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POLICY SCOPE

RISD is a non-public forum with the primary purpose of providing a free and appropriate public education to school age students residing within its boundaries. RISD reserves the right to review and reject any advertisement or distribution of materials on its property, at RISD affiliated functions, or in school affiliated organizations' publications. It further reserves the right to reject advertisements or distributions that are incompatible with its educational purpose or that give the appearance of favoritism or entanglement with particular viewpoints.

DEFINITIONS

“Advertising” includes any postings, signs, flyers, distributions, email, web based sites, rented space, program listings or the distribution of any material used to convey a message on school property, in school facilities, or at school functions.

“School affiliated person or group” is defined to include any parent group, booster club, athletic team, school sponsored student club/organization, or any person/organization authorized to use the name of RISD or one of its schools, teams or clubs.

“Non-profit” is defined as an organization which has tax exempt status as defined in Section 501(c)(3) of the Internal Revenue Code.

“Profit Making Organizations” are defined as any entity organized as for profit.

“Advocacy Groups” are defined as non-RISD related persons or entities who seek to influence public opinion or school policy based on political, religious or commercial positions by communicating through school media, on school property, or at school affiliated events.

“Government Entities” include federal, state, county, city and other local public bodies.

ADVERTISING/DISTRIBUTION

The District seeks to create an atmosphere at school related gatherings and in school affiliated publications that focuses on the students and their teams, clubs or functions. RISD reserves the right to reject any advertisement or distribution from any group that detracts from this stated goal.

The district will consider requests for advertising or distribution of materials through the schools from organizations that fulfill the following requirements:

- A. Nonprofit organizations and government entities whose programs are complementary to schools programs and tend to extend or enhance the school programs.
- B. Nonprofit organization and government entities which are promoting an educational program consistent with curriculum that is of benefit to the school community.
- C. School affiliated persons or groups.

The District may reject requests for advertising through the schools from any of the following organizations pursuant to their non-school affiliated, non-curricular status:

- A. Profit-making organizations

- B. Advocacy groups
- C. Non-school affiliated or non-curricular organizations

LIMITATIONS ON ADVERTISING SUBJECT MATTER

Pursuant to the District's non-public forum status, the District may consider and bar advertising or distributed materials based on subject matter, where the advertising or distributed materials are inconsistent with the District's pedagogical goals, are disruptive to the educational process, are deemed to negatively impact student groups, or that otherwise fail to meet the requirements of this policy.

Generally, all advertising and distributed materials shall be respectful of all people with regard to disability, race, color, gender, national origin, ethnicity, sexual orientation, age, religion, marital status, socioeconomic status, cultural background, familial status, physical characteristics, or linguistic characteristics. Furthermore, all advertising must be age appropriate. Any advertising or distributed materials that do not meet these standards will not be permitted.

Furthermore, RISD is concerned that commercial advertisers ---the primary source of potential revenue from advertising from school programs ---may be dissuaded from leasing advertising space that is used for advertising controversial matters or "issue ads", proselytizing, or political matters (even if there is a commercial component to such ads). To this end, no ads that may detract from the school's neutrality on such matters, that may entangle the District with particular viewpoints, that show favoritism, or that may harm the viability of a school forum for commercial advertising will be permitted.

In addition, no advertisement or distributed materials shall involve, directly or indirectly, obscenity, profanity, sexual material, gambling, tobacco, alcohol, or promote food or beverages that are not permitted for consumption on school premises or at school-sponsored events, as defined in the District's Health and Wellness Policy. Advertising shall not promote conduct or activities that would violate other Board policies or state or federal law. In addition, the District will not permit ads that promote violence, including the use of any weapons.

No advertising or distributed materials shall include the District's or any individual school's logo or represent that the District, its officers, board members, agents, employees or students endorse the advertised service, product or idea, unless specifically authorized by the Superintendent or his/her designee.

Advertising or materials that use poor grammar are also prohibited, as are ads that include potentially libelous statements.

PROCESS

No one, including students, shall publish, distribute or sell materials, papers, supplies or any other matter on school grounds without first obtaining proper consent in accordance with District policies or collective bargaining agreement.

The organization/advertiser must submit a request for distribution of materials and/or advertising to the Assistant Superintendent's office on approved forms and with a copy of the proposed advertisement or materials to be distributed. Approval or disapproval will be made by that office within five (5) working days. Any decision may be appealed to the Superintendent within five (5) working days after the Assistant Superintendent's decision is received by the applicant. For purposes of this policy, the mailing date, plus three work days, will mark the date of presumed receipt.

Consistent with this policy, the Superintendent retains the authority to make any changes to advertising decisions, including unilateral reversal of the Assistant Superintendent's decision, without appeal from the advertiser. The Superintendent's decision regarding the advertisement is final.

School officials may remove any advertisement for any violation of this policy. The District also reserves the right to sever any affiliation with persons/groups that violate this policy and to impose discipline against students/staff who violate its terms.

7120 ADVERTISING IN SCHOOL PUBLICATIONS

No advertising may be solicited for publications of the Roswell Independent Schools. An exception is the high school journalism department which may solicit advertising.

7150 COMMUNITY FUND RAISING CAMPAIGNS

Students and teachers will not be required, nor asked by school officials, to take part (as school projects) in community fund raising campaigns, except as approved from year to year by the Superintendent. An exception is the annual United Way Fund drive which will be a regular approved activity on a voluntary basis.

