

The policies handbook here is a provisional version, pending final revisions by the Board of Trustees.

Welcome to the Las Cruces Academy. We are pleased that your family has joined us in the LCA community of students, parents, teachers, board members, advisors, and friends.

This handbook is intended to be a guide for our families. It cannot possibly cover every situation that may occur during the year. This handbook is a work in progress, a work of love on the part of all of our community, as is the Academy itself. We ask our families to follow the spirit as well as the letter of our policies.

If you have a question regarding any of these policies or guidelines, please contact us. We are always interested in hearing your ideas, thoughts, or concerns. We are looking forward to another great year at the Las Cruces Academy.

Sincerely,

Lou Ellen Kay, Ph. D., Biology

Head of School

*Vincent P. Gutschick, Ph. D.,
Chemistry*

Chair, Board of Trustees

We are distributing this policies handbook to all of our parents, and making it available publicly on our Website (<https://lascrucesacademy.org/policies>), for parents of prospective students and for all the friends of the school. We expect that parents of our students will read the handbook in full and agree with the policies. Parents will be asked to sign a short note acknowledging receipt of this handbook and assent to the policies in it. The additional section for teachers will also be viewable here, shortly.

This version has gone through an initial review by the Board of Trustees. We will notify everyone of any revisions, which are expected to be modest, when they occur. The latest revision was done on: Thursday, 30 January 2020.

There are three parts to the policy handbook:

- First, our student-parent policies, which are the primary interest of most viewers
- Second, our policies for teachers
- Third, our policies for administration and governance

PART 1. OUR POLICIES FOR STUDENTS AND PARENTS/GUARDIANS

HIGHLIGHTS: Our policies derive from common sense, prudence, due diligence, and state and federal law. We draw your attention to some important sections that may be missed upon a quick perusal of the policies: The need for you as parents to volunteer time; participating in financial support at an affordable level; required driving records for transporting students on field trips; prohibition of cell phones and electronic games; tuition plans, limited refundability, and preference for automatic payment; your child’s homework (grades 2 and above) for you to check; our weekly newsletter for key information; required parent-teacher conferences; permissions to publish images; classes held on federal holidays.

We gratefully acknowledge advice from the Manzano Day School, Albuquerque, NM, and guidance for the content of this policy handbook drawn from their handbook.

The Las Cruces Academy does not discriminate on the basis of race, creed, color, national or ethnic origin, sex, physical disability, or sexual orientation. We value freedom of expression and equal opportunity for learning by all our students.

How to find out more about us

Please visit our Website, <https://lascrucesacademy.org>.

You may call our Head of School, Lou Ellen Kay, at 575-521-9384, or the chair of our board of trustees, Vince Gutschick, at 575-571-2269

You may visit us at the school, which is located at 1755 Avenida de Mercado in Mesilla, NM. To be sure that we are free to meet you at the time you wish to visit, please phone in advance.

Contents of This Handbook

This handbook, as implemented on the Academy Website as a PDF document, uses **hyperlinks (blue text)**. From the table of contents here, you may click on any topic, in order to get to that section of the handbook.

To return to the table of contents here from any other part of the document, please hit “Alt” and “left arrow” (on a PC; we will test the functions on a Mac).

The handbook may be printed but not modified.

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Free competent and diligent use of equipment and supplies – supplies, copier/printer, other electronic items, ...

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OTHER

We are environmentally responsible

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Fundamentals of the school

Our core values

Our mandate for providing students with excellent academic, social, and ethical development

Our mission is to empower advanced and motivated children by providing them with academic challenges, individual attention, and a nurturing social environment. Our goal is to serve advanced and motivated children of all backgrounds and socioeconomic levels.

Las Cruces Academy is a school designed to foster positive change by nurturing the talents of the most promising students from the Las Cruces area. To achieve this goal, we have small classes, an extended school day, and teachers with enthusiasm about and exceptional knowledge of their subjects.

We provide:

- small classes, in which students are grouped by ability appropriately;
- highly qualified teachers who know their subject & love teaching;
- a strong, academic education; a proven curriculum similar to or exceeding the standards of the International Baccalaureate and public schools, though not in same chronological order. The curriculum is reviewed and is documented. Our current curriculum comprises instruction in three languages for all students (with adjustments as needed) – English, Spanish, and Chinese; Singapore math; high-level science; social studies; art; music; and physical education; tennis, and intermittently in archery
- student placement in each subject at a level that is rewarding and challenging, rather than by age
- student-interest-driven choice of topics when possible
- support & rewards for positive behavior
- frequent reviews of student progress, to the student and the student's family to aid such progress
- a challenging but supportive environment, while avoiding negative feedback and false praise
- a sense of community & belonging, including engagement of the Las Cruces community
- environmental stewardship; we recycle extensively and use energy wisely
- A safe, clean learning environment – facility safety; student behavior; presence of 2 or more adults in school; disallowing closed doors; monitoring health and providing health measures (immunizations, rules about attendance during and after illness, food allergy precautions);

requiring adult background checks and driving records); assuring Internet safety; requiring family permissions for publicity and use of names

- a clear and fully implemented policy of avoiding invidious discrimination on any grounds
- full compliance with state and federal regulations on education

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Our mission statement

We are a non-profit (501(c)(3)), private, non-sectarian school, with an emphasis on math, science, and languages. Academic rigor at LCA derives from our recruitment of highly qualified teachers in science, math, and languages, along with small class sizes. Students learn English, Spanish, and Mandarin Chinese language classes every day, in order to prepare them for communication in an increasingly connected world. Our commitment to maintaining small class sizes allows teachers to provide extra help to students who need it and to group high-performing students according to their ability; not their age. Furthermore, our student-influenced curriculum encourages children to pursue self-directed learning, indulge their intellectual curiosity, and remain engaged in class. LCA students are encouraged to socialize, work and play with one another in order to develop the crucial social skills necessary for community involvement and future leadership roles.

We serve students who are advanced and motivated and who are typically underserved in other schools. These children have talents or academic achievements in one or more subjects are significantly beyond grade level, and have academic needs that exceed those of most other students. LCA guides them in the realization of their full potential with our holistic approach towards education.

We realize that students are not gifted or advanced in all subjects. Our policy of placing students in each subject at an appropriate level helps the students use their gifts and motivation well and to progress in all subjects.

Identifying giftedness or academic advancement is challenging, particularly with young children. Prior to admission, then, we use detailed information about a child's prior experience, interests, and idiosyncrasies, often revelatory of intellectual ability.

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Our legal organization and Articles of Incorporation

The Academy incorporated in the state of New Mexico on 2 March 2007, with State Corporation Commission number 2845790. Our status as a 501(c)(3) non-profit organization dates from the same day. Our legal Articles of Incorporation are posted on our Website. We operate under a business license from the Town of Mesilla, with a Federal Employer Identification Number, a state CRS ID, and a state DWS UI number. We hold accounts at the FirstLight Federal Credit Union. We hold insurance policies for liability, property, and Workers' Compensation. The fire chief of the Town of Mesilla has issued a certificate of occupancy for our building, which we lease from Preston Wisconsin, LP. We are listed with Dun and Bradstreet.

