate in any official act affecting business in which the employee has an official interest or is acquiring a financial interest in said business. Employees with interests in a business that does or is likely to do business with NMSBVI will disclose the nature of the interest to the superintendent in writing.

Employees should place the responsibilities and obligations of NMSBVI employment first. Employees may engage in outside work during off-duty time if there is no conflict of interest; there is no interference with the work of NMSBVI, and the outside employment does not interfere with the employee's job efficiency, quality and effectiveness; and there is no use of school facilities, equipment, supplies or staff support. Employees with interests in doing outside consulting or contract work will disclose all commitments to the superintendent in writing.

Personal Relationships in the Workplace (NMSBVI Policy 230)

Relatives of current employees may not occupy a position that will be working directly for or supervising their relative. Individuals involved in a dating relationship with a current employee may also not occupy a position that will be working directly for or supervising the employee with

whom they are involved in a dating relationship. NMSBVI also reserves the right to take prompt action if an actual or potential conflict of interest arises involving relatives or individuals involved in a dating relationship who occupy positions at any level (higher or lower) in the same line of authority that may affect the review of employment decisions.

If a relative relationship or dating relationship is established after employment between employees who are in a reporting situation described above, it is the responsibility and obligation of the supervisor involved in the relationship to disclose the existence of the relationship to management.

Employees in a close personal relationship should refrain from public workplace displays of affection or excessive personal conversation.

Progressive Discipline Process

Managers may use a number of tools to correct and/or discipline employees, including, but not limited to warnings, reprimands, suspension with or without pay, and discharge, as determined to be appropriate in each individual circumstance. Progressive discipline may be used to correct employee behavioral or performance problems.

However, there may be situations where the severity or seriousness of the offense justifies the omission of one or more of the steps in this process. Likewise, there may be situations where a disciplinary step is repeated.

Administrative Leave Pending Possible Disciplinary Action

If you are suspected of violating the schools policies, procedures, or work rules, you may be placed on administrative leave, with or without pay, pending an investigation of the situation.

Grievance Procedures (NMSBVI Policy 215)

In spite of NMSBVI's desire to treat all employees fairly and equally, misunderstandings may occur on the job that sometimes results in a complaint.

If the complaint arises out of working conditions beyond the employee's control and cannot be resolved by informally discussing it with the employee's supervisor, a grievance procedure has been instituted to assist the employee in resolving his/her grievance at the lowest possible level.

The purpose of the grievance procedure is to provide an equitable and orderly process by which to resolve, at the lowest possible level, any grievance by employees of NMSBVI. Nothing contained in the policy may be construed to limit in any way the ability of the School and the grievant to resolve any grievance informally or as requiring resort to the formal procedures when problems arise. This process should establish a mutual understanding of encouragement

to resolve problems with objectivity, freedom from fear of retaliatory consequences or reprisals and within a reasonable amount of time.

After following the NMSBVI grievance procedure and resolution is not reached, a complaint may be filed with the:

N.M. Department of Labor
Human Rights Division
Aspen Plaza
1596 Pacheco Street, Suite 103
Santa Fe, NM 87505
Telephone (505) 827-6838 or

U.S. Department of Education
Office for Civil Rights
Cesar E. Chavez Memorial Building
1244 Speer Boulevard, Suite 310
Denver, CO 80204-3582
Telephone (303) 844-5695

All employees within NMSBVI are afforded the right to utilize the school's internal grievance procedure. Grievances must be current and must be pursued within twenty (20) working days of the initial alleged wrongdoing or knowledge thereof. All materials and conversations submitted by an incumbent in the grievance process shall remain confidential and shall not be disclosed except by written permission of the grievant. Records will be kept a minimum of three years. Title IX, Section 504 of the Rehabilitation Act of 1973 and other laws relating to employee discrimination will be covered by this grievance procedure.

Definitions:

- A. Grievant - An employee of NMSBVI who is personally and directly affected by a condition about which he or she grieves.
- B. Grievance - An allegation by an employee that the treatment received from a supervisor, administrator or another employee is unfair or improper or that there has been a violation, a misinterpretation or an inequitable application of board policy, administrative rules, or procedures which directly affect the grievant. The following situations are not covered by this grievance procedure and are therefore not grievable under this policy:
 - 1. The discretionary act(s) of professional judgment relating to the evaluation of the work performance of any employee by his or her immediate supervisor;
 - 2. Any personnel decision made by the Board, 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;
 - 3. Situations in which the Superintendent and Board are without authority to act;
 - 4. Situations in which the remedy for the alleged violation exclusively resides in some person, agency, or authority other than the Board;

5. Situations as to which a different procedure or remedy has been provided by the law or Board policy;
 6. Former employees cannot file grievances after the effective date of termination or discharge from employment.
- C. Party in Interest - The person whose conduct or action is the subject of the grievance.
- D. Mediator - An individual with no personal interest in the matters-at-hand designated to facilitate resolution of a grievance.

Mediation:

It is the policy of the New Mexico School for the Blind and Visually Impaired that mediation is an effective way to resolve disputes. A trained mediator can facilitate communication between disputing parties which can lead to greater understanding and mutual agreement. Beyond resolving disputes, the mediation process can preserve and even enhance valuable working relationships. Although either party in a dispute can request the services of a mediator, a mediator will only be employed if both parties agree to participate.

Procedures:

Level One: Informal Procedures

- A. An employee can present a grievance either orally or in writing. The supervisor will make a written summary of the grievance upon receipt of an oral grievance. The employee will present the grievance to his/her immediate supervisor within twenty (20) workdays of the alleged incident or knowledge thereof.
- B. The immediate supervisor will respond in writing within five (5) workdays of the discussion. Every reasonable effort should be made by all parties to resolve the matter informally at this level.
- C. Either of the parties may request a mediator's services. The school will pay for mediation services. If mediation is agreed to, the above dates will be suspended until mediation is completed. If mediation is unsuccessful, the dates for completion of the level one procedure will resume as before mediation.

Level Two: Administrative Review

- A. If resolution has not been reached, the grievant may formally present his/her grievance in writing to the appropriate department director within five (5) work days after being provided with the written response from the supervisor. A decision will be provided in writing from the respective department head within five (5) workdays.