7170 RELIGION IN THE SCHOOLS

This policy is grounded in the understanding that active governmental participation in religious matters and even the appearance of official preference for or antagonism toward any religious belief or non-belief is disruptive and infringes upon the individual's freedom of conscience.

Our schools shall neither actively sponsor nor interfere with religions. As indicated in the policy statement, the district recognizes that religion has played an undeniable role in the formation of world civilizations, the foundation of our country and the lives of its citizens. The place of religion in our society should be recognized as an important one.

Clearly the proper role of religion in the public schools is in its educational value and non-religious observance or celebration. The schools can play a vital role in bringing about and understanding between peoples of different backgrounds. In that capacity and when appropriate within the curriculum, the schools are valuable in teaching our children about various belief systems. Belief systems will be discussed in an atmosphere of tolerance and mutual respect. Intercultural programs or curriculum focusing on the role that religion has played in history, literature or in the development of society and the influence that religion has had on historical figures or movements are acceptable and desirable. It is anticipated that students will also develop tolerance and mutual respect as they become aware of diverse belief systems and their current and historical impact on human culture.

I. Religion in the Curriculum

- A. When religion is included in the curriculum as part of the study of art, literature, history, etc., it should be treated with the same objectivity and educational intent expected in other areas.
- B. Religious themes in the fine arts, literature, and history should be recognized and discussed only as extensively as necessary for a balanced and comprehensive study of these areas. Such studies should not foster any particular religious tenet or demean any religious belief.
- C. Materials and activities should be sensitive to the diversity of belief systems.
- D. When the subject of religion occurs naturally in studying other topics such as history, literature, culture, etc., it should be treated as part of that study. (For example: Study of the American Indian, the Pilgrims, Greek mythology, or the Crusades may be enhanced by the inclusion of the role of religion.)
- E. Student initiated responses to questions or assignments which reflect their beliefs or non-beliefs about a religious theme will be accommodated when appropriate. (For example: Students are free to express religious beliefs or non-beliefs in compositions, art forms, music, speech and debate, and in the selection of reading materials.)
- F. Students should be taught to develop an appreciation of the value of religious liberty as guaranteed by the United States Constitution.
- G. Subject matter content may not be included or excluded from the curriculum primarily to conform to the religious views of a particular group.
- H. At the request of the parent, students may be excused, without penalty with substitute assignment, from instructional activities that are contrary to their religious beliefs.

7170 RELIGION IN THE SCHOOLS (CONT'D)

I. Elective courses may have as their focus the history, sociology, and literature of religions.

II. Religious Symbols

Definition: A religious symbol is any object which portrays or represents a religious belief. A religious symbol can also be an object which is so closely associated with religion(s) or with the celebration of a religious holiday that it is commonly perceived as being of religious nature.

A. Religious symbol may be displayed or used as a teaching resource provided no effort is made to impose any particular beliefs which may be associated with such symbols. They may be used as examples of a culture and/or a specific religious heritage.

B. Whenever appropriate, teachers are encouraged in their presentations to expose students to symbols and traditions from a variety of cultures.

III. Religious Disclosure/Privacy

A. Staff or student shall not be induced or compelled to disclose or profess their personal religious preferences or beliefs or those of their family members.

IV. Performances, Ceremonies, Programs, Gatherings, and Holidays

A. The Origin and significance of diverse holidays shall be presented in an unbiased manner without religious indoctrination.

B. School programs, assemblies or gatherings sponsored by the school shall not have a religious orientation. However, seasonal programs presented by school student groups may include religious music. Such programs shall include a balanced variety of music not solely of a religious nature.

V. Worship/Prayer

A. No form of prayer, worship or expression of religious belief shall be prescribed by the schools.

B. Students [and staff] may voluntarily pray and/or meditate during school and engage in discussions about religion provided this activity does not interfere with the educational process or infringe upon the privacy of others.

VI. Proselytizing

A. In working with students, school district staff shall not proselytize.

B. Unwelcome attempts by individuals or groups of students to impose religious beliefs or convert others to religious beliefs or to non-belief are not permitted in school related activities.

C. The distribution of religious literature on school district property, unless directly related to instructional activities or distributed by students is not permitted at any school related activities.

D. Non-Student members of religious groups are not allowed in the school to proselytize or recruit during the school day or during school activities.

7170 ADDED 8/94

7180 AMERICANS WITH DISABILITIES ACT-GRIEVANCE PROCEDURES

1. Pursuant to 28 CFR & 35.107(b)(1991), the Roswell Independent Schools have adopted internal grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by Title II of the Americans with Disabilities Act (ADA or implementing regulations of the United States Department of Justice, 28 CFR part 35 (1991).
2. Complaints should be submitted within 30 days after the complainant becomes aware of the alleged violation. Processing of complaints regarding alleged discrimination that occurred before the implementation of the grievance procedure may be considered by the school district.
3. Complaints should be submitted in writing to the Assistant Superintendent for Human Resources, Post Office Box 1437, Roswell, New Mexico 88201, 627-2517, Coordinator of Compliance efforts under the ADA.
4. Complaints should set forth the name and address of the person submitting the complaint and a brief description of the alleged violation.
5. Complaints submitted pursuant to this procedure shall be appropriately investigated by the ADA Coordinator or his/her designee. Investigations shall be conducted on an informal basis and shall afford all interested parties and the representatives an opportunity to submit evidence relevant to the complaint.
6. A written determination of the validity of the complaint and a description of the resolution shall be issued by the ADA Coordinator, and a copy forwarded to the complainant, before the expiration of 30 calendar days from the filing of the complaint.
7. The complainant may request a reconsideration of the resolution of his or her complaint by submitting a written request for reconsideration to the Superintendent of Schools within 30 calendar days of the issuance of the resolution by the ADA Coordinator.
8. The rights of persons under this procedure are in addition to other remedies provided by law, including the filing of a complaint under the ADA with the appropriate federal department or agency. Such filing shall not postpone or impair the resolution of a complaint submitted pursuant to these procedures. The submission of a complaint pursuant to these procedures is not a prerequisite to the pursuit of any other remedies provided by law.
9. These rules shall be construed and interpreted to protect the substantive rights of persons under the ADA and implementing regulations to ensure that the Roswell Independent School District complies with its obligations under the ADA and implementing regulations.
10. The ADA Coordinator shall maintain files and records for the school district regarding complaints submitted pursuant to this procedure.