The Academy operates under the authority of an all-volunteer Board of Trustees, who bear the legal and financial responsibility for the operation of the school, as outlined in our Articles of Incorporation. Assets of the Academy are held in its own name; there is no private ownership at any level. The Board of Trustees is self-perpetuating. The Head of School is the sole employee of the board, which reviews the Head of School's performance. Our Website gives the current membership of the board.

We also have a board of advisors to help us make decisions about student admission and teacher hiring.

Our [financial records](#) are open and posted on our Website. Updates, including updates to business plans, are made available as time allows.

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How we implement our mission

Faculty are chosen carefully under the authority of the Head of School, for their passion for education and expertise in the specific subjects that they teach. Most are part-time, teaching a specific subject. All are paid equally on a basis pro-rated to full-time. Our teachers are supported by the administration and have academic freedom in teaching, subject to overview by the Head of School to assure the progress and well-being of all students. The Academy offers teachers annual contracts, renewable upon the authority of the Head of School; there is no seniority system.

We are supported by tuition and by donations of funds, goods, and services by parents, students, teachers, community friends, foundations, and corporations. Our policy is to meet only operational costs (and, typically, only 92% of those) with tuition, making up deficits in operations from donations. Funds for capital projects, primarily the future purchase and development of an LCA-owned campus, are solicited only as donations. At present, and for the foreseeable future, the Head of School and the Chair of the Board of Trustees work full-time without pay. Head of School Kay also has invested a major amount of funding from her personal finances.

We value and expect full participation by parents or guardians in the education of their children. – and in LCA-wide activities. We also welcome the participation of visitors who can share their expertise. We describe a wealth of ways of participating in this handbook.

How we relate to the community: The Academy has become integrated into the Las Cruces community, with ties to businesses, media, the Green Chamber of Commerce, local government officials, educators, civic clubs, and others in diverse walks of life. We enjoy a high profile and high approval, which we value greatly and work to maintain.

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Our curriculum: We use world-leading Singapore math. Chinese is taught very effectively with the systems developed in China for Chinese as a second language: *I Chinese* in the beginner's class and *Kuaile Hanyu* (Happy Chinese) in subsequent years. English, social studies, and science are taught with lectures, projects, and writing, with students frequently suggesting themes to follow; teachers who are experts in these subjects fill out the year's course content to a coherent whole, using their deep knowledge of the subjects and guidance from the NM State Core Curriculum. Students do self-directed reading daily. Younger students have phonics training from teachers with specific training or expertise. The students suggest themes for general study that the teachers then implement. Older students write plays for performances that they present.

Governance: Our board of trustees has the ultimate legal responsibility for operation of the Academy. Our Head of School is responsible for all operations, with review by the board. We engage our teachers and parents in providing important information and ideas about all aspect of teaching and operations, while not encumbering them with those legal responsibilities that are specific to the board of trustees. Thus, the final decisions on operations must fall to the Head of School and the board of trustees.

Faculty development: We value our teachers highly. We support their academic freedom to implement the curriculum in ways that they find effective, while subject to review by the Head of School. We also support their professional development to the extent that our finances allow. Over the past 3 years, we have paid for training of several of our fine teachers in the multi-year *Take Flight* program of the Scottish Rite Hospital in Dallas, TX. Our current teacher contracts request teachers to provide plans for their development as faculty.

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POLICIES FOR STUDENTS AND THEIR FAMILIES

Admission process and conditions

Application for admission of a student begins with submitting a completed application form, which is available on our Website, and payment of an application fee, also online. The Head of School and advisors review applications on a rolling basis. In other words, the admissions committee periodically reviews all the applications we have received, and votes on all of the applications. We will continue to accept applications at least until either all available spots are reserved (by a tuition installment) or until the start of classes in August. We would prefer not to enroll students during the school year, although we understand family circumstances may require it.

What we look for in the admission process: While we expect that some of our students will be profoundly gifted, we know that many will be motivated children of average intelligence or moderately bright children who are ahead of their peers in one or two subjects (such as reading, writing, or math). We realize that a student can be gifted in just one subject, and that “advancement” depends upon previous educational training.

Looking for so many kinds of talent and advancement means that we ask *a lot* of questions on the student application. This should not be intimidating; we haven't met the child yet who was outstanding in every area we ask about. We ask a wide range of questions because not only do we hope to identify children gifted in commonly recognized ways, but also the less-clearly gifted children who are still quite talented. And, of course, we're also looking to identify children who may not be gifted at all, but who have advanced beyond their peers nonetheless.

Currently we accept students as young as age 5 for full-time kindergarten, though we have no strict cutoff. As of August, 2013, we have offered **pre-kindergarten** as a true academic program for students as young as age 4. In individual subjects, we place students in a group based on their ability and prior knowledge. However, students are assigned an overall grade level based upon their age, not their academic level. Even exceptionally gifted students who are old enough to attend LCA based on their birthday will almost never be placed in a grade higher than their birthday would indicate, for social development reasons. Most very gifted children are academically advanced but still have the emotional development of their age-mates. Thus, in the Academy, a child may spend some time with older or younger students, depending on the subject being taught, but will also spend time with same-aged children whenever possible.

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Parents need to apprise the Academy of the child's academic needs and disabilities. We will keep all records of disabilities **confidential** unless the parents and student agree to disclose them. We have limited capability to deal with dyslexia, e.g. We can offer some remediation if it does not detract from the time we must devote to other students with our budgetary constraints; additional remediation must be arranged at the expense of the parent(s) or guardian(s).

The Academy needs records of schools that the child attended previously. Our admission form requires these records, as the name of the school(s), school address(es), and dates of enrollment. We require the student's transcripts and individual educational plan (IEP), if these exist, and the Academy has the right to inquire about the academic and behavioral record of a student at schools that he or she has attended. We request equivalent information for students who have been home-schooled.

Admission is further contingent upon having the child visit the school for one day during normal classes, unless this is impractical, and admission is probationary for the first two weeks. Payment of the first month of tuition in advance then holds the student's place in the Academy.

We expect that the student will continue to be enrolled in the Academy until reaching the highest grade offered by the Academy. This gives the child the full benefit of our curriculum. Neither we nor the child can function well on a drop-in basis.

Disenrollment and reenrollment: Again, we note that children thrive with continuity of our education. Disenrolling your child for reasons other than unforeseen substantive problems, such as financial distress, is an implicit permanent disenrollment. If you wish to reenroll your child after a voluntary disenrollment, the child will be reevaluated for admission suitability. If there is a waiting list for enrollment, the child will be added at the end of the list. We have the option to require deposit of a full year's tuition, refundable only for a subsequent disenrollment for good cause, at the discretion of the Academy.

Continuation of enrollment is contingent. Continued attendance at the Academy is contingent upon the student being invited back each year. The Head of School has the final authority to decide if a student should continue with the Academy. A student who is progressing, is responsive to the way that the Academy educates students, and who exhibits no behavior problems that adversely affect other students in significant ways, may be invited back for the next academic year. Invitations are delivered in writing.