- B. The grievant may, at any time, request mediation with their immediate supervisor. The school will pay for mediation services. If mediation is agreed to, the above dates will be suspended until mediation is completed. If mediation is unsuccessful, the dates for completion of the level one procedure will resume as before mediation

Level Three: Appeal

- A. If the grievant is not satisfied with the resolution of the grievance at Level Two, the grievance may proceed to the Superintendent (or designee). The grievance must be submitted to the Superintendent within five (5) workdays after receipt of the Level Two resolution. Within five (5) work days of receipt of the written grievance the Superintendent (or designee) shall respond with a written decision on the grievance.
- B. The grievant may, at any time, request mediation with their immediate supervisor. The school will pay for mediation services. If mediation is agreed to, the above dates will be suspended until mediation is completed. If mediation is unsuccessful, the dates for completion of the level three procedure will resume as before mediation

Level Four: Review by Board of Regents

- A. Within five (5) workdays after the grievant receives written notification of the Superintendent's (or designee's) ruling on the grievance, the grievant may appeal in writing for a hearing before the Board of Regents. The written petition for a hearing shall be presented to the Superintendent (or designee). The Superintendent shall establish a time for the hearing before the Board of Regents within the next regularly scheduled Board meeting, and shall give the grievant five (5) work days written notice of the time and location of the hearing.
- B. In the event the next Board meeting is scheduled within five work days, not allowing a full five days notice, the Superintendent (or designee) will consult with the grievant and the party-in-interest and determine if the hearing will be held at this Board meeting (within five days) or at the next regularly scheduled meeting of the Board. In any case, the hearing will be held within thirty (30) days of receipt of a written petition for a hearing. The Board of Regents has the option of scheduling a special meeting to hear the grievance prior to the next regularly scheduled meeting, provided that the five day notice to the grievant and party-in-interest is allowed.
- C. The Board of Regents may review all decisions made through the appeal process at all levels previous to Level Four. The Board may affirm, reverse or modify decisions made at previous levels, hold such hearing or dispose of the grievance as it deems appropriate for a final disposition of the matter.
- D. Final disposition of the grievance shall be communicated to the grievant and the party-in-interest, in writing, by the Board of Regents through the Superintendent (or designee),

within five (5) work days following the decision. The decision of the Board of Regents is the final recourse within the School.

- E. The grievant may, at any time, request mediation with their immediate supervisor. The school will pay for mediation services. If mediation is agreed to, the above dates will be suspended until mediation is completed. If mediation is unsuccessful, the dates for completion of the level four procedure will resume as before mediation.

EMPLOYMENT MATTERS

Employee Background Check (NMSBVI Policy 225)

NMSBVI will conduct background checks of all prospective employees (i.e. applicants offered employment) and volunteers with the school, who have unsupervised access to students. Contracted staff will be required to provide NMSBVI a statewide and nationwide criminal records check within five days of employment. Background checks are based on fingerprint identification of the prospective employee, contracted staff or volunteers.

All offers of employment are contingent upon a satisfactory background check. The background check may consist of prior employment verification, professional reference checks, education confirmation, a criminal background check and driving record history.

Immigration Law Compliance (NMSBVI Policy 225)

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 Federal Form I-9, Employment Eligibility Verification Form. If you cannot verify your right to work in the United States at any time, NMSBVI may terminate your employment.

Licenses/Certificates (NMSBVI Policy 240)

All licensed personnel must hold a valid New Mexico Public Education Department license and/or regulating board for their assigned position. The license must be on file in the Human Resources office. Any person teaching, supervising an instructional program, counseling or providing special instructional services in a public school or state agency, and/or administering in a public school without a valid license after the first three months of the school year shall thereafter forfeit all claim to compensation for services rendered. (NMSA, 22-10A-3)

It is the employee's responsibility to secure the license and to keep it valid. Further, it is the employee's responsibility to furnish materials for the maintenance of a current file of transcripts and licenses in the Human Resources office. For salary purposes, hours earned above the bachelor's degree are computed as semester hours. For consideration of salary increments,

credits must be earned and official transcripts received by the Human Resources office prior to September 1 of the respective school year.

Teachers who do not hold the required type of teacher licensure as specified by the Public Education Department shall be classified as substitute, temporary, or emergency teachers, and as such, are not accorded status as regular employees.

College Transcripts

Where an employee's pay or position is based on educational achievement, an official transcript of that employee's education credits must be on file in the Human Resources office. If an employee earns the necessary number of hours to advance on the salary schedule, an official transcript verifying this fact must be on file prior to September 1 of the respective year in order to receive the increment on the current contract. The employee is responsible for obtaining the official transcript, and the credits must be directly relevant to the employee's professional field.

Braille Protocol (NMSBVI Policy 241)

New employees participate in the Braille Proficiency course of study during their first year of employment at NMSBVI. NMSBVI's commitment to Braille literacy includes yearly assessment of the staff's Braille proficiency skills.

Personnel Preparation Program (NMSBVI Policy 464)

NMSBVI has established a personnel preparation program designed to prepare educators to become Teachers of the Visually Impaired and Orientation and Mobility Instructors. As a condition of employment all certified teaching staff are required to become Teachers of the Visually Impaired or Orientation and Mobility Instructors within two years of becoming employed. Teaching staff seeking a scholarship must commit to teach New Mexico's students who are blind/visually impaired for five (5) years following completion of their coursework.

Use of School Vehicles / Personal Vehicles (NMSBVI Policy 615)

All staff driving NMSBVI vehicles shall have a valid New Mexico driver's license. A defensive driving class is required for all employees who use NMSBVI vehicles.

All school vehicles, when used to transport students, shall not be driven faster than five miles per hour **under** the posted speed limit on state or U.S. highways or roads, no faster than 70 miles per hour on an interstate. Vehicles will follow posted speed limits within city or village limits. When students are not being transported, the driver may drive the posted speed limit.

On the residential campus, transportation needs for activities should be noted on activity requests so that a vehicle can be reserved. Albuquerque ECP staff follow the protocol of the department.

If a car is needed for other approved school business, arrangements can be made on an "as available" basis through the administration switchboard.

Residential Campus: Keys to the vehicles can be checked out and returned to the administration switchboard at the San Andres Building between 8:00 a.m. and 5:00 p.m. After 5:00 p.m. the keys to vehicles are to be placed in the lock box that is located at the San Andres Building.

Vehicles should be picked up and returned to the designated fleet parking area. Each vehicle has an assigned location. Problems with vehicles should be reported immediately to the NMSBVI Receptionist.

Employees are personally responsible for traffic citations issued to them while operating a school vehicle.

In case of any accident involving a school transportation vehicle, the following procedures shall be observed.

1. Stop the bus/vehicle immediately.
2. Protect accident scene so that it does not endanger safety.
3. Remain at the scene of the accident. Do not move the vehicle.
4. Render reasonable assistance to any person injured in the accident. Notify police and the school transportation department.
5. If necessary to evacuate students, it should be noted where each student or staff were seated, make certain that all students are in a safe location away from traffic and that they are not permitted to leave the scene of the accident on their own.
6. Flags, flares, and/or reflectors should be placed appropriately to warn traffic.
7. Information such as names, license numbers, registration numbers, location, time, road and weather conditions, and a listing of all student passengers (including their seating location, if possible) should be obtained. Make no admission of liability or assume responsibility for the accident.
8. Provisions for transporting students to their homes or back to school should be made through the transportation department.
9. Driver is required to fill out a school transportation vehicle accident report form immediately upon arrival at the main campus.

An employee whose work requires operation of a school-owned vehicle must present and maintain a valid New Mexico driver's license and driving record acceptable to our insurer. Periodically, NMSBVI will check your driver's license and driving record or you may be asked to submit a copy of your driving record to NMSBVI. Any change in the status of your driver's license must be reported to your supervisor immediately. Failure to do so may result in disciplinary action, up to and including discharge.

All NMSBVI school vehicles/buses and staff are insured by:

State of New Mexico
General Services Department
Risk Management Division
Joseph M. Montoya State Building, 2nd Floor
1100 St. Francis Drive
Santa Fe, NM 87503

Reimbursement of Actual Expenses (NMSBVI Policy 340)

Requests for reimbursement of actual expenses when traveling on official school business must gain prior approval by the immediate supervisor or the Department Director and the Superintendent on an activity request form. Upon return from a trip, the Request for Reimbursement (green form) must be filed in the business office before payment can be made.