7180 REV4/01

7190 AMERICANS WITH DISABILITIES ACT-DESIGNATION OF RESPONSIBLE EMPLOYEE

1 Pursuant to 28 CFR & 35.107(a) (1991), the Board of Education of the Roswell Independent Schools has designated the Assistant Superintendent for Human Resources, Post Office Box 1437, Roswell, New Mexico 88201, 627-2517, as the ADA Coordinator for the school district's compliance with the nondiscrimination requirement of Title II of the Americans with Disabilities Act (ADA) and implementing regulations of the United States Department of Justice, 28 CFR Part 35 (1991).

2 Information concerning the provisions of the ADA and the rights it provides are available from the ADA Coordinator.

7190 REV 4/01

7210 PROCEDURES FOR FILING CITIZEN CONCERNS

The members of the Roswell Independent School District Board of Education, are always willing to hear concerns from the people of the community. However, to facilitate the handling of the business of the district, the following procedures will be followed:

1. Petitions for action or decision of the board without formal hearing before the Board:

Written petitions directed to the Board, either through the Board President or the Superintendent of Schools, which do not request a hearing before the Board will be considered at the earliest possible date. Such requests should be submitted seven days before the next following regular meeting of the Board.

The Superintendent will inform the petitioner of the Board's disposition of the petition.

2. Requests to meet with the Board of Education:

Petitioner requesting a hearing before the Board of Education for any cause must submit to the Superintendent of Schools on a date not later than seven days prior to the next following regular meeting of the Board, in writing, a clear description of the concern the petitioner desires to discuss with the Board. The Superintendent, upon receipt of the concern, will distribute copies of the concern to the members of the Board of Education. The Board, at its next regular meeting, will consider the petitioner's written statement describing the reasons for requesting to meet with the Board and will determine whether or not the petitioner's request for a hearing will be granted.

The Superintendent of Schools will notify the petitioner of the Board's decision. In the event the Board agrees to hear the petitioner, the Superintendent will notify the petitioner of the date, time, and place of the hearing and will indicate the amount of time the petitioner will be given at the hearing to amplify the written statement previously submitted.

If the petitioner is a group or an organization, the group or organization must name the people who will serve as spokesmen for the group or organization at the hearing and the Board may limit the number of spokesmen as it may see fit.

The Superintendent, after the hearing, will notify the petitioner of any action the Board may have taken regarding the petition.

**7250 PETITIONS FOR A HEARING RELATING TO TEXTBOOKS,
INSTRUCTIONAL MATERIALS AND RELATED MATTERS**

Petitioners requesting to meet with the Board of Education to discuss textbooks, other teaching materials, course content, and other related matters will be referred to a proper school administrator and the following procedure will be followed:

- A. All criticisms or challenges of materials should be received and directed to a responsible administrator who will attempt to resolve the criticism.
- B. The complainant should be informed that a procedure has been established and a "Request for Reconsideration of Materials" form must be completed and submitted. A form letter outlining the school policy should be available with a "Request" form attached. The need for obtaining specific information should be emphasized as essential to a speedy resolution of the complaint or problem.
- C. After the written complaint is formally received on the appropriate form (Form No. 7250-A) the responsible administrator (usually the principal but in some cases coordinators or directors) should form a committee of not less than three professional educators to study and consider the complaint. The teacher using the materials in question should be a consultant to the committee. The complainant shall be invited to have a hearing before the committee to explain his point of view. The Superintendent may but is not required to delay use of the challenged materials or methods by students until the entire review process is completed and has been reviewed by the Superintendent.
- D. The committee shall make a written report of its findings and recommendations which will serve as guidelines for further use of the materials. Copies of the report should be sent to the complainant, the Superintendent, Assistant Superintendent of Instruction and the Director of Instruction. The Superintendent shall accept or reject the review committee's recommendation and inform the board.
- E. If the committee report and recommendation does not end the criticism the complainant may discuss the report with the Superintendent and request further action on his part or a hearing before the Board of Education.
- F. Should the complainant desire to meet with the Board of Education concerning the complaint the procedure will be governed by Section 7210 of the Policy Manual, as well as by the following procedural regulations:
 1. The Superintendent and/or designee shall provide copies of the following to be distributed to the Board of Education, the publishers of the questioned materials, the instructional personnel concerned, and the complainant:
 - a. "Request for Reconsideration of Materials" form as completed by the complainant
 - b. The written report of the committee formed to study the complaint
 - c. The position of the Superintendent
 2. If the petitioner's request for a hearing is approved the Board may, at its discretion, invite representatives Of the publisher and of the instructional personnel concerned, to attend the hearing.
 3. Following such hearing the Superintendent and/or designee will inform all persons involved in any and all actions taken by the Board. Should the Board decide to give further attention to the matter the Superintendent will direct and supervise a study of the materials by an appropriate committee and provide copies of the report of the committee to be distributed to the Board. Any response from the publisher will also be made available to the Board.
 4. The Superintendent will notify the petitioner of any action the Board may take subsequent to the Board's study and evaluation of the report submitted by the committee.
 5. The decision of the Board shall be final.