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Payment of tuition is required monthly in advance. Tuition is not based on attendance but on registration; we have to pay salaries regardless of attendance. We offer several plans for payment schedules, 11 monthly payments, semester in single payment, or year in single payment. Payment by direct deposit scheduled at your financial institution is highly preferred. Payment can also be done by check or the Intuit Payment Network; we cannot accept credit cards at this time. Timely payment helps our operations. Payments that are late by 7 days or more are subject to a charge of \$10 per week. Invoices are sent by email on or near the first of a month, with payment due on the 15th of the month for instruction covering from the 15th of the month through the 14th of the following month. If a student withdraws for any reason, tuition is refundable only for whole months unless there are exceptional circumstances.

The Academy seeks to make scholarships available to families that have financial needs. The amount available depends upon the current reserve of donated funds. All scholarships are partial, typically with a maximum of half tuition.

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Hours and attendance

The standard school day for instruction is from 8:30 AM through 4:15 PM, or 3:30 PM for students in kindergarten and first grade. Students in early kindergarten finish at 11:45 AM; we do have a full-day option for these students. Policies on tardiness are noted in the section on academic performance. The current class schedule is posted on our Website, shortly after the start of the term, as is our schedule for holidays and events. Please note that it is somewhat complex, with each individual student assigned to a group separately in each subject. For the convenience of working parents, the school is open for dropping off students as early as 7:30 AM and for picking up students as late as 5:30 PM. If a student is not picked up by 5:30 the parents will be assessed a \$10 fee, and if the student is not picked up by 6:00, there will be a further \$20 fee. Our staff members cannot be expected to provide free day care beyond their work day.

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Health and safety

Custody: We value the safety of our students in every respect. Students must be escorted into the school to begin classes or out of the school at the end of instruction by a parent, guardian, or authorized representative. A parent or guardian (from here on, “parent”) must give the school written information about any representatives whom he or she wishes to pick up a child, with sufficient detail that we can affirm the identity of the person.

In cases of children of divorced parents, we must have clear and specific directions, including legal documentation, regarding custody arrangements. Please note that the Academy cannot intervene in any custody disputes, whether on school grounds or in court, unless subpoenaed in court.

On-duty law enforcement officers may remove students from campus for any reason after signing a statement indicating that they are taking the student. We will record the officer's name and badge number, as well as where the student is being taken. If we disagree with the officer's reason for removing the student, we will note this and ask the officer to sign the statement indicating their awareness of our disagreement. If the officer refuses to sign the statement, we will note this on the statement. Except in cases of suspected child abuse or neglect, we will notify the parents as soon as possible and give them the reason for the student's removal, the officer's name and badge number, and where the student is being taken to.

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Students eat lunch and two snacks at the Academy. We strongly encourage that the food, which is provided by the parents except on special occasion, be healthful and that it also not present packaging waste that is not recyclable. If parents are concerned about the healthfulness of snacks that other parents or teachers provide for occasions such as birthdays (e.g., cakes, cookies, ice cream, ice pops), we ask these parents bring snacks for their child that they consider acceptable, so that the student is not left out on such occasions. Students are responsible for bringing their own food, which should not require refrigeration or heating. The food the students bring should include lunch and the number of snacks needed based on the hours of attendance. If your child has a variable appetite we suggest you provide the student with nutritious, prepackaged snacks which may be stored in their cubbie. The Academy will support the efforts of the parents if they wish to join together and take turns providing snacks, or form a pool of money from which a faculty member/staff member/parent will buy suggested snacks. The food needs to be ready to eat without cooking; by fire code and health codes, the Academy cannot cook food without major expensive modifications to our facility that are also not allowed by the building owner. We appreciate the cooperation of all parents.

Food allergies can be life-threatening. Parents need to inform the Head of School any food allergies that their child may have. We teach the children to be aware of the food allergies of other children, and we expect the parents of all children to make their children aware of the contents of their school food, both lunch and snacks if the food contains potential allergens.

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By state law, we must keep health records for every student. These records include any allergies (food, insect stings, etc.) and chronic illnesses, disabilities. The public schools keep more extensive records, such as a student's health history and vision screenings; at present we do not require these records. We will keep all student health records confidential among the relevant staff members, unless the parents and student wish to disclose them. Certain records should be disclosed to the teachers and, in some cases, students for the safety of a student, such as life-threatening food allergies. In these cases, the parents will be asked to give consent to the disclosure, or, if they choose not to make such

disclosure, to sign legal documents that they assume the responsibility for consequences. The Academy needs all information for handling emergencies, including emergency telephone numbers of parents, alternative responders, and the child's doctor. We must be notified of any updates in status. The Academy staff can only administer a limited number of medications, and only with signed parental permission. These include non-prescription painkillers, as well as some emergency medications, such as inhalers for asthma or similar conditions. We will maintain an epinephrine (epi) pen for emergencies when it is provided by the parents. An epi pen is the only injection that any Academy staff can administer, and only under the most stringently controlled conditions. For both inhalers and the epi pen, we need a signed authorization from a parent to use in such an emergency. For students who need inhalers, parents must provide an inhaler for the school staff to retain. Student self-medication is prohibited at all times. Academy staff must retain custody of all medications.

In addition to health records, parents must inform us about major behavioral problems of their child that may affect the safety or academic progress of the student or other students.

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On or before the first day of school, then, we need the following records:

- A list of any allergies the child has, and any medications he or she is taking
- Contact information, as well as two backup contacts in case a parent can't be reached in an emergency.
- A form allowing us to authorize emergency health care if the parent cannot be reached in an emergency
- A form identifying any persons who are allowed to pick the child up from school.
- A record of immunization status, showing that the child has (1) an immunization record showing that the child has received all immunizations mandated by the New Mexico Department of Health, or (2) an exemption from New Mexico's Public Health Division, or (3) a signed statement from a licensed physician or certified nurse vouching that the child's life or health would be seriously endangered by vaccination. We are required by law to report parents who do not vaccinate their children without an exemption or a statement from a physician/nurse.
- A record of any chronic communicable diseases your child has. We will maintain the confidentiality and privacy for the child and his or her parents, but we need to know about these diseases so that we can make sure that both the family and we are taking any necessary safety precautions.

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Injuries at school : Academy staff can treat minor injuries such as small cuts and bruises. At least one staff member is trained in CPR and first aid. Any more significant injury will be treated as a health emergency, in which case the staff will contact parents, a parent representative, the child's doctor, or emergency services.

When emergency services such as an ambulance or paramedics must be contacted for illness or injury of a student, a significant cost may be incurred, for which the parents are responsible. We will use our most careful judgment before incurring this liability for parents.

Do not send an ill child to school; we realize it is an inconvenience to have to provide day care for your ill child, but spreading an illness incurs this penalty on others. We do realize that childhood illnesses are inevitable, but we work to minimize the problems associated with them. Near the end of this handbook we provide guidance for assessing if a child must be kept home.

Pets: Due to the risk of bites, scratches and allergies pets should not be brought to school. We can make exceptions if we judge that the risk is low and that parents are properly informed.