Return to Work

Employees who sustain either an on or off the job injury or illness will be required to provide an updated medical release to return to work in order to determine the employees ability to perform his/her essential job functions.

Employment Files (NMSBVI Policy 206)

Personnel File

Keeping your personnel file up-to-date is important in regards to pay, deductions, benefits and other matters. If you have a change in any of the items listed below, notify the Human Resources Department as soon as possible.

- a. Legal name
- b. Home address; home telephone number
- c. Emergency contacts
- d. Marital status
- e. Driving record or status of driver's license
- f. Military or draft status
- g. Exemptions on your W-4 tax form
- h. Required training certificates
- i. Required professional license(s)
- j. Beneficiaries on insurance policies

Confidential File

Confidential file records are kept separately. NMSBVI maintains this information in the strictest confidence.

Examples of confidential records are:

- a. Benefits
- b. Payroll
- c. Workers Compensation
- d. Verification of Employment
- e. Tuition Reimbursement
- f. Other Miscellaneous confidential information

Employees who wish to review their own file should contact the Human Resources Office. With reasonable advance notice, employees may review their own personnel files in NMSBVI's offices and in the presence of an individual appointed by NMSBVI to maintain the files.

EMPLOYMENT CLASSIFICATIONS

(NMSBVI Policy 202)

Non-Exempt and Exempt Employees

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 include teachers, administrators, principals, professional staff, directors and others whose duties and responsibilities exempt them from statutory overtime pay provisions. Exempt status means that the does not qualify for overtime compensation.

Regular Full-time Employees

An employee who is regularly scheduled to work at least 40 hours per week is considered a regular full-time employee. Regular full-time employees are eligible for legally mandated benefits as well as NMSBVI's benefit package. Benefits will be pro-rated according to the employees full-time regularly scheduled hours if less than 40 hours.

Regular Part-Time Employees

An employee who is regularly scheduled to work 20 or more hours, but less than 40 hours per week is considered a regular part-time employee. Regular part-time employees are eligible for legally mandated benefits, but are not eligible for NMSBVI's benefit package.

Temporary Full-time or Part-time Employees

NMSBVI hires employees for specific periods of time, who are hired as interim replacements, supplement the workforce, or for the completion of a specific project. The job assignment, work schedule and duration of the position will be determined on an individual basis. Normally, a

temporary position is of a limited duration and will not exceed nine (9) months, unless specifically extended by a written agreement. Temporary full-time or part-time employees are eligible for legally mandated benefits, but are not eligible for NMSBVI's benefit package.

If the position for which you have been hired will exist for a pre-designated period of time, such as a federal grant period, you will receive a temporary assignment. You will be informed of the nature and duration of the appointment.

Limited-term Employees

NMSBVI hires employees for a 40 hour work week or less on an emergency basis for a period of up to, but not to exceed one year. An emergency position/hire is created to address an immediate problem or critical situation within a department. Limited-term employees are eligible for legally mandated benefits as well as NMSBVI's benefit package.

A temporary/limited term employee does not become a regular full-time employee by virtue of being employed longer than the agreed upon specified period.

Substitute Employees

Employees hired in this category are assigned to work on an intermittent and/or unpredictable on call as needed basis. Substitutes are eligible for legally mandated benefits, but not eligible for NMSBVI's benefit package.

Summer Employment (NMSBVI Policy 207)

Short Term Temporary Summer Employment is considered outside of annual contracts, unless extended time has been approved. Summer employment includes summer camps, maintenance/paint crews, summer food services, transportation, recreation, health services and outside programs requiring NMSBVI staff. Pay schedule is based on approved summer pay rates.

Tenured Employees

Certified (licensed) and non-certified staff achieve tenure status following completion of three full consecutive years of service at NMSBVI. "Tenure" gives the employee reasonable expectations of continued employment from year to year, even though the employee may be under an annual contract. A tenured teacher, for example, has reasonable expectation that his or her contract will be renewed for the following school year. Tenure also provides the employee with certain rights regarding dismissal:

- Tenured employees may be dismissed (or the contract not renewed) only for just cause ("just cause" means a reason that is rationally related to an employee's competence or

turpitude or the proper performance of duties, and is not in violation of the employee's civil or constitutional rights).

- The tenured employee has the right to a statement of reasons for the dismissal (or non-renewal of contract).
- The tenured employee has the right to a hearing before the Board of Regents, and, if not satisfied with the Board's decision, may request independent arbitration.

Non-certified staff members who have not acquired tenure (i.e., have not been employed continuously for three years by NMSBVI) have the right to a statement of reasons for dismissal and to due process (a hearing) if dismissed during the period of their contract. At the end of a contract period for a non-certified staff member, if NMSBVI elects not to renew the contract it must provide a statement of reasons, but is not required to provide a hearing.

WORK SCHEDULE

Hours of Work (NMSBVI Policy 236)

The work day shall consist of specified hours of work with a paid or unpaid meal period. The schedule of hours for employees shall be determined by the Supervisor where assigned. The work day for employees may vary depending upon job classification and job assignment.

When it is necessary for an employee to be absent, the employee must notify the Supervisor or designee in advance of his or her absence and the duration. In the event that no advance notice can be given, employees are required to notify the Supervisor one hour prior to the start of their shift.

Administrative offices must be covered by the appropriate staff between the hours of 8:00 a.m. to 5:00 p.m. Monday through Friday of any work day unless an abbreviated schedule has been authorized by the Superintendent or designee. The work day schedule for employees may be adjusted by the Supervisor or Department Director to accommodate the work load as needed.

Breaks (NMSBVI Policy 236)

Employees have the option of taking two (2) paid rest periods not to exceed fifteen (15) minutes each for each work day if the work load permits and as approved by their Supervisor. This option allows for one rest period in the first half of the scheduled shift and one rest period in the second half of the shift, not to be combined so as to extend the fifteen (15) allowance.

Meals (NMSBVI Policy 236)

Employees assigned more than four (4) hours of daily work time shall have a minimum of thirty (30) minutes or a maximum of sixty (60) minutes unpaid meal period. The employee's meal period may be adjusted by the Supervisor as deemed necessary. In order to meet the mission of the school, staff may be required to eat with the students while they are on the clock, and as a result their meal is paid by NMSBVI. All other staff are required to clock in and/or out for meal periods. Employees who purchase meals in the dining hall will be charged \$2.00 and guests meals at a cost of \$3.00. Food charges will be taken through payroll deduction.

Absences or Lateness

If you are unable to report to work, or if you will arrive late, contact your supervisor immediately. If you know in advance that you will be absent, you must request this time off directly from your supervisor using the Leave and Overtime Request form.

A consistent pattern of absences can be considered excessive. In addition, excessive lateness or leaving early may carry the same weight as an absence. Other factors, like the degree and reason for the absences or lateness, will be taken into consideration.

Unauthorized or excessive absences, lateness, or leaving early may lead to disciplinary action, up to and including discharge.

Severe Weather Conditions

The official school policy on extraordinary weather conditions requires that normal operations be continued as much as possible. Essential services (i.e. heating/plumbing, electrical, grounds, health services, residential, food services, transportation, and education) must be maintained in spite of severe weather.