7270 -RENTAL OF SCHOOL FACILITIES

School buildings and grounds may be made available for educational, cultural, civic, religious, recreational, governmental, and patriotic groups as defined in 20 USC 7905 of the Boy Scouts of America Equal Access Act and general political activities which are sponsored by responsible, recognized organizations, agencies or institutions, provided that the activity does not interfere with the programs and best interests of the district. The Superintendent or designee is authorized to make all approvals and set all conditions for community use of buildings and grounds under the directions contained in this policy. The board reserves the right to hear appeals on any decision made by the superintendent.

A rental fee schedule shall be prepared by the Superintendent or designee for review and approval by the board on an annual basis.

The Superintendent or designee is authorized to set aside or reduce any scheduled or normal fees when a mutually beneficial relationship is established between the school district and a proposed user of school facilities. The Superintendent or designee shall report to the board the status of facility uses and waivers on an annual basis. The Superintendent is authorized to act on any rental proposal not covered in this policy. When this occurs, the Superintendent shall report the action to the board and advise the board of any change in the policy.

It is the intent of the board that parent-teacher groups, scouting groups, booster clubs, and any other school-related organizations should have the use of school facilities for their regular meetings without charge. When such groups hold special events, any charge for facilities will be calculated on a cost-to-the-district basis.

It shall be the responsibility of the Superintendent or designee to assure that adequate supervision of school facilities is provided during periods of community use of facilities.

Official representatives of all groups using school facilities must sign a liability waiver "hold-harmless" agreement. The approved activity sponsor must assure that activity participants, guests and spectators only access those site areas designated for the activity. Any non-school-related user group must also provide in advance of use of the facility a certificate of liability insurance, which names the district as an additional insured. Representatives of all groups must sign a form, which indicates acceptance of responsibility for the care and supervision of the facilities and for payment of the rental charges, if any.

For events that involve animals, including dogs, all must be properly contained, constrained or under supervision and control at all times.

The user of facilities is required to obtain the required original "Certificate of Insurance" or other acceptable evidence of insurance in a form satisfactory to the Superintendent or designee in an amount not less than the coverage limits stated in the New Mexico Tort Claims Act, NMSA 1978, 41-4-19.

The Superintendent or designee may, when it is deemed to be in the best interest of the district, require a cash deposit above the rent to be charged to cover damage to rental property. The deposit, less payment for damage done beyond wear and tear on the property, shall be refunded within thirty (30) days. Keys to school facilities shall not be issued to, nor loaned to, persons not employed by the RISD.

Rental charges in this policy are for the facilities only and any normally required furniture. Other charges shall normally be added when special equipment, custodial, technician, or security support is to be provided to the facility user.

In accordance with 6.50.17 NMAC.

Christopher Thweatt 6/8/2016 9:08 AM
Comment [1]: Updating policy to include changes to NMAC made in 2014.

Christopher Thweatt 6/8/2016 9:08 AM
Comment [2]: Updating policy to include changes to NMAC made in 2014.

Christopher Thweatt 6/8/2016 9:08 AM
Comment [3]: Using this language in place of including Rule in policy.

FACILITY	SCHEDULE A:	SCHEDULE B:	SCHEDULE C:
COMMONS AREA	\$0	\$50.00	\$275.00
AESC BOARDROOM	\$0	\$30.00	\$250.00
H. S. LITTLE THEATER	\$0	\$30.00	\$250.00
H. S. CAFETERIA	\$0	\$15.00	\$150.00
M.S. CAFETERIA	\$0	\$15.00	\$150.00
ELEM. MPR	\$0	\$15.00	\$100.00
M.S. GYMNASIUM	\$0	\$30.00	\$250.00
H.S. GYMNASIUM	\$0	\$50.00	\$275.00
*AESC PUEBLO AUDIT.	\$0	\$100.00	\$275.00
ONE CLASSROOM OR	\$0	\$5.00	
CONFERENCE ROOM	\$0		

7280 RENTAL SCHEDULE

* Any group using AESC Pueblo Auditorium and desiring to have special lighting and sound will be charged an additional \$50.00 for set-up. This will be in addition to the regular stand-by custodial fee.

Any group using school facilities under Schedule B or Schedule C shall pay custodial fees. Custodial fees are not included in amounts shown in rental schedule but shall be added to that fee at the rate of time-and-one-half per hour per custodial contracted salary rate for standby, beginning at the time the building is opened for the renter, continuing until the facility has been vacated by the renter and for cleanup for an estimated time depending on facility rented and purpose of the rental.

Groups requesting to rent a facility will be classified to the following descriptions and will be assessed according to the appropriate schedule:

SCHEDULE A:

Activities of school sponsored groups, such as parent-teacher groups, or school clubs. These events must be educational or recreational in nature and directly benefit public school children.