Visitors: The Academy has a relatively open campus visit policy. In fact, parents of enrolled or potential students, as well as interested community members, are encouraged to visit at virtually any time, although we ask that you try to call in advance. This is to make sure that we're not on a field trip,

so we can minimize any disruption your visit will call if you are visiting a class, and to make sure that if you wish to visit a particular person, he or she will be available when you arrive. Visitors are held to the same standards of behavior as everybody else, and may be asked to leave if they have problems meeting those standards. Our experience is that visitors can enrich the educational experience, particularly those who participate as guest teachers, discussants, or helpers.

For the safety of the students and our property, we may ask you or your designated relative or caregiver to sign out when picking up a student. If our staff does not recognize you by sight, we may ask for a photo ID.

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Noninterference: New Mexico statute 30-20-13(D) states: No person shall willfully interfere with the educational process of any public or private school by committing, threatening to commit or inciting others to commit any act which would disrupt, impair, interfere with or obstruct the lawful mission, processes, procedures or functions of a public or private school. We apply this statute to everyone who is on campus or with students on an official Academy activity off-campus.

At the LCA, we apply the rule of noninterference to students, their parents, guardians, and other relatives and friends, other teachers, board members, and visitors at all times. Harassment of teachers and staff regarding their mission in teaching, whether physical, verbal, or in writing, is not acceptable, nor is destroying or disabling facilities and other resources such as access to utilities, on-site or remotely.

In cases of interference with the likelihood of grave and/or permanent damage to our mission, we may take immediate action, with the option of engaging legal authorities. Action may include removal of the perpetrator from the school or from premises where the school has an off-campus activity - by school staff or by law enforcement officials - if we judge that there is a threat of serious harm to any person for whom the LCA is legally responsible (including but not limited to teachers, students, administrators, Board members, campus visitors, and others) or of serious harm to school facilities, resources, or other adjuncts of our mission of providing education for students and safety for all persons. In cases of remote (e.g., electronic) interference, we will engage the appropriate legal or organizational authorities.

In cases appearing to pose a lesser threat, upon judging that interference is occurring, we confer with the individual (or his/her group or organization), hereafter termed perpetrator. Action taken after such a conference depends upon the severity of interference and its recurrence. For individual instances of interference that we judge not to be an immediate threat of serious harm, we may elect to continue conference with the responsible perpetrator(s), whether individual(s), group(s), or organization(s).

If we judge that a persistent pattern of harassment or interference constitutes a significant harm to our total mission, we may elect to have the perpetrator removed. This may include forbidding entry to the campus or environs or sites of off-campus activities over we exert some control and/or forbidding contact in person, by phone, or by other means by the perpetrator with affected school staff, or with particular or all students, or with providers of resources to the school, including but not limited to public utilities, vendors, and professional service providers. In such cases, we shall provide written notice to the adjudged offender in timely fashion.

In the case that the perpetrator of harassment or interference is the parent or guardian who is responsible for a student enrolled in the LCA, we may judge it necessary to disenroll the student, even if the student is innocent of the adverse action. This may occur because the perpetrator, upon being informed of the actions we elect to take, becomes unwilling or unable to support the student's education while being forbidden contact themselves, whether by failing to continue financial support of the student, failing to provide for the student's regular attendance in classes, or encouraging adverse actions by the student himself or herself.

Weapons are strictly prohibited on school property or in the course of any school activities off-campus. Only an on-duty law officer or a student, staff member, or visitor who has received explicit

written permission from the Head of School in advance may have a weapon on campus. Anyone bringing a weapon on campus without such permission will have the weapon confiscated at a minimum, and will likely be required to leave. Depending on the nature of the weapon and whether or not it is brandished, the person may even be indefinitely banned from campus.

The serious warnings above aside, we are careful in what we identify as a weapon. Items which were designed with another use in mind (such as forks, letter openers, and even tire irons) are not weapons until they are carried or brandished in such a manner indicating a threat to someone's safety (including the bearer's). On the other hand, swords, guns (or realistic copies), night sticks, etc. are always weapons, whether or not they are brandished. If in doubt, ask first or don't bring it.

Drugs: Drugs or controlled substances, as well as drug paraphernalia, are prohibited on campus unless they're legal for the person to use, or are being delivered to someone who can legally use them. Currently, we judge that we do not require an explicit policy. We will develop a comprehensive policy in the near term. In any event, our first response to a suspected incident by a student, short of egregious, will not be to involve law enforcement agencies; our goal is to protect and inform students. Actions by an adult will be treated more aggressively. In no case will we allow the Academy or its staff to be liable to prosecution for drug violations. We will not take possession of any illegal substances by confiscating them.

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Cell phones and electronic games: Students are not allowed to bring these to the school; they are extremely distracting. In case of need to use a cell phone, our staff will make one available. If a student inadvertently brings such a device to the school, he or she can tell any teacher, who will then give the device to our Head of School to retain until the student leaves for the day. Our Head of School will confiscate a cell phone or game deliberately not disclosed. In a first instance, the device will be returned to the child's parent or guardian at the end of the school day. In the second instance, the device will be confiscated and donated to charity.

Search of possessions: The Academy will only allow uninvited searches of students' belongings or persons if a law enforcement officer has probable cause or can present a search warrant. A teacher or administrator will accompany the officer(s) at all times during any searches of student belongings, and the student will be present as well, if possible. We will note the name and badge number of the officer(s) conducting any searches. If we believe the search is improper, we will make a statement noting our disagreement and ask the officer(s) to sign the statement to indicate their awareness of our disagreement. If the officer(s) refuse to sign the statement, we will note this on the statement. As stated above, except in cases of suspected child abuse or neglect (which we are mandated to report), we will notify parents of any interactions with law enforcement involving their child.

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Use of the Internet is monitored by adult staff for the safety of the students and of the school. We do not deploy blocking software, which is notably imperfect. We ask parents to help reinforce the safe use of the Internet by students, both at school and at home.

Personal property of students is kept in the student cubbies in the hallway or the classroom. The school is not responsible for losses. If something happens to a student's personal property while it is at LCA or carried on an LCA-sponsored activity, we may attempt to help recover it or mediate a solution between the student and the party responsible for its damage, loss, or destruction, but we will not replace or repair it. In short, students' belongings are their responsibility, so that they must be careful when bringing items of value to them to the school. We help the students keep track of their property, provided that the student makes us aware of it. Some personal property, particularly cellphones and electronic games, cannot be retained under the student's control; it must be given to the staff, for return when the student leaves school for the day.

School emergency procedures: by local and state law, we must conduct fire drills monthly (and weekly, for the first month of school). We instruct students in proper evacuation procedures. We require students and visitors of any age to obey staff instructions in any emergency. Evacuation guides are posted in all rooms and hallways. Room and hall signage for exit routes is complete. We abide by fire code in keeping all doors and gates unlocked during business hours. The building owner has also required in our lease agreement that we post signs stating that the owner is not responsible for any losses or hazards.