In the event of severe weather school employees working in these areas should remain on duty or report to work to avoid interruption of essential services, unless directed or permitted to do otherwise by their supervisors. Employees must consult with their supervisor for each weather emergency to determine if they are deemed essential personnel in that instance as that designation may vary by circumstance.

Albuquerque ECP staff follow the Albuquerque Public School's severe weather schedule. Cancellation of school due to weather conditions will occur when there is a city wide cancellation or when there is a weather cancellation for the entire Manzano school cluster.

Except in the most severe cases, all employees are expected to report to work. Those employees who cannot get to work on time or at all are expected to contact their department supervisor to advise them of the situation within one (1) hour of the start of their regular workday. If phone lines are tied up, employees should keep trying to leave a voicemail message.

SAFETY

General Student & Employee Safety

NMSBVI is committed to the safety and health of all students and employees, and recognizes the need to comply with regulations governing injury and accident prevention and student and employee safety. Maintaining a safe environment requires the continuous cooperation and vigilance of all employees.

NMSBVI will maintain safety and health practices consistent with the needs of our school. It is the responsibility of all employees to be fully aware of all adopted school safety and health practices and to incorporate these practices into their daily routines. If any employee has questions or concerns regarding any safety issue, it is the employees responsibility to ask their supervisor for guidance and assistance. Any suspected unsafe conditions, and all injuries that occur on the job, must be reported immediately. Compliance with the school's safety rules is considered a condition of employment.

Occupational Illness/Injury (NMSBVI Policy 455)

All accidents, injuries, potential safety hazards, safety suggestions and health and safety related issues must be reported immediately to your supervisor. If you or another employee is injured, contact outside emergency response agencies, if needed. A Notice of Accident Form must always be completed in case medical treatment is later needed and to ensure that any safety hazards are corrected. The Employee's Claim for Workers' Compensation Benefits Form must be completed in all cases in which an injury requiring medical attention has occurred.

Federal law requires that we keep records of all illnesses and accidents that occur during the workday. The New Mexico State Workers' Compensation Act also requires that you report any workplace illness or injury, no matter how slight. If you fail to report an injury, you may jeopardize your right to collect workers' compensation payments as well as health benefits.

COMPENSATION

The goal of the NMSBVI compensation program is to attract qualified applicants and encourage well-performing employees to stay with our school. With this in mind, our compensation program is built to balance both employee and NMSBVI needs.

NMSBVI encourages employees to review the Human Resources section of the NMSBVI website at www.nmsbvi.k12.nm.us for salary schedules.

Paychecks

Paychecks will be distributed at your work site by your supervisor or designee on the pay dates specified, unless you have authorized direct deposit. If you have an authorized direct deposit, you will receive a paper copy of the deposit form.

Paychecks are issued every two weeks or 26 times per year, if you are a 12-month employee. Nine (9) month employees will receive a paycheck every 2 weeks for 20-22 pay periods per year depending on your start/end date. Nine (9) month employees may elect to be paid out in 26 pay periods. If you do not receive your check or you believe that any amount on the check is in error, notify your supervisor immediately.

Direct Payroll Deposit

Direct payroll deposit is the automatic deposit of your paycheck directly into a financial institution account. Contact the Payroll Department for details and the necessary authorization forms. You may elect your deposit to be split amongst up to 4 financial institutions or accounts.

Mandatory Deductions from Paycheck

NMSBVI is required by law to make certain deductions from your paycheck. Among these are your federal, state and local income taxes and your contribution to Social Security and Medicare, New Mexico Retirement and Retiree Healthcare. These deductions are itemized on your check stub. The amount of the deduction depends upon your earnings and the information you furnished on your W-4 form. Other mandatory deductions that may be made from your paycheck, such as court ordered garnishments, will be explained whenever NMSBVI is ordered to make such deductions.

Overpayment of Earnings

If you have been overpaid in your paycheck, you must contact Human Resources immediately or Human Resources may contact you. Any overpayment must be returned to NMSBVI in full upon request by Human Resources.

Overtime Pay (NMSBVI Policy 235)

If you are a non-exempt employee, you are eligible to receive overtime pay at the rate of one and one-half (1 1/2) times your regular hourly wage for hours worked over forty (40) hours in one (1) work week. Hours away from the job because of a job-related injury, holiday, jury duty, vacation, or sick leave are not counted as hours worked for the purpose of computing eligibility for overtime pay. *All overtime must be approved in advance by your supervisor using the Leave and Overtime Request form.*

Accrued Leave (NMSBVI Policies 405, 425, 440)

All full time employees are expected to be at work during the days/times required by contract, or in the absence of contract terms, during NMSBVI's regular business hours, Monday through Friday, 8 am to 5 pm or during the employees regular work schedule. Employees who take partial days off for reasons for which leave may be used, must use available leave for whatever portion of the day that they are absent (e.g. an employee who leaves work two hours early for personal reasons will have two hours deducted from accrued leave). However, supervisors may approve alternate work week schedules, and they may also permit absence without deducted leave where an employee's hours have already exceeded forty for the week. A Leave and Overtime Request form must be submitted for alternate work weeks, all partial day and/or full day absences.

Time Records

Recording of time worked is necessary for collection of costs and proper control. An electronic time-keeping system is utilized by staff on the Alamogordo and Albuquerque campuses. Outreach staff record time manually on a time card.

It is the employee's responsibility to record time worked. No person other than the employee should record time on the electronic system or on the time card. All records should be reviewed by the employee daily to insure accuracy. If a discrepancy is identified, the immediate supervisor should be contacted for correction.

Time cards should be signed and submitted to the immediate supervisor at the end of each pay period. Time records will be verified by the supervisors and submitted to the Payroll department. Hourly employees will be paid only for the hours documented through the electronic or manual timekeeping systems.

PERFORMANCE REVIEWS

Performance Reviews

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Additional formal performance evaluations are conducted to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

Personnel evaluations are conducted prior to recommendations for reemployment in the spring of each year. (Licensed Personnel--April; Superintendent--May; Administration and Hourly--May). The evaluation process will promote personal and professional growth for all employees, as well as provide data, when necessary, for administrative decisions regarding personnel and programs.

BENEFITS

NMSBVI sponsors a comprehensive benefits program through Risk Management. NMSBVI also provides additional voluntary benefits for all eligible employees. NMSBVI periodically reviews its benefits program and may make modifications as appropriate. NMSBVI reserves the right to amend, add to or terminate these plans at any time. This right of amendment/termination shall apply equally to all participants.

Eligibility

Who is Eligible?

You and your eligible dependents are eligible for benefits if you are classified as a full-time employee. Dependent coverage is available only if the employee is enrolled for coverage. Costs for group health, dental, vision, life/disability and the administrative fee are shared by the school and employees who elect to enroll. Eligible dependents include:

- Your legally married spouse
- Your domestic partner (an affidavit and evidence of financial responsibility is required to enroll a domestic partner)
- Your unmarried natural or adopted children under age 25 (a copy of court order is required)
- Your stepchildren living with you and dependent upon you for support (unmarried and under limiting age)
- Your foster children for whom you have a qualified medical child support order (unmarried and under limiting age)
- With a family status change (e.g. marriage, divorce, newly acquired dependent), you must notify the Human Resources Department within 31-days of the qualifying event for benefits changes.