SCHEDULE B:

Activities sponsored by community groups such as: official agencies of the Federal, State and local governments; recognized local charitable, civic religious, and recreational groups whose primary function is promotion of health, safety, education, or welfare of the community; special interest groups, e.g., political organizations, social clubs.

SCHEDULE C:

Activities sponsored by groups whose use of the facility will result in financial gain to said group, directly or indirectly. The activity must be locally sponsored and be of educational cultural, recreational, or civic benefit.

Fees are based on a four-hour period (excepting the single classroom). The rate for each additional hour shall be one-fourth of that shown on the rental schedule.

7280 RELIGIOUS SERVICES

Religious services when requested on a regular basis.

<u>When Facility Used</u>	<u>Elementary Schools</u>	<u>Secondary Schools</u>	<u>ESC</u>
* Sunday AM	\$ 50	\$100	\$100
* Sunday AM and PM	\$ 75	\$150	\$150
* Sunday AM/PM and Wed.	\$125	\$150	\$150
** Special Session	\$ 25	\$ 40	\$ 50

* Fees are monthly rates.

** Rate per extra session when facility used on monthly basis.

In general, school facilities may be used on Sundays for religious services only.

7280 USE OF WOOL BOWL AND DEBREMOND STADIUM

Rental of the Wool Bowl and DeBremond Stadium shall be as follows:

It is not the intent of the RISD to rent the Wool Bowl to non-school groups. However, the district reserves the right to consider rental of this facility for an activity considered to be mutually beneficial to the RISD and the community. Potential risk of damage to the facility will be a major consideration in the decision. If the use of the Wool Bowl is approved, a rental fee will be charged which is adequate to off-set all expenses associated with the activity. A rental fee will be charged to any group that financially gains from the facility's usage, either directly or indirectly.

Actual custodial fees incurred by the RISD will be paid by the group using the RISD facilities. Custodial fees shall include the time necessary for RISD custodians to spend at the facilities, both prior to, during, and after the scheduled event or events.

Wool Bowl Concession Stand right remain the sole property of the RISD and are not included in the rental schedule.

7290 STUDENT PURCHASES

In order to provide maximum services and goods at the most beneficial price to students, the following policy is established concerning student purchases of rings, invitations, caps, gowns, and annuals.

Any business organization interested in providing goods and services for items noted in the above paragraph agree to the following criteria:

1. The representative of the company is to present a sample, or samples, of the product for examination at a date specified by the high school principal and his committee.
2. The representative of the company is to handle student monies and provide the product in such a manner as to alleviate the need for school personnel involvement other than on a limited basis.
3. No monies from school-sponsored activities are to be paid to the company involved.
4. Inasmuch as no operational monies are involved, bidding as such is not required. However, every effort should be made to obtain the best price available for the product and services desired.
5. Goods and services are to be reviewed on an annual basis, and if satisfactory to student and faculty committee, may be continued on previously agreed basis.

Extenuating circumstances may invalidate an agreement if goods and services are deemed less than satisfactory.

7300 GRAFFITI ON SCHOOL PROPERTY

All graffiti on school property will be removed within 24 hours by school personnel, unless additional time is required to order replacements for damaged items or additional time is required to repair those items.

7310 NAMING SCHOOL FACILITIES

The Board of Education will consider requests to name a portion of a building, name a single building on a campus with multiple building, name a new school building, rename an existing building, or name a specific area on the campus for a person under the following conditions:

1. Naming a portion of a building or specific area on the campus.
 - a. Provided the proposed name be for a person who has made an outstanding contribution to the school.
 - b. The group making the request must agree to provide appropriate recognition, such as a plaque, portrait, or marker for the school.
 - c. Evidence is shown that such naming has the support of the students, staff, and patrons of the school.
2. Renaming an existing building or naming a new school building.
 - a. If living, the person whose name has been proposed shall have achieved national recognition for outstanding accomplishments and/or service to mankind. Otherwise, the name proposed shall be for a person who has been deceased for at least three years and who was recognized for special achievements and contributions to the community.
 - b. Names of schools shall not be duplicated in the school system.
 - c. Evidence must be shown that the newly proposed name has support of those within the school attendance area as well as general support from the community.
 - d. A new building will be named only after construction has commenced. A committee composed of teachers, parents, students, and community members will be appointed by the Board of Education to recommend the name.

The naming of a building for other than a person shall follow Section 2 above, steps b., c., and d.

When the use of a school changes and it no longer houses a regular school program, the Board of Education, upon recommendation of the Superintendent, will consider changing the name of the facility if the name has special significance to its new use.

7320 SCHOOL SITE-BASED COUNCILS

The Board of Education encourages and supports the formation of site-based councils.

Each public school within the District shall have a school council to assist the principal in an advisory capacity with school-based decision making and to provide parents with the opportunity for greater involvement in their children's education.

Should the school principal perceive that any group is becoming a negative influence on the school, the principal may, with the concurrence of the Superintendent, withhold the privilege of the group meeting at the school or using school facilities, equipment or personnel for its purposes.