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Harassment and bullying: Harassment comes in many forms, the most infamous of which is sexual. We have some notable defenses against both harassment and false allegations of harassment. The first line of defense is performing background checks on all staff, as well as on volunteers who will be working with students for more than the equivalent of one full school day. Our main defense against both harassment and false allegations, however, is having multiple adults present any time children are at the school or on a school-sponsored activity. Having two or more adults means both that we have two independent accounts of any incidents, and that there are at least two people watching out for the wellbeing of the children (and each other). Harassment of students by other students, or bullying, is not tolerated. We seek to resolve incidents by the method of eye-to-eye resolution of conflicts (see the section on Discipline). We reserve the right to restrain students who do not respond to requests to cease harassment, and the incidents will be appropriately recorded and made known to parents if necessary. If a student's behavior is unacceptable and there has been a history of such behavior, the Academy has the right and obligation to require the family to obtain appropriate counseling for the student.

Suspected abuse must be reported, by state law. Our staff, as are all adults of any age and relation or non-relation to students, are required to report suspected abuse of children to Children, Families, and Youth or to a local law enforcement agency. At the Academy children will not be released to impaired parents. We will call the other parent or an adult who is listed as an emergency contact on the registration form to pick up the child.

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We are requiring background checks on staff and any volunteers who are present more than nominally. The expense for staff background checks is borne by the Academy. The expense for checks on others may be passed to the volunteer, at the discretion of the Academy. There is a discontinuity of the check system currently (the NM Public Education Department no longer serves private schools), which we are working to resolve.

Field trips by students in which the students are transported from the Academy via motorized transport require explicit parental permission. Because some teachers must remain at the Academy, we also require sufficient chaperoning by parents or background-checked volunteers. If transportation by vehicle is necessary, we require a driver's record for any driver, and the driver must be at least 25 years old. A parent or volunteer who is not an approved driver may not drive students for any reason. This exclusion **even applies to a parent driving his or her own child** (see the note near the end about a [similar policy](#) used by another school. The record can be sent to the Academy at 4904 Calabazilla Dr., zip 88011, by going online at <https://secure.mvd.newmexico.gov/RenewalServices/DHR/Individual/>. The approval process takes at least 48 hours. Please plan accordingly. Parents or volunteers who chaperone a trip are expected to be fully attentive to the students; socializing with other adults needs to be kept to a minimum. Adults who are driving cannot use cell phones at any time during travel in a vehicle. Siblings of Academy students who are not enrolled in the Academy can only participate in a field trip with the express permission of the Head of School or the Assistant Head of School.

Students may be taken on spontaneous field trips to local sites; this allows the Academy to take advantage of unscheduled events as teaching opportunities. To ensure that no student is taken on a

field trip who needs to be taken from the school for outside appointments, etc., parents should sign the sheet hanging near the Academy door indicating when the student needs to be available for his or her appointment.

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Protection of student identity: We realize parental concerns, especially by parents whose occupations bear risk to children if publicized (e.g., law enforcement). Our policy is by default to not release full names of students in images. Please note that photographing by other parties in public venues is unrestricted, protected by law. Students are often photographed by parents, staff, or persons external to the school (such as newspaper reporters) at Academy events in or out of school. In general, parents grant implicit permission for such photographing, with the restriction that the identity of any child not be revealed without explicit parental approval when a photo or video is released for public viewing, such as in a newspaper or YouTube. Parents may request that no photos of their child be taken, but we regard this as an extreme measure that makes it almost impossible to have beneficial publicity or even the satisfaction of the children seeing the record of their activities shared. Parents may wish to provide a faux name to be used with photographs of their child.

Abiding by the General Data Protection Regulations (GDPR) of the European Union (EU): All organizations that have data on EU citizens must abide by these regulations. We have had enrollment and applications for enrollment from such citizens, so that we are obliged to apply them in the LCA. We must inform such citizens of the provisions of the GDPR. Addressing these people:

“ * We have to tell you everything we do with your data: how we record it, how we share it.

- Your data are stored in several places. One is in our QuickBooks software for the tuition payments. QuickBooks has to share it with our financial institution, the FirstLight Federal Credit Union. Another is our Word document(s) for contact information – your name, address, phone, email address. That we cleared with you individually, as recently as last year, allowing any of you to opt out of sharing with other LCA families; one person did so.
- We keep master spreadsheets of all of the LCA’s financial transactions; these include names, as for identifying the parties who are paying tuition.
- Student records are in paper files (clearly not web-accessible) and in electronic files on our laptop computers. The sensitive files are encrypted.
- By state law, we obtain medical records (immunizations) on all students. We also have records of your parent-student contract, which includes information about your child’s relatives or caregivers for emergency care and about your child’s physician.
- Report cards exist as electronic files and have been sent out via email only to the responsible parent(s) or guardian of each student.
- Minutes of faculty meetings, weekly newsletters, and class notes are kept as electronic files on our laptops. Students are mentioned by first name only therein, unless special acclaim is made.
- Parents are named, commonly by first name only, in minutes of the Parent Committee kept as electronic files on Vince’s laptop.
- Applications for scholarships have included copies of income tax returns of the families making the requests. These are kept as electronic files.
- Stories of our school’s activities are posted on our LCA website and our Facebook page. In all but a few cases approved by parents, students are mentioned by first name only or not at all.
- For mailings to all parents, Vince maintains a list of parents’ email addresses and names on MailChimp.
- Seton testing has names, birthdates, and scores for students who took the test this May. We will be sharing scores with you and with our teachers.

- Backups of all our data, other than massive image folders, are made automatically from our hard drives to SpiderOak, which is a zero-knowledge site; all our files are encrypted in transmission and stored encrypted. SpiderOak staff do not know our password, only the encrypted hash (which also means that they can't ever read our data, nor help us if we ever lose our password; that's the risk we take for security).
- On rare occasions, names are mentioned in emails or Google chats among Board members, dealing, for example, with changes of status.

* All of our electronic files are protected by password access to our laptops. The more sensitive files are also encrypted with machine-specific certificates.

* We have not allowed access to our files to parties outside the LCA, other than for

- publicity as noted in newspaper stories, the website, and Facebook, with names duly protected, as also noted, and with no contact information provided other than for Lou Ellen as Head of School and for us on the Board;
- preparation each year of our federal form 990; we provide the QuickBooks company file to Fristoe & Company, PA, our accountants, who act in strict confidentiality.

* You have the "right to be forgotten." This protects people from having any adverse publicity, for example. At your request, we would have to expunge any of your records under our control that could reach public view, other than records that we are obliged to keep under US or EU law. You may notify us in writing of records you wish to have expunged. "

Privacy of student records, general: We also abide by the provisions of the Family Educational Rights and Privacy Act (FERPA) in keeping all student records confidential. This is voluntary compliance on our part, as we are a private institution not receiving federal funding. Under the provisions of the spirit of FERPA, Parents have the right to inspect any records we maintain on their child, and to request that those records be amended if they are incorrect. If we disagree and choose not to amend the records, the parents have the right to a formal hearing. If we still decide not to amend the records, the parents have the right to place a statement explaining their beliefs into the records. Note that records kept by an individual teacher which aren't shared with anybody else are not included.

We generally cannot release a student's records without the explicit consent of that student's parents, although there are exceptions to this (school officials having a valid reason, another school to whom the student is transferring to requests some records, an accrediting organization requires selected records, the Academy is issued a subpoena, health and safety officials require records in emergencies, etc.) Directory information (such as name, address, phone number, date and place of birth, honors & awards, and dates of attendance) is also excepted, although we must tell parents what directory information we may publish, and they can opt out. If you do not wish for directory information about you or your student to be published, or for your child to participate in certain activities, please give us a written note explaining what you would like to opt out of.