Who is not eligible?

You may not enroll ex-spouses, parents, aunts, uncles, brothers, sisters, nieces, nephews, or married children. Unrelated children or grandchildren may be enrolled only if there is a court order in place showing an approved adoption or legal guardianship.

Initial Enrollment

1. When must initial enrollment be completed?

Enrollment must be complete within 31 calendar days from the date of hire. All new hire enrollment application forms and supporting documentation must be completed and received by Human Resources prior to the employees first pay period.

Newly-acquired dependents, including newborn children and spouses, must be enrolled within 31 calendar days of becoming eligible. Enrollment is not automatic for any newly acquired dependent.

2. *When is coverage effective?*

Completed applications must be received in Human Resources within 31 days from the eligibility date. Coverage is effective for new hires on the first of the month following the day you become employed. As an example - if your hire date is August 18th, your coverage would begin on September 1st. Applications received after the deadline will be considered late enrollees. You will also be considered a late enrollee in cases of other qualifying events such as:

- Employee's marriage
- Employee's divorce
- Birth or adoption of a child
- Death of spouse
- Change in spouse's employment (terminated, laid off, loss of employment.)

3. *When does coverage end?*

Coverage ends on the last day in which an enrolled employee ceases to work or ceases payment of insurance premiums. When considering retirement, coverage ends on the final day of work for NMSBVI.

4. *What if I am covered under a spouse's plan?*

An eligible employee who has coverage under a spouse's group insurance plan may waive NMSBVI coverage. If the spouse loses coverage involuntarily (e.g. laid off or carrier change), the NMSBVI employee may apply for NMSBVI coverage within 31 calendar days from the date coverage under spouse's plan ended. A letter of credible coverage from the spouse's employer on the employer's letterhead is required and must specify which persons were covered, under which specific plans they were covered and the date on which coverage ended. This letter and all required enrollment applications must be received in Human Resources within the 31 calendar day period. Coverage is effective the day following loss of coverage and the receipt of completed applications and supporting documentation.

If timely application is not made to Human Resources, the employee may enroll but will be subject to late enrollment guidelines. This also applies to a family status change, such as, the employee's marriage, divorce, birth of a child or adoption of a child, death of a spouse or dependent or change in spouse's employment (terminated, loss of employment, laid off).

Disenrollment in Medical, Dental, and Vision Plans

- Employees enrolled in the Premium Only Plan (POP) for medical, dental and vision coverage may **not** drop coverage at any time other than at Switch or Open Enrollment Periods unless a family status change has occurred.
- Employees not enrolled in the Premium Only Plan (POP) may disenroll at the end of any month.
- Dependent children's coverage ends on their 25 birthday.

Switch Enrollment

Each year, employees *ALREADY ENROLLED* for NMSBVI medical coverage may change their coverage(s) to one of the other plans offered. Participating employees may add eligible dependents during switch enrollment, with appropriate documentation.

Switch enrollment does not pertain to employees who have not already enrolled in a benefit plan.

Employees must register their switch enrollment elections at Human Resources during the specified annual period which is normally April through May. Changes made during switch enrollment are effective at the beginning of the next fiscal year on July 1. Eligible employees may also enroll/disenroll for POP participation during the switch enrollment period. Elections are effective the following July 1.

Group Insurances

Eligible full-time employees have the opportunity to enroll themselves and their eligible dependents for group insurance coverage. Costs for group health, dental, vision, life/ disability and administrative fee are shared by the school and employees who elect to enroll.

The following benefits are available, as defined and limited by our contracts with benefit providers *Risk Management (RM)* or *New Mexico School f/t Blind and Visually Impaired (NMSBVI)*:

- RM - Medical Insurance (BCBS, United Health Care, Lovelace HMO plan, Presbyterian HMO plan)
- RM - Dental Care Insurance (Delta Dental)
- RM - Vision Care Insurance (Vision Service Plan)
- RM - Basic Group Life Insurance/ Optional Life/Accidental Death & Dismemberment Insurance
- RM - Short-term and Long-term Disability
- RM - Supplemental Life Insurance
- RM - Flexible Spending
- Premium Only Plan (POP)
- RM - Prescription Drug Plan (Express Scripts)

- RM - ARAG (Prepaid Legal)
- RM - Globe Life (Supplemental Whole Life)
- RM - Allstate (Cancer, Specified Disease, Accident, Universal Life)
- RM - Liberty Mutual (Home, Auto)
- NMSBVI - AFLAC (Cancer, Specified Disease, Intensive Care, Accident, Life)

Upon enrolling, you will receive summary plan descriptions describing your benefits in detail. Applicable employee contributions will be automatically deducted from your paycheck.

Medical Plans

If you enroll into any of the medical plans and you are a new hire or newly eligible employee, the effective date of coverage is the first of the following month you become employed.

Employees who fail to enroll within 31 days of their date of hire are considered late enrollees. Late enrollees are subject to a 90 day waiting period. Pre-existing conditions limitation applies to new hires or newly eligible employees and their dependents. There are no pre-existing condition limitations under the HMO plans.

NOTE: There is **NO** late enrollment for dental, vision, legal or the flexible spending accounts (medical/dependent care).

Dental Plan

Employees who fail to enroll in the dental plan as a new hire are not eligible to elect coverage until an open enrollment period is announced.

Vision Plan

Employees who fail to enroll in the vision plan as a new hire are not eligible to elect coverage until an open enrollment period is announced.

Basic Group Term Life and Accidental Death & Dismemberment

Employees who enroll in a medical plan must enroll in life/disability coverage. Employees can choose the life/disability package without health coverage. The basic group term life coverage amount is \$50,000. This insurance is payable in the event of your death, in accordance with the policy, while you are insured. For accidental death and dismemberment, refer to the benefits handbook.

Short-Term/Long-Term Disability

Short term disability - An employee who may be out of work for a period of time and has elected the life/disability benefit may be eligible to receive up to 60% of their weekly earnings to a benefit maximum of \$500 per week for up to 21 weeks. Long term disability - an employee may receive 40% of their monthly earnings to a maximum benefit of \$2,000 per month for up to 2 years.

Supplemental Life Insurance

Additional term life insurance is available. Coverage amount is the choice of 1, 2, 3, 4 or 5 times the employees annual salary. Evidence of insurability/evidence of good health may be required.

Flexible Spending Accounts

A Flexible Spending Account (FSA) is a tax-free account that allows employees to set aside tax free payroll dollars into an account for use with:

- out of pocket essential health care expenses that are not covered, or are partially covered, by your medical, dental and vision plans;
- or pay for child/dependent care expenses;
- or transportation expenses such as parking at work, transit or vanpooling expenses incurred to get to work.

Premium Only Plan (POP) *also known as Section 125*

This is a pre-tax premium conversion plan that allows employees to have their medical, dental and vision premiums subtracted from gross pay before taxes are calculated, increasing net pay.

Once enrolled in POP you may not change benefits elected except during the annual switch/open enrollment period, usually held at the end of the school year.

