

SECTION I

SCHOOL DISTRICT ORGANIZATION

1.1. SCHOOL DISTRICT LEGAL STATUS

1.1.1. SCHOOL DISTRICTS CREATED BY STATE LEGISLATURE

Local school districts are created by the legislature to execute the education policy as defined in the Constitution and by the state laws passed by succeeding legislative sessions. As a result, the service of public education is a state governmental function. (Constitution, Art. XII, Sections 1, 2, 3 and 5)

1.1.2. SCHOOL DISTRICT

A school district is an area of land established as a political subdivision of the state for the administration of public schools and segregated geographically for taxation and bonding purposes.

1.2. PUBLIC EDUCATION DEPARTMENT

The state legislature in providing ways and means of implementing the intent of the Constitution authorizes a Secretary of Education a Public Education Department and specifies their powers and duties. (Sections 22-2-1 and 22-2-2, NMSA 1978)

1.3. BOARD OF EDUCATION

The Board of Education is a legal body created by the State of New Mexico. Its members are state officials receiving their responsibilities and powers through state law.

Board members have no authority over school affairs as individuals. They have complete authority, within state law, over school affairs, when they serve as a legal body, meeting in official session.

1.4. MOUNTAINAIR PUBLIC SCHOOL DISTRICT

Every public school in the state shall be located within the geographical boundaries of a school district.

A school district shall be created, exist or be consolidated only pursuant to the provisions of law.

The geographical boundaries of a school district shall not coincide or overlap the geographical boundaries of another school district except as may be provided by law. (Section 22-4-1 NMSA 1978)

The organization of the Mountainair Public Schools shall be:

- Elementary is classified as grades Pre-Kindergarten (PK) through five (5);
- Middle School is classified as grades six (6), seven (7), and eight (8); and
- High School is classified as grades nine (9), ten (10), eleven (11), and twelve (12).

1.4.1. SCHOOL DISTRICT ATTENDANCE AREAS

Attendance within school districts: Any student subject to the provisions of the Compulsory School Attendance Law shall be permitted to attend public school within the school district in which he is a resident.

The Board of Education shall establish school zones for each school unit in the system in order to maintain a balance in class size. Zones may be changed as necessary to maintain this balance.

All students, grades PK-8, will attend the school in their home zone. The provisions of the 1998 Open Enrollment Act allow students to be enrolled in other attendance zones.

Any exceptions made in implementing these provisions will be a matter of Administrative Rules and Regulations.

1.5. SCHOOL CENSUS

The Board of education may require a periodic school census within the community for planning purposes.

1.6. SCHOOL YEAR

The school year shall be a minimum of one hundred fifty six (156) days or the equivalent thereof, exclusive of any release time for in-service training. (22-8-9 NMSA 1978)

1.6.1. SCHOOL CALENDAR

The Board of Education shall adopt school calendars every year. The Cabinet will formulate proposed calendars, with input from employees, for presentation to the Board. The Superintendent shall submit proposed calendars to the Board in advance of the meeting in which the calendars are to be considered for adoption.

1.6.2. EXTENDED SCHOOL YEAR

The school year shall be extended to meet the one hundred fifty six (156) day minimum attendance requirement or equivalent thereof, if school was closed for any reason during the regular school year calendar.

1.7. SCHOOL DAY

1.7.1. LENGTH OF SCHOOL DAY (22-2-8.1 NMSA 1978)

The instructional day for students is defined as a day in which the school is open and the students are under the guidance and direction of teachers in the teaching process for the minimum time required by the Public Education Department. Students shall be in school-directed activities in accordance with the following minimums:

Full-Day Kindergarten and Elementary Grades 1-5	7.17 hours/day or 990 hours/year
Middle and High School Grades 6-12	7.25 hours/day or 1,080 hours/year

The student lunch period each day will be at least thirty (30) minutes. The length of duty day or hours of work for certified personnel is delineated in Section V-Human Resources/Personnel.

1.7.2. ATTENDANCE-MEMBERSHIP DAY

A student shall be counted in attendance for one full day if in attendance for the minimum time specified above. When a student is present for only part of a day, it should be considered as a partial day of attendance in the same proportion that his time present at school bears to the total length of the school day.

1.8. EMERGENCY CLOSING OF SCHOOL

The Superintendent or designee shall determine if there is a need for the emergency closing of the school. If the closing of the school is necessary due to extremely bad weather or other severe emergencies, an announcement will be made on local radio/TV stations as well as from the District via Robocalls, as soon as possible, on the day in question.

1.8.1. ABBREVIATED SCHOOL DAY

When an emergency arises affecting the teaching day which results in the shortening of the scheduled time, the day may be counted as a teaching day if approval is subsequently provided by the Secretary of Education.

When circumstances require a delayed starting time, the work day for certified employees shall begin thirty (30) minutes before the scheduled student starting time.

1.8.2. SCHOOL DAY MAKE-UP PROCEDURES

If school is cancelled due to severe weather, the school day will be made-up on the Friday of the same week. If there is severe weather on the make-up day, the school day will be made-up the following week.