Actions of non-Academy employees: Parents might, on occasion, hire non-Academy staff for tutoring or child care on school grounds. Parents should be aware that such persons are not acting as school employees while in these capacities; the Academy shall not be liable for any actions that may occur.

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Abuse prevention procedures

This is a section inserted into the school policy handbook, which is under continuing review. The section of the website with all school policies is being redone as of 14 July 2024.

An overview of risk of abuse and prevention

Policies and policy-informed actions must protect the persons involved as well as the function and reputation of the school.

In school operations there are three potential actors who may abuse others – the students, the teachers (hereafter the term covers teachers and staff), and the parents. There are then nine possible pairs of abuser and abused, two of which are not in our control or purview, that of parent on parent and that of student on parent.

A focus here is on sexual abuse, while policies about psychological and physical abuse are effectively covered with the same policies. The policies are to be read with that coverage in mind.

Models or systems for preventing sexual abuse, also largely applicable to other kinds of abuse such as psychological and physical, are readily found. One that has informed our policies is the system found at abusepreventionsystems.com. The overweening caution is that school leaders are generally very good at determining that a person is a good fit for the educational mission but poor at detecting and managing risk in advance. Key elements for minimizing risk of abuse are:

- Screening of applicants for staff positions, with four parts: full evaluation of the application submitted; checking the references provided by the applicant; a criminal background check (caveat: as noted at the cited website, only 10% of sexual abusers have a criminal record); and the interview or interviews, with attention to extracting answers to any non-answers or elusive answers in the first two elements of screening
- Awareness training for staff and students. This has two parts. First is learning to detect and deter signs of abuse, via formal training. Second is requiring that staff and students know and understand the policies for abuse prevention.
- Custodianship – entry and exit of students, assuring that only vetted adults are entrusted with students. Custodianship includes using entry and exit monitoring, having records of adults responsible for each child, and checking for safe transportation of children to, at, and from off-campus school activities.
- Periodic review. This includes rereading the policies and updating any parts that need it. It also includes a staff review led by the Head of School or Deputy of any significant events in the interval since the last review.

Abuses by categories

Parent-student abuse. Parental abuse of children (students) is legally required to be reported whether or not it occurs in the school. We refer to another section of the policies handbook. It is mandatory by state statutes to report suspected abuse to outside legal authorities.

Teacher-student abuse can be deterred, first of all. Teachers must read this section of the policy manual and affirm their compliance in writing or via email at the beginning of each academic year. Corporal punishment of students is forbidden; this is reiterated in other sections of the policy manual. Psychological abuse in classes is forbidden, or when disciplinary action is excessive or unwarranted.

Sexual abuse is defined as sexual conduct that involves inappropriate physical contact between the abuser and victim and a significant age difference between the parties. The Las Cruces Academy also forbids sexual harassment, defined as "unwanted sexual attention from administrators, teachers, peers, or school staff." One principle to deter sexual abuse or harassment, in particular, is that no teacher is allowed to be alone with one student in a room without visibility or other detectability to others in the

school. Conduct construed as sexual abuse or harassment includes sexual references to a student or group of students in conversations or classes intended to depict them as objects of sexual action. This excludes appropriate visual or oral presentations in biology classes or in affirmed sexual education classes.

Finding and reporting teacher-student abuse is incumbent on the other teachers (including staff). The student himself or herself or other students may report suspected abuse. There are several avenues for reporting. Any of the parties suspecting abuse may report an incident or pattern to the Head of School or Deputy Head of School, or to other teachers who are then required to present the report to the Head of School or Deputy Head of School. If the incident is construed as involving either of these two parties, then the other party must take charge of the reporting and consequent actions.

On a first allegation of suspected abuse the Head of School or Deputy Head of School (hereafter just 'Head') will meet with the person alleging the suspected abuse and, as appropriate, the alleged person abused. Most allegations are likely to be resolved at this time, but the Head informs the parties (reporter and suspected victim of abuse) that they can request further action.

The Head of School or Deputy Head of School must document the reporting, with dates, identification of suspected abuser and abused. The documents must be kept confidential unless release is mandated by legal authorities. Until remediation or dismissal of action against a suspected abuser is complete, all parties are enjoined to keep discussions with outside parties limited to need-to-know status. This avoids damage that can be extreme to the student, teacher, and the reputation of the Las Cruces Academy.

Student abuse of other students: This is covered in the section below about bullying, which see.

Student abuse of teachers and other staff; parent abuse of teachers (primarily psychological or physical): This is covered in the section of the policy handbook on Noninterference with school operations, where we cite New Mexico statutes

In all, then, more-specific policies are:

- Ensuring awareness of types of abuse, potential signs of abuse, and policies to deter abuse and resolve any allegations of abuse. On being hired and annually, staff must attest in writing or via email that they know and understand all three parts. Staff members must have information about contacting agencies, especially in time-critical situations.
- Screening of applicants for staff positions. Here we elaborate points noted in the overview above:
 - The Head convenes a panel composed as needed of teachers and informed external parties (often called our advisors) to review each application. They also read the references provided by the applicant
 - The Head requests a criminal background check from the state or FBI. The providers of background checks have varied over time; the most comprehensive report is sought.
 - The Head convenes a panel to interview the applicant, with attention to extracting answers to any non-answers or elusive answers in the first two elements of screening
- Custodianship. The school admits students, staff, volunteers, and visitors only through the front door. The magnetically locking door is locked at times other than when students enter or leave for starting or ending the school day or for scheduled lunch and break times. For safety in case of fire or other danger, anyone of any age or physical ability can open the door from the inside by approaching the door or pushing on its handle. The Head or a designated staff member

checks in each such person in or out. The person must be known to the person doing the check or the person requesting entry must provide identification, with the option that the checker will phone or message the student's parents. We record all approaches to the door with two cameras, one by the doorbell and one facing the front door from the inside. The Google Home service permanently records the events, with immediate review enabled.

When students are transported in private cars to off-campus official school activities, the adult driving must have provided a recent driving record of any traffic offenses, even if the adult is only transporting his or her own child. We require parent(s) or guardian(s) give(s) their permission on a written and signed document for each trip in which the students are transported in vehicles, including public buses.