Prescription Drug Plan

Express Scripts - employees who have elected medical coverage are automatically enrolled in the prescription drug program which allows the purchase of medications either at a local pharmacy, through mail-order or through the internet. The prescription plan uses a 3-tier co-pay flexibility with generic's being the lowest out of pocket cost, formulary brand name being a higher co-pay, and non-formulary being the highest co-pay for any drugs not listed as approved for use under the Express Script formulary.

ARAG

Legal Insurance - provides employees with professional legal help through contracted attorneys with situations that may arise such as creating a standard will, adoption, a contractor issue, dispute with a neighbor, or an under age child in trouble with the law.

Globe Life

Supplemental Life and Accident Insurance - provides employees with whole life insurance. Premiums are locked in at the age of purchase.

Allstate

Cancer/Specified Disease - pays for the necessary treatment of cancer or a specified disease, and for any other condition directly caused or aggravated by the cancer or specified disease. Additional benefit enhancements include a cancer screening, one per year, first occurrence benefit for initial diagnosis of cancer, and intensive care. Benefits are paid directly to you unless assigned, regardless of any other insurance you may have.

Accident Insurance - benefits received are payable for a covered person's death, dismemberment, or injury caused by a covered accident that occurs on or off the job.

Universal Life Insurance - pays a specified amount in the event of a death. Amount specified is based on age. Premiums are based on the varied amounts specified for the current age.

Liberty Mutual

Provides employee's premium discounted rates for auto, home, and renters insurance.

AFLAC

Cancer Indemnity - pays for the prescribed treatment of internal cancer or an associated cancerous condition. Additional benefit enhancements include initial diagnosis benefit, specified-disease benefit, and wellness preventative screening, one per year. Benefits are paid directly to you unless assigned, regardless of any other insurance you may have.

Personal Accident Indemnity Insurance - benefits received are payable for a covered person's death, dismemberment, or injury caused by a covered accident that occurs on or off the job.

Hospital Intensive Care - pays a benefit when a covered person incurs a charge for confinement in a hospital intensive care unit or a step-down intensive care unit for a covered sickness or injury.

Retirement Savings, Tax-sheltered Annuity Plans

To assist employees in saving money for retirement federal tax laws permit special retirement programs established specifically for employees of public schools. The retirement program is a tax sheltered annuity plan or 403(b). NMSBVI also has a supplemental retirement plan specifically written for its employees called the 457(b) plan. Employees pay no current taxes on amounts contributed until the employee begins receiving distributions. Date of distribution for the 403(b) plan is at the age of 59½ and for the 457(b) plan it is upon termination of employment. There are three plans available for NMSBVI staff which are, Smith Barney 403(b), First Financial 457(b) and Nationwide Retirement Solutions 457(b).

Employee Assistance Program

NMSBVI provides a maximum of three counseling visits for employees who are eligible for benefits and for members of their immediate family. Employees can seek assistance under the Employee Assistance Program (EAP) themselves, or they can be referred under the EAP by their supervisors. The Counseling Center in Alamogordo and The Solutions Group in Albuquerque has assisted employees with personal difficulties, including substance and alcohol abuse. These agencies can also perform initial assessments and refer the employee to other programs for assistance. Employees seeking services are not limited to the providers listed above. Please contact the Human Resources Department for more information.

Education Tuition Assistance (NMSBVI Policy 465)

Education Tuition Assistance provides for tuition reimbursement of approved post high school courses taken by full-time employees who want to expand their knowledge and skills in work-related areas of their employment at NMSBVI.

Courses taken at a nationally accredited college or university toward earning an undergraduate degree or courses and/or seminars taken as part of an approved certification program may be reimbursed. The courses and degree program must be related to NMSBVI's present or anticipated future needs.

NMSBVI will reimburse a maximum of \$1,500 per fiscal year; and not to exceed \$750 for any college semester. Employees should contact the Human Resources Office for more information or questions about educational assistance.

While educational assistance is expected to enhance employees performance and professional abilities, NMSBVI cannot guarantee that participation in formal education will entitle the employee to automatic advancement, a different job assignment, or pay increases.

COBRA

The Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA) requires employers (except for churches and federal government agencies) who have 20 or more employees and offer health coverage to those employees, to offer continuation coverage to employees and dependents of employees upon the occurrence of a qualifying event. Contact the Human Resources Office for more information.

Sea World

NMSBVI is a member of the Shamu Club sponsored by Sea World. Employees receive special discounts when visiting any of the Sea World parks. Please contact Human Resources for more information.

State and Federal Mandated Benefits

Worker's Compensation (NMSBVI Policy No. 455)

NMSBVI provides a comprehensive workers' compensation insurance program at a cost of \$2.00 per calendar quarter to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

Employees who sustain work-related injuries or illnesses should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. An official Notice of Accident, Form NOA-1, must be completed and signed by both the employee and the immediate supervisor or other authorized agent of NMSBVI.

Neither NMSBVI nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by NMSBVI.

Unemployment Compensation (NMSBVI Policy 450)

Employees may be eligible for Unemployment Compensation upon termination of employment with NMSBVI. Eligibility for Unemployment Compensation is determined by the Division of Unemployment Insurance of the State Department of Labor. NMSBVI pays the entire cost of this insurance program.

New Mexico Retirement Plans

Employees of NMSBVI are mandated to participate in either the Educational Retirement Association (ERA) or the Public Employees Retirement Association (PERA). Because NMSBVI is

considered a special purpose school, employees that are not "Regular Members" can choose between the two retirement plans.

"Regular Members" are all individuals that are regularly employed teaching staff, administrators, nurses, whether full-time or part-time.

"Provisional Members" are all other persons regularly employed by the school who do not fall into the "Regular Members" category, (education assistants, transportation, maintenance, etc.) Only Provisional Members can exempt themselves from ERA and participate in the PERA.

FICA (Social Security/Medicare)

In accordance with the applicable federal law, all employees are required to participate in and contribute to Social Security. The school 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.

HOLIDAYS

(NMSBVI Policy 406)

Full-time employees receive paid time off for holidays recognized by NMSBVI. The following holidays are recognized by NMSBVI:

- ❖ Independence Day
- ❖ Labor Day
- ❖ Thanksgiving Day
- ❖ Columbus Day
- ❖ Christmas Day
- ❖ Regent's Day (2)
- ❖ New Year's Day
- ❖ M.L. King Jr. Day
- ❖ President's Day
- ❖ Memorial Day
- ❖ Veteran's Day

All national holidays are scheduled on the day designated or may be observed at other times during the school year. If a holiday occurs during your scheduled vacation, you are eligible for the paid holiday. You are not eligible to receive a paid holiday when you are on an unpaid leave of absence.

LEAVES

Both paid and unpaid time off may be granted to eligible employees, according to the leave policies. Leave that has been accrued must be used when time off is requested. Only under extenuating circumstances will leave without pay be granted. If granted, the employee is responsible for both employee and employer benefit premiums.

General Provisions

Employees must complete the required Leave Form and receive the necessary approval before the leave requested may be taken.

Use of Leave:

When an employee becomes ill or is injured on the job, sick leave begins at the time of inability to continue work.

Insurance Premium Payment During Leaves of Absence:

NMSBVI will continue to pay its share of insurance premiums for employee coverage and dependent coverage for a maximum of one (1) year while you are on an unpaid leave of absence. You will be responsible for paying your share of the premiums during this time. Failure to do so will result in loss of coverage. Consult with Human Resources to set up a payment schedule.