1. Membership. Each school council shall be composed of a minimum seven member council, to be chaired by the principal, and whose membership shall be composed of two school employees, two parents and two community members. If such person is available, at least one community member shall represent the business community. The principal shall be an active member on the council.
2. Election procedures.
 - a. Term. Each school council shall be elected annually no later than the fortieth day after the beginning of each school year and shall serve until the election of successor members in the next succeeding school year.
 - b. Qualifications for membership. Any person shall be eligible for election to a school's advisory council if he or she is a resident of the attendance zone of the school at which the person wishes to run for election to the advisory council or is the parent of a child enrolled and attending the school at which the voter intends to run for election to the advisory council. School council members shall be eligible for reelection to successive terms so long as they remain qualified for membership as specified in this section.
 - c. Declaration of Candidacy. A declaration of candidacy for membership on a school council may be obtained from the first day of each school year through the last Friday in August of each school year at the school site or the central administrative office. The completed declaration of candidacy shall be returned to the principal of the school site at which the candidate desires to be a council member no later than 4:00 p.m. on the second Friday in September. The candidate may also submit a statement of 50 words or less of the candidate's reasons for desiring to serve on the council at the candidate's discretion. The Declaration of Candidacy provides that a candidate shall select only one category of membership (employee, parent or community member). Employee candidates must select the employee category. The parent and community candidates must also select the appropriate category.
 - d. Conduct of Election. The election shall be nonpartisan. The election shall be conducted by paper ballot on white paper of a uniform size. The names of the candidates shall be printed on each ballot in black ink. Voting shall be conducted by circling the name of the candidate the voter approves as a member of the council. Only one name in each council member category may be approved.

Each school site shall maintain a locked ballot box at the principal's office where ballots may be deposited.

Voters may deposit ballots in the ballot box at each school site during the normal business hours of such school beginning at 8:00 a.m. on the fifth school day prior to the date set for the election and ending at 4:00 p.m. on the election date set by the school principal for that school council's election.

3. Qualifications of Voters. A person is a qualified voter for purposes of a school council election if he or she is a resident of the attendance zone of the school at which the voter wishes to vote or is the parent of a child enrolled and attending the school at which the voter intends to vote.
4. Notice and Administration of Election. The District shall publish the list of candidates for each school council position on the District's website, if any, beginning two weeks prior to the date of the election, by posting a notice of the candidates at each school site and by publishing a list of candidates once a week for two consecutive weeks immediately prior to the date of each election in a newspaper of general circulation in the district. Such publications shall also include the dates for voting and the location of each school site and be in English and Spanish. Each school site may also provide additional public information concerning each election and candidate.

7320 SCHOOL SITE-BASED COUNCILS (CONT)

5. Canvass. Voting at each school site shall be canvassed by the principal and one faculty member chosen by the faculty and shall be completed by 5:00 p.m. on the second day after the date of the school site election. The candidate in each category receiving a majority of votes shall be the elected member for that category. In the event of a tie in any category, the tie shall be broken by coin-toss of the candidates who are tied.
6. Publication of Election Results. The principal shall post the names of the elected members to the council at the principal's office of each school site by 5:00 p.m. on the third day after the election. The District shall publish the names of the elected members on the District's website, if any, and once in a newspaper of general circulation in the District as a press release no later than the tenth day after the date of election.
7. Vacancies. In the event of a vacancy on an advisory council due to death, resignation or other cause, the vacancy shall be filled by appointment by the Superintendent of another qualified individual in the category in which the vacancy exists. The appointed member shall serve until the end of that school council term.
8. Meetings. The first meeting of the advisory council shall occur no later than the fiftieth day after the commencement of the school year. Thereafter, meetings shall be called by the principal. Meetings of advisory councils are not policy-making meetings of the Board and are not required to be called and conducted in accordance with the Open Meetings Act, NMSA 1978 §§ 10-15-1 *et seq.*
9. Role of Council. Each school council shall function as an advisory council to the principal in accordance with Section 22-5-16 NMSA 1978 and such other duties and responsibilities as the principal may from time to time delegate. As per NMSA 22-5-16 the school council shall:
 - a. Work with the school principal and give advice, consistent with state and school district rules and policies, on policies related to instructional issues and curricula and on the public school's proposed and actual budgets;
 - b. Develop creative ways to involve parents in the schools;
 - c. Where appropriate, coordinate with an existing work force development boards or vocational and school education advisory councils to connect students and school academic programs to business resources and opportunities; and
 - d. Serve as the champion for students in building community support for schools and encouraging greater community participation in the public schools.
10. Status. Except for school employees serving on the school council, members of the advisory councils are not employees or officers of the District and are not entitled to any benefits of employment or other payments or reimbursements.

7320 ADDED 3/04

7330 LEAD-BASED PAINT RENOVATION, REPAIR AND PAINTING

The Roswell Independent School District shall adopt the provisions contained in the Environmental Protection Agency, 40 CFR Part 745, entitled, Lead: Renovation, Repair and Painting Program, under the authority of section 402 (C)(3) of the Toxic Substances Control Act (TSCA).

Target housing is defined in TSCA, section 401 as any facility constructed before 1978, with occupancy in work areas of children less than 6 years of age.

The Superintendent, in consultation with the Assistant Superintendent of Finance and Operations, shall develop procedures to address lead-based paint hazards created by renovation, repair, and painting activities that disturb lead-based paint in child occupied facilities as defined by the TSCA.

The procedures shall establish requirements for notification of occupants; training and/or certifying renovators, other renovation workers, and dust sampling technicians; for renovation work practices; for waste disposal and recordkeeping.

7340 USE OF PESTICIDES

Pests are controlled to protect the health and safety of students and staff, maintain a productive learning environment, and maintain the integrity of District buildings and grounds. While pesticides protect individuals and District property from pests that may be found in District buildings or on District grounds, the pesticides themselves may present some health and environmental hazards when used. Therefore, it is the intent of the Board to assure the development of integrated pest management procedures to provide for a responsible approach to control pest problems in District buildings and on District properties.