- Physical presence and appropriate physical contact: Students cannot be alone with a staff member in a closed room or space otherwise not visible or audible to others for prolonged periods. Short consultations are allowed.
- Bathrooms: Our bathroom doors are always kept open to the hallways. Appropriate screening is provided for privacy. We allow students to use the restroom that corresponds to their gender identity
- Use of social media and of school computers and the network:
 - Students are forbidden to use cell phones or the like in the school unless they need the phone available, such as for potential emergencies. They must leave the phone with the Head of School or keep the phone in a backpack stored in student cubbies. The Head takes custody of the phone on first offense by a student; the Head returns the phone to the student's parent. On second offense the phone is taken from the student and donated to a charity.
 - Students may not bring their own computers, including tablets, to the school without permission from the Head. They can use school computers with permission from the teacher in a specified class. They are not to use computers for social media or other off-task activities. The teacher in each class is responsible for monitoring use.
- Bullying, physical or psychological: From another section of the school policy manual: Bullying of any student is not tolerated. Bullying is defined by the American Psychological Association as "Bullying is a form of aggressive behavior in which someone intentionally and repeatedly causes another person injury or discomfort. Bullying can take the form of physical contact, words, or more subtle actions. The bullied individual typically has trouble defending him or herself and does nothing to "cause" the bullying. Cyberbullying is verbally threatening or harassing behavior conducted through such electronic technology as cell phones, email, social media, or text messaging." It must be remedied as soon as possible. It commonly must be reported to the Head of School, unless satisfactory amelioration can be applied at the moment. An effective technique is the Quaker eye-to-eye resolution: each student states what they believe happened, without interruption. The other student uses active listening to repeat what the other student said. The second student or students then states their version of what happened; the first party also used active listening. The discussion continues in this manner until there is a resolution.
- Other sections of the policy handbook for the school address:
 - The ban on bringing weapons into the school
 - Past drug use by an applicant for a staff position
 - Handling of student medications

Adjudication and resolution of allegations of abuse

Levels of action: instruction, restriction, dismissal. These levels of action can be applied to staff and can be applied to students, as appropriate.

By our Articles of Incorporation and our By-laws, daily operation of the school is entrusted to the Head of School and to her or his delegates. The Board of Trustees hires and reviews the actions of the Head of School. The Board also has the ultimate legal authority over the school. Therefore, the Head of School assumes the full responsibility for determining the veracity and magnitude of any allegations of policy violation and then takes action as instruction, restriction, or dismissal.

Instruction of an offending party or parties is merited if the violation is inadvertent or of low significance. Restriction of activities is merited if the violation is significant but remediable by keeping the offender out of circumstances that may be judged to offer some opportunity for a repeat offense. Dismissal is merited for more serious violations or a pattern of repeat violations. Dismissal of a teacher or other staff member involves the school terminating a legal contract. While the contract, which is issued annually and is renewable, includes provisions for dismissal, the Head of School is enjoined to seek legal counsel paid for by the school. It is important to avoid unnecessary elevation to legal action; the Board must be consulted before any legal counsel or legal action is taken. The Board of Trustees must be informed in full of the action to seek counsel and of the procedures followed up to final resolution.

Who must be informed: The parties to an allegation, up to a resolution must be informed. This includes parents or guardians of a student. Other staff members are included to the extent that they have significant involvement with the parties. Others in the school, other relations to the parties, and the public are excluded. Legal authorities and legal counsel are informed only the extent required for resolving an allegation and its resolution.

Keeping records. The Head of School must maintain written records or their electronic equivalent for allegations up through resolution. If the Board becomes involved they have the same responsibility. The Head of School and the Board (“the school”) must keep these records confidential. The records must be kept secure by locking up physical records and by enforcing encryption of electronic records. The school cannot offer access to the records to new parties except under legal necessity.

Amplification of our policies on non-discrimination & freedom of expression

When a student or adult is on campus, at an activity sponsored by LCA, or is in any way representing LCA, he or she **may not discriminate** on the basis of race, religious beliefs, color, national or ethnic origin, sex, physical disability, or sexual orientation. This applies whether the person is an employee, student, parent, volunteer, or visitor, and we take it seriously. Non-discrimination is not only a moral position. It is also the basis for the continued certification of the Academy as a 501(c)(3) organization that is relieved of many tax burdens and able to offer tax deductions to our donors. Finally, if you believe you have been discriminated against (or that someone else has), please report it so that we can address it.

Members of our Academy community, student or adult, **may express any opinion** whatsoever as long as they are not unreasonably disrupting the safe learning environment of LCA. Inciting violence or the commission of an illegal act would be considered disruptive, as would using a racial slur. The number of ways to be disruptive is beyond count, so we will not attempt to list them. We expect everyone to use better judgment in determining whether something will be disruptive.

Freedom of expression includes **equal access to platforms for expressing ideas**, whether that platform is a publication or physical space on school property. If we allow a student group of a particular type to meet in our building, other groups of the same general type, but holding different views, may also meet in our building. The same principle holds for publications. This freedom comes with a stipulation: a group's presence or platform may not disrupt the functioning of the Academy, and we can and will place reasonable restrictions on groups to avoid disruption. Groups that repeatedly or grossly violate those

restrictions or the rules of common decency may be banned. In short, anyone is free to express his or her ideas as long as they are not interfering with the Academy's purpose.

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Academic performance – rights and responsibilities of all Academy members

We nurture a fundamental culture of mutual respect among students, teachers, parents, and visitors. Respect must be offered in words and actions, among students, teachers, staff, and visitors in class, at recess, meals, and school activities on and off campus. Respect is due in academic activities and in personal interactions. We consider adult support, understanding, and modeling by faculty, staff, and parents essential to the child's development. The extension of the Academy goals to the student's home life is very important. We offer guidelines in a section below.

Basic behavior

Timely attendance: School begins promptly at 8:30 a.m. When a child arrives late to school, the entire class is disrupted. We record tardy arrivals and note this in report cards. Often, instructions that have already been given must be repeated for the tardy student. Given that parents are responsible for bringing all children to the school, we try not to punish the child for being late. If a parent is chronically late bringing a child to school, the Head of School will contact the parents to discuss means of improving attendance.

Attendance on all school days: we have a full 180 days of instruction, which we believe is a minimum for effective education. Absences may be excused if the teachers or the Head of School are given advance notice of a valid pre-planned absence, or when an emergency occurs. The teacher may help the student make up the missed academic work. The student alone is responsible for making up work missed because of an unexcused absence. We are aware that ***family trips*** for medical reasons, social obligations, or unique opportunities may take students away from school for one or more days at a time. We ask that the parents carefully weigh the merit of such trips before committing themselves to them. Long absences will affect a student's academic performance. The work missed by the student must be made up, by arrangements with the teachers **at least a full week in advance**.

Please note also that we are required to enforce New Mexico's compulsory attendance law. This law states that a child may not have more than 10 unexcused absences per semester. If a child exceeds that limit, we must give written notice of noncompliance by certified mail or personal service on the child's parent/guardian. If violations continue, we are required to report the child to the probation services office of the judicial district where the child lives.

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Rules for student behavior and punishment Students are expected to behave in a safe and respectful manner at all times while at the Academy. When inappropriate behavior occurs, and no one is injured either physically or emotionally, the student will be warned, with an explanation as to why it was wrong, but no punishment will be given. Examples of inappropriate behaviors are: making unsuitable noises in class or disrupting class; speaking to another person in a disrespectful manner; intentionally hurting another person, either student or teacher; and running in the Academy building - the floors are slippery and hard so falls may result in injury. Punishments may vary, but are typically: denial of some privilege, such as eating with friends; assignment of chores to be done during recess; or writing a letter of apology. During classes, the student may be asked to retire to a specific isolated spot in or near the classroom if there is disruption.