Immediate Family:

Immediate family is defined to include husband, wife, child, grandchild, parent, grandparent, sister, or brother, as well as a lawful spouse's immediate family member as defined inhere and/or domestic partner executed by an affidavit and on file with the Human Resources office.

Bereavement (Funeral) Leave (NMSBVI Policy 410)

Up to five (5) working days of leave with pay (not charged to other leave time) may be granted immediately following death, upon request, to regular full-time employees for a death in the employee's immediate family.

Jury Duty Leave

In the event that an employee of NMSBVI is called for jury duty, the employee will be allowed leave to perform that duty. A signed Jury Duty Attendance form must be submitted to the Human Resources Office. Employees may not receive both jury pay and paid leave from NMSBVI. If the employee elects to take leave without pay, he or she may keep the jury pay; otherwise, the employee will receive regular pay from NMSBVI but must assign any jury pay received to NMSBVI.

Personal Leave (NMSBVI Policy 425)

Nine-month (9) employees may have up to two (2) leave days with full pay for personal use each school year (not accumulated). A request for Personal Leave must be submitted at least one week prior to the planned Personal Leave date. No Personal Leave will be granted on a non-scheduled work day. The utilization of Personal Leave during the first and last months (August & May) of the school year should be avoided, unless there is a verifiable emergency situation.

In order to ensure that adequate staffing levels are maintained, immediate supervisors may place a cap on the number of staff that are granted Personal Leave, for any given period of time.

Professional Leave (NMSBVI Policy 245)

Professional leave may be granted at the discretion of the school, upon request, for professional development, professional organizational activities, school-related professional activities, or other activities related to the employee's assignments. This leave may be granted with or without pay if the employees are representatives of NMSBVI at the above-mentioned activities.

Sick Leave (NMSBVI Policy 440)

Full-time employees who receive benefits earn sick leave on the basis of one day per month worked. Sick leave may be accumulated up to 720 hours. Part-time and substitute employees do not earn sick leave. It is understood that sick leave is for the benefit and convenience of the employee while employed by NMSBVI and accumulated sick leave benefits are cancelled upon the termination of employment. Sick leave may be taken in the case of illness in the immediate family. The employee's supervisor should be notified of illness within one (1) hours of the employee's work shift, preferably before the start of the shift or as practical if prior notification is not practical. When employees are absent for more than three (3) consecutive days due to illness or injury, he/she must submit to his/her supervisor a "Physician's Statement" certifying he/she was under the doctor's care during the period of absence and was unable to work.

An employee who has accumulated 600 hours of unused sick leave may be paid for additional unused sick leave over 600 at a rate equal to 50% of the employee's hourly wage multiplied by the number of hours of unused sick leave over 600, not to exceed 120 hours of such sick leave. Payment for this sick leave shall be made only on the payday immediately following the first full pay period in January and the first full pay period in July.

Voting Leave

Voting leave will be granted to employees who are eligible voters and whose work day begins less than two (2) hours after the polls open and ends less than three (3) hours before the polls close. This leave will be granted for a maximum of two (2) hours with pay in order to vote in an election recognized under the law. Employees utilizing this benefit must vote in the election for

which they are granted leave. Supervisors will schedule voting leave to ensure department work is covered.

Family Medical Leave (NMSBVI Policy 415)

Family and Medical Leave will be granted to employees who have worked for NMSBVI for at least twelve (12) months or who have worked at least 1250 hours in the previous 12 months. This leave is with or without pay and may be taken for up to 12 work weeks from the first date the leave is taken. This leave is granted only for the following reasons:

- a. To care for a child upon the birth or placement for adoption or foster care of the child;
- b. To care for a spouse, child or parent who has a serious health condition;
- c. When the employee has a serious health condition.

In the event of a serious health condition of the employee or his/her child, spouse, or parent, creating a need for unforeseen family or medical leave, the employee must provide notice, as soon as practicable. If the employee will be absent for five (5) consecutive days or more, a Leave of Absence Request Form must be completed. A written physician's certificate is also required. The certificate must include the date on which the health condition occurred, the probable duration of the condition, an estimate of the amount of time you need to be off work to care for the family member or for your own health condition, and confirmation that the nature of the condition warrants you to be away from work to care for yourself or your dependent.

Employees shall be required to give thirty (30) days advance notice in the event of a foreseeable medical treatment. To assist us in arranging work assignments during your absence, we ask that you give us prior notice, to the extent possible, of an expected birth or adoption, as well as an indication, to the extent known, of your expected return date. To facilitate your return to work, we also ask that you provide us with advance notification of your intended return date. Failure to do so may delay your return date.

Benefits that accumulate on an accrual basis (vacation, sick and personal days) will cease to accrue during the leave period. Employees must use all accrued sick leave, unused vacation and personal days during the leave period. Once such benefits are exhausted, the balance of the leave will be without pay.

Group insurance benefits (medical, dental, vision, life and disability) will continue during the leave provided the employee continues to make required contributions to these plans. Failure to make such contributions will result in the termination of these benefits. If an employee fails to return to work after Family Medical Leave, the employee will be held liable for the amount of health insurance premiums paid by NMSBVI during the employee's unpaid leave. Other benefits, such as retirement and 403b, 457b plans, will be governed in accordance with the terms of each plan.

In the case of an employee's own serious health condition, before the employee will be permitted to return from medical leave, he or she will be required to present NMSBVI with a written physician's statement indicating that the employee can return to work and perform the essential functions of his/her position. In addition, the employee must submit the Return to Work Certificate which the treating physician completes.

Vacation Leave (NMSBVI Policy 405)

Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits.

Full-time 12 month employees are entitled to one vacation day per month worked. After being employed for seven consecutive years, the employee is entitled to one and one-half vacation days per month worked.

Nine-month employees do not "earn" vacation time; they are granted "personal leave" as discussed elsewhere in this book.

The length of eligible service is calculated on the basis of a "benefit year." This is the 12-month period that begins when the employee starts to earn vacation time. An employee's benefit year may be extended for any significant leave of absence except military leave of absence. Military leave has no effect on this calculation.

Military Leave of Absence (NMSBVI Policy 420)

Employees who perform duty, voluntarily or involuntarily, in the "uniformed services," which include the Army, Navy, Marine Corps, Air Force, Coast Guard, as well as the reserve components of each of these services, Army National Guard, Air Force National Guard, Commissioned Corps of the Public Health Service, and any other category of persons designated by the President in time of war or emergency, will be eligible for re-employment after completing duty, provided:

- a. They provide written or verbal notice of their orders to their supervisor/Human Resources as soon as received (unless precluded by military necessity or otherwise impossible/unreasonable);
- b. They satisfactorily complete duty of five (5) years or less;
- c. They begin duty directly from employment with NMSBVI; and
- d. They apply for and are available for re-employment as follows:
 - 1) Less than 31 days service: By the beginning of the first regularly scheduled work period after the end of the calendar day of duty, plus time required to return home safely and an eight hour rest period. If this is impossible or unreasonable, then as soon as possible.