The term “pesticide” means any substance or mixture of substances intended for preventing, destroying, repelling or mitigating any pest.

The term “pest” means any living organism injurious to other living organisms, except humans, viruses, bacteria or other microorganisms in or on other living organisms other than plants, which is declared to be a pest pursuant to the New Mexico Pesticide Control Act, NMSA 1978, §§ 76-4-1 through 76-4-39.

The Superintendent, in consultation with the District Facilities Director and Nurse Coordinator, shall develop procedures for pest management with consideration for reducing the possible impact of pesticide use on human health and the environment, including people with special sensitivities to pesticides.

Procedures will include, but are not limited to, the following:

- A. No pesticide may be applied to public school property and no pest control device, as defined in the New Mexico Pesticide Control Act, may be used on public school property except those pesticides and devices currently registered for legal use in the state by the New Mexico Department of Agriculture.
- B. No pesticide may be applied to public school property except by those persons certified in the applicable category and currently licensed by the New Mexico Department of Agriculture or by employees under their direct supervision.
- C. Pesticides will only be applied in or on the outside of school buildings when a pest is present, and will not be applied on a regular or calendar basis unless it is to treat an infestation and is a part of a pest management system being implemented to address a particular target pest. A pest is considered to be present when it is observed directly or can reasonably be expected to be present based on finding evidence, such as droppings, body parts, or damage that is typically done by the pest. This section does not apply to pre-construction termite treatments or the use of outdoor herbicides.
- D. Pesticides that are applied in a liquid, aerosolized or gaseous form through spraying, aerosol cans, bombs, fumigation or injections into the ground, foundation or plants will not be applied on public school property when students, staff or visitors are present, or may reasonably be expected to be present within 6 hours of the application. In emergency cases, where a pest infestation threatens the health or safety of the occupants of public school property, and which requires the immediate application of a pesticide to remediate, students, staff and other school occupants will be removed from the treatment area prior to the application. Small amounts of gel or liquid pesticides applied to cracks and crevices or baits used to treat pest infestation are exempt from this use restriction.
- E. At the beginning of each year, and when new students register, schools will develop a list of parents and guardians who wish to be notified prior to pesticide application during the school year. These parents/guardians will be notified in writing prior to pesticide application. General notification of anticipated

pesticide applications will occur by posting or dissemination of notices, by oral communication or other means of communication. In emergency cases where a pest infestation threatens the health or safety of the occupants of public school property, no pre-notification is required. Immediately following the application of a pesticide in emergency cases, signs will be posted indicating the location where an application was made.

F. Written records of pesticide applications will be kept for three years at each school site and be available upon request to parents, guardians, students, teachers and staff.

G. If any part of this policy is found to be in conflict with the provisions of the Pesticide Control Act, the remainder of the policy will remain in full force and effect.

ADDED 12/10

The Board of Education encourages parent participation in all student life in the Roswell Independent School District. Parents and others who wish to support school programs are encouraged to participate in the various Booster Clubs, and other parent organizations that play such an important role in supporting, encouraging and advancing school programs. The term "Booster Club" in this policy refers to all volunteer parent organizations which operate to support school programs in the District other than Parent Teacher Organizations (PTOs).

To comply with federal and state law and regulation, Booster Clubs which are associated with an activity or event governed by Title IX of the Education Amendments of 1972 shall have all funds and financial transactions reported to the District. All funds and financial transactions of Booster Clubs are subject to all federal and state laws and regulations, Board of Education policies and administrative procedural directives.

Each booster club MUST submit a budget to the Superintendent and/or the Director of Athletics prior to the initiation of any fundraising activities to ensure individual school and district compliance with the New Mexico School Athletics Equity Act, NMSA 1978, Section 22-31-1 (the "Equity Act") and Title IX of the federal Education Amendments of 1972, Section 20 U.S.C. 1981 ("Title IX"). The Equity Act and Title IX require that the individual schools and the district shall operate its athletic programs in a manner that does not discriminate against students or staff on the basis of gender. Booster club proceeds shall not be used to disproportionately support athletic programs in a manner that would create discrimination on the basis of gender. Booster clubs required to deposit funds with the Finance and Operations Department may be required to distribute funds to equalize disproportionately to other booster clubs within the district so satisfy the requirements of the Equity Act and Title IX. Said transfer must be done in accordance with school accounting principles and the direction of the Athletic Director for the District. For Booster Clubs that are incorporated as a non-profit corporation and have applied with the internal revenue service for recognition as an IRC501(c)(3) charitable organization, funding may be rejected by the District if it is determined that accepting the funding would create a violation of the Equity Act and/or Title IX.

Provisions of this policy shall apply to all Booster Clubs for all schools in the District no later than the commencement of the 2016-2017 school year.