- 2) 31 to 180 days: No later than 14 days after completion of duty. If this is impossible or unreasonable through no fault of the employee, then as soon as possible.
- 3) 181 days or more: No later than 90 days after completion of duty.
- 4) Service-connected injury/illness: Reporting or application deadlines are extended or up to two (2) years for persons who are hospitalized or recovering.

Performing duty, voluntarily or involuntarily, includes:

Active duty, active duty for training, and initial active duty for training; Inactive duty training; Full-time National Guard duty; Absence from work for an examination to determine a person's fitness for any of the above types of duty; Funeral honors duty performed by National Guard or reserve members; and Duty performed by intermittent disaster response personnel for the Public Health Service, and approved training to prepare for such service.

Employees who serve in "uniformed services" will be paid for up to 15 days per fiscal year, for active duty, active duty training, and inactive duty training. Employees may apply accrued personal days and unused earned vacation time to the leave if they wish; however, they are not obliged to do so.

Employees on military leave shall be granted any improvement in salary or other terms and conditions of employment which would have accrued to them had they remained in active service with the school, provided such employees seek reinstatement with the school within thirty (30) days following discharge from the military service.

Catastrophic Leave Bank Program (NMSBVI Policy 460)

Each eligible employee has the option of contributing earned sick leave days to the Catastrophic Leave Bank of two (2) days per year. Only those employees voluntarily contributing annually to the bank will be able to utilize it.

Catastrophic illness means a medical condition of an employee or immediate family member as certified by a physician which requires an employee's absence from duty for a prolonged period of time and which results in a substantial loss of income (4 or more days) to the employee because of the exhaustion of all earned sick and annual leave time.

Enrollment into the bank will be conducted annually commencing with the beginning of the school year through October 1st of each year. New employees have the option to join within (30) days of their employment and are given three (3) months to donate the time. Requests may be made for a maximum of twenty (20) days per incident. Employees may apply for this type of leave a maximum of 2 times per year although it must not be for the same injury or illness. Any and all unused sick leave days granted to an employee shall be returned to the Catastrophic Leave Bank.

SEPARATION OF EMPLOYMENT

Termination of Employment (NMSBVI Policy 265)

NMSBVI will consider you to have terminated your employment if you:

- a. *Resign from NMSBVI*
A letter of resignation from your employment with NMSBVI must be given to your immediate supervisor with a copy to the Human Resources Department.
- b. *Retire from NMSBVI*
A letter of retirement must be sent to the Superintendent with a copy to your supervisor and the Human Resources Department.
- c. *Non-renewal*
Non-renewal of contract.
- d. *Discharge*
Termination for unsatisfactory performance or misconduct or other reasons deemed appropriate by the school.

Resignation/Retirement (NMSBVI Policy 245)

Required Notice to break employment agreement:

- Certified employees (teachers, related services, etc.) and administrators: minimum 30 days to NMSBVI.
- Other employees: minimum 10 days notice to NMSBVI.

Include the following information in your Resignation or Retirement letter:

Name
Work Location
Home Address
Last day of Work
Clear statement of your intention

NMSBVI also requests that you complete the Outprocessing Checklist. Completing this form is mandatory through the Human Resources Department.

Employment Inquiries (NMSBVI Policy 206)

NMSBVI does not respond to oral requests for references. In the event another NMSBVI employee is terminated either voluntarily or involuntarily, you must not, as a current NMSBVI

employee, under any circumstances, respond to any requests for information regarding another employee unless it is part of your assigned job responsibilities. Forward the information request to the Human Resources Department.

When verification of employment inquiries are received by NMSBVI, Human Resources first review whether there are any specific limitations imposed on the school for release of personnel information related to the subject (such as litigation settlements). If no such limitations exist, Human Resources is authorized to release the following information:

- Position held
- Employment dates
- Status of employment (full-time, part-time, substitute)

Return of NMSBVI School Property

Any property NMSBVI issues to you, such as keys, uniforms, computer equipment, Braille writers, vehicles, etc., must be returned at the time of termination. You will be responsible for any lost or damaged items. The value of property issued and not returned may be deducted from your paycheck. You may be required to sign a wage deduction authorization form for this purpose.

New Mexico School for the Blind and Visually Impaired

2008-2009 Holiday / Payroll Calendar

July 4	Independence Day
November 27	Thanksgiving Day
November 28	Labor Day (Observed)
December 24	Columbus Day (Observed)
December 25	Christmas Day
December 26	Regent's Day
December 31	Veterans Day (Observed)
January 1	New Year's Day
January 2	Regent's Day
April 8	Martin Luther King Jr. Day (Observed)
April 9	Presidents' Day (Observed)
April 10	Memorial Day (Observed)

Payroll Calendar

9 month pay periods (for deductions)	12 month pay periods		Pay Period Begins		Pay Period Ends	Payday
	1	Sat.	06/21/08	Fri.	07/04/08	07/11/08
	2	Sat.	07/05/08	Fri.	07/18/08	07/25/08
	3	Sat.	07/19/08	Fri.	08/01/08	08/08/08
*	4	Sat.	08/02/08	Fri.	08/15/08	08/22/08
1	5	Sat.	08/16/08	Fri.	08/29/08	09/05/08
2	6	Sat.	08/30/08	Fri.	09/12/08	09/19/08
3	7	Sat.	09/13/08	Fri.	09/26/08	10/03/08
4	8	Sat.	09/27/08	Fri.	10/10/08	10/17/08
5	9	Sat.	10/11/08	Fri.	10/24/08	10/31/08
6	10	Sat.	10/25/08	Fri.	11/07/08	11/14/08
7	11	Sat.	11/08/08	Fri.	11/21/08	11/28/08
8	12	Sat.	11/22/08	Fri.	12/05/08	12/12/08
19	13	Sat.	12/06/08	Fri.	12/19/08	12/26/08
10	14	Sat.	12/20/08	Fri.	01/02/09	01/09/09
11	15	Sat.	01/03/09	Fri.	01/16/09	01/23/09
12	16	Sat.	01/17/09	Fri.	01/30/09	02/06/09
13	17	Sat.	01/31/09	Fri.	02/13/09	02/20/09
14	18	Sat.	02/14/09	Fri.	02/27/09	03/06/09
15	19	Sat.	02/28/09	Fri.	03/13/09	03/20/09
16	20	Sat.	03/14/09	Fri.	03/27/09	04/03/09
17	21	Sat.	03/28/09	Fri.	04/10/09	04/17/09
18	22	Sat.	04/11/09	Fri.	04/24/09	05/01/09
19	23	Sat.	04/25/09	Fri.	05/08/09	05/15/09
20	24	Sat.	05/09/09	Fri.	05/22/09	05/29/09
*	25	Sat.	05/23/09	Fri.	06/05/09	06/12/09
	26	Sat.	06/06/09	Fri.	06/19/09	06/26/09

New Mexico School for the Blind and Visually Impaired

**Acknowledgement Receipt
of the
2008-2009
Staff Handbook**

I have received a copy of the New Mexico School for the Blind and Visually Impaired Staff Handbook. This handbook contains pertinent information vital to the affective operation of the school, as well as, the policies, benefits, and expectations of an employee of this school.

I am signing this acknowledgment with the understanding that I am responsible to read and abide by the information contained in the Staff Handbook.

Signature_____

Date_____

Return this form to Human Resources.