Booster Clubs Guidelines

1. The sole purpose of a Booster Club is to support a school and its programs. Accordingly, all Booster Clubs must be approved by the principal of each individual school and the Superintendent or his/her designee. An Authorization Form must be completed by the Booster Club and reviewed and approved by the school principal of each individual school and the Superintendent or his/her designee. A copy must be kept by the Booster Club, the school it supports and the District in its Finance and Operations Department. The authorization is valid for one academic year for which it was made, unless revoked prior to the end of the year. Thus, Booster Clubs shall seek annual approval pursuant to this paragraph.
2. A copy of each Booster Club's Board adopted: (1) constitution; (2) by-laws; and (3) listing of officers and board members (with contact information) must be submitted to the principal and the Finance and Operations Department before Booster Club activities begin each academic school year. Each Booster Club shall have within bylaws stating clearly defined objectives to be implemented by the club.
3. Booster Club activities must not conflict with, or detract from, instruction time. The principal, Finance and Operations Department and the Booster Club members will receive from the Booster club, a written copy of the Booster Club's annual financial report, to be submitted on a bi-annual basis by December 31st and June 30th of each school year. The Superintendent may order, at any time, that the Booster Club's financial records be audited, at the school's expense, by an independent accounting firm or accountant designated by the Superintendent. If a Booster Club's money is managed through an activity account within the school district, the School District shall pay for an annual audit.

4. If a Booster Clubs is incorporated as a non-profit corporation, it shall maintain a its own bank account separate from the District and shall apply with the internal revenue service for recognition as an IRC501(c)(3) charitable organization. Such Booster Club shall file all state and federally required reports and tax returns and maintain an “active” status with the requisite state and federal agencies.

5. If a Booster Club is not an internal revenue service recognized IRC501(c)(3) corporation, it shall submit all its receipts to the Finance and Operations Department, to be deposited into a school activity fund designated for that Booster Club and maintained by the District.

6. 6. A District employee or Board member may hold a position or serve as an officer of the Booster Club as a volunteer, but shall not hold or serve in the position of treasurer. A District employee shall not participate in Booster Club activities during normal work hours during which he/she is being paid by the District. 7. No District employee or Board member shall maintain the accounting records for the Booster Club or be the custodian of funds.

8. Any Booster Club stipends provided to any person affiliated with the school shall require approval by the District and shall be submitted to the Finance and Operations Department in a manner that shall not cause violation of Title IX. This is vital to student safety and administrative oversight.

7. 9. Booster Clubs shall not conduct a raffle or bingo event more than once during three consecutive calendar months and not exceeding four (4) occasions in one calendar year, unless the Booster Club complies with the requirements under the Bingo and Raffle Act, NMSA 1978, § 60-2B-1 et seq.

8. 10. Booster Clubs may not give District employees any gifts which exceed the nominal amount as defined by the Internal Revenue Service.

9. 11. The Superintendent, at his/her sole discretion, may dissolve any Booster Club which does not adhere to these guidelines, including, but not limited to, those that exhibit financial irregularities. The assets of the dissolved Booster Club will be disbursed in accordance with the by-laws of the Booster Club and the laws of the State of New Mexico.

Maintenance of Finances

1. For registered 501(c)(3) non-profit corporation Booster Clubs:

- a. No District employee shall have signature authority on the Booster Club’s bank account.
- b. Each Booster Club must require two (2) signatures for any reimbursement by the Booster Club. The two persons shall be designated in the by-laws.
- c. All funds collected from a Booster Club fundraiser or otherwise obtained by a Booster Club must be deposited into the Booster Club’s bank account within the twenty-four 24 hours of receipt or the next banking day.
- d. Disbursements from the Booster Club’s bank account will be by check only and all disbursements will be properly documented, i.e., receipts, invoices, etc. Each check written by a Booster Club must contain the signatures of two Booster Club officers as designated in the Booster Club’s by-laws or constitution.

2. For Booster Clubs required to deposit funds with the Finance and Operations Department:

- a. All funds collected from a Booster Club fundraiser or otherwise obtained by a Booster Club must be submitted to the Finance and Operations Department for deposit into the Booster Club’s activity account within the twenty-four 24 hours of receipt or the next business day.
- b. Disbursements from the Booster Club’s bank account will be made by the Finance and Operations Department by check only and all disbursements will be properly documented, i.e., receipts, invoices, etc.

c. All cash or other funds collected from Booster Clubs by the District shall be receipted, accounted for and placed in a lock box or in a locked safe prior to deposit. All activity funds and cash in schools shall be subject to the twenty-four (24) hour deposit rule. Definition of twenty-four (24) hour deposit rule reference (NMAC 6.20.2.14 C); Money received and receipted shall be deposited in the bank within twenty-four (24) hours or one banking day. If the distance to the bank is considerable, or the cash collection is limited to small amounts and/or low volume and it is impractical to meet the twenty-four hour/one banking day requirement, the local board may request approval from the department for an alternative plan. The bank deposit slip shall have the numbers from applicable receipts entered on it or attached as a reference.

3. All fundraisers, projects and activities to be conducted by a Booster Club must be planned in conjunction with, and have the prior written approval of the principal, or his/her designee.

4. Booster Clubs must follow New Mexico law and all applicable District guidelines, including those pertaining to fundraising activities and advertising.

5. Booster Clubs may donate funds to a school or to the School District. When these donated funds are deposited in a school or District account, the Booster Club relinquishes all control over these funds. Funds donated shall be used in a manner that shall not cause violation of title IX.

6. Hiring contractors to provide services to the school and paid by the Booster Club shall be permitted once the contractor has been approved by the District. The District shall have to consider and ensure that such contract or employment will not cause a Title IX violation.

7. All Booster Club funds shall be subject to at least an annual audit for compliance with state statute and regulation.

8. The District and Booster Clubs shall comply with Board Polices and New Mexico law, especially as it relates to Conflicts of interest and the use of funding for contracts with outside businesses.