Clothing: We do not have school uniforms, nor do we have a formal dress code. We ask parents

and students to use common sense. Students should wear clothes that are neat and appropriate for the weather and activities of the day. We do not allow students to wear clothing that is offensive to others or sexually suggestive. The Head of School shall apply judgment in any event. For extended outdoor activities, as on some field trips, students should wear clothing that is protective against sun exposure. Remember that long sleeves and long pants are also cooler than clothing that exposes skin to solar heating, unless the air temperature exceeds 50°C, which never occurs in our area.

Preparation: what a student should bring to school and what he or she should take home: The Academy sends out newsletters that, among other things, inform the parents and students what materials the student will need. We have found that everyone has been very cooperative, and that many parents donate additional supplies. We are grateful on both counts. The school supplies basic writing materials and books.

The school loans books to students to read in class and some to read at home. At present, we have not done the massive task of cataloging our extensive holdings of more than 7,000 books. We ask that parents check at intervals for books that the student has taken home and should be returning to the school.

If a student requires an inhaler for asthma intervention or an epinephrine pen for life-threatening allergies, we require that the inhaler or pen be brought to school on the first day. Parents need to present a signed form authorizing the Academy staff to offer treatment, as well as sufficient instructions about when and how to offer treatment.

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Lack of distractions: Our policy that cell phones and personal electronic games cannot be brought to school has been elaborated above.

Kindergarten and younger students may bring one stuffed animal to school. When they have the surprise box they are to leave the object in their cubbie during the school day. Older students are not to bring any toys to school unless they have received prior permission. The Academy has many toys for the students to play with; we believe it is important that students learn to share, so student-owned toys can create problems. If a student brings a toy to school they will be told to put the toy in their cubbie. If the toy "reappears" it will be taken and returned when the student is leaving for home. If the toy appears a third time it will be confiscated and disposed of. It will not be returned to the student.

Homework is an integral part of learning. We take care that our teachers assign homework that is appropriate in nature and duration. Students may have the opportunity to complete their homework assignments in a study-hall period or after classes have ended. The student needs to complete homework in a timely fashion. Parents shall check the completion of the work, aided by the statement of what each day's homework is, as recorded by the student. Homework must be completed even if the student is absent. If the student has a planned absence, such as a family trip, the parents shall make arrangements with the teachers to have the homework assignments communicated, either by advance notice or by email to be sent during the absence. If a student fails to complete homework at a frequency that is deleterious to his or her progress, the teacher(s) or the Head of School shall call for a conference with the parents.

In an appendix following the narrative here, we outline the expectations of homework for students at various grade levels.

Parents should establish a quiet homework environment. A standard time in the home schedule for doing homework is valuable. The work should be done by the student, with parents as supportive but not teaching the content of the assignment. Parents gain insight into a child's progress in time management and dedication by overseeing the child's doing the homework.

Our teachers are responsible for reviewing the completed homework assignments. They give appropriate recognition to the student and retain records of the student's performance on homework assignments.

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Testing: At frequent intervals, students take unit tests. These tests are part of the flow of the subject and they allow teachers to keep students on track. In Singapore math, there are tests that complete each book, nominally covering a semester, such as Singapore math 3B for the 2nd semester of grade 3. At this time, we are working to select useful standardized tests; we'll provide more information as our program develops. We are not required to have tests tied to federal or state standards, and we do not "teach to the test." We offer our detailed narrative reports as sufficing for gauging each student's progress. As we grow into a school offering grades above 5th, we will develop a suite of tests that is informative to outside evaluators while not being burdensome on students and teachers; we will not teach to the test.

Reporting of student progress; parents' obligations: The teachers and the Head of School provide reports of student progress in several forms. The Head of School sends a **weekly newsletter** that includes reports from each teacher on the content that was covered the preceding week. The newsletter also notes events, coming and recent past, and expresses our gratitude for donations and services that we have received from parents, students, teachers, board members, and members of the community. We ask that all parents at least the relevant sections of the newsletter; it is the easiest way for us to communicate with the parents. If you have concerns, please email us at the Academy or speak with us.

Each parent also receives **report cards** twice each semester with extensive detail on the student's progress, including academic progress, social progress, and attendance. The reports are narrative, not simple letter grades. These compilations require a great deal of time, so that they are sent several weeks after mid-semester and several weeks after the end of the semester.

Parental and Academy concerns about progress as also about school operations are discussed in **LCA community meetings**, to be scheduled four times during the school year. These meetings are designed to be much more than an airing of concerns about particular school operations. They are intended to build the capacities of the Academy to educate students and to cultivate the broadest community support. During the past year, we have formed a **parent committee**, charged with involving all parents in building the LCA community. The parent committee will develop the agenda for each meeting and will work with all the parents to share ideas about the Academy's operation, mission, vision, and fundraising campaigns. They will be ambassadors to the community at large, sharing knowledge about the Academy widely with the community at large. The first meeting was held on 12 December 2012 and meetings are monthly during the academic year.

Parent-teacher meetings are held each semester. Parents have the opportunity to talk with individual teachers. If parents want longer, individual meetings with teachers they should feel free to schedule a meeting.

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The **Academy Webpage**, <https://lascrucesacademy.org>, contains extensive information about our mission, vision, philosophy, curriculum, personnel, events, finances, and business plans. We encourage parents, students, and friends to visit the site. Some private schools maintain individual teacher's Websites. This practice requires additional teacher time and funding. At our current scale of operation, then, we have chosen to rely upon strong communication between parents and teachers in person and via the weekly newsletter with its information from every teacher.

Communicating with the school about changes in the home routine: Long absences by a parent, a separation or divorce, a death in the family, or the loss of a pet can upset a child in many ways. The change may carry over into ability of the student to concentrate or to behave at school. Our teachers can help children cope and to keep up their academic progress if the parents inform us about these life changes.

Participation of the family at school: We require each set of parents to give an average of at least two hours of time to LCA per month. We note this in the parent-student contract, a copy of which is provided in an [Appendix](#). Volunteer work reduces the burden by school staff, who otherwise provide all the labor, and helps to keep down the expenses of running the school. Many parents find this a pleasant time to meet other parents in a relaxed setting. For the diverse and interesting volunteering options, please see the our website at <https://www.lascrucesacademy.org/ways-to-give/volunteer/>. This:

- Allows parents to become familiar with teachers and other students.
- Allows the teachers become more familiar with the parents of their students.
- Allows students to meet and get to know parents of other students.
- Allows Academy to accomplish goals that may have been unattainable due to lack of personnel time.

We also request that each parent **participate actively in a classroom**, not involving his or her own child, for at least 20 minutes, each year . Our development consultant affirms that this participation brings a greater understanding of the school functioning and aids us in gaining community support. We know that word-of-mouth publicity by parents has already proven to be our most effective route for building enrollment and donations from the community, and we deeply appreciate it.

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Expressing concern by parents. Parents naturally develop concerns about their child’s performance. Often these concerns are resolved by discussing them with the child or by examining the report cards and other communications from the school. When these are insufficient, the parents should talk first to the classroom teacher, having made an appointment. The discussions with the teacher are most often productive without the student present. Our teachers know that confidentiality is important, so that they will not inform the student unless they agree with the parent(s) that this is best. Email communication may suffice, although we wish that parents avoid burdening teachers with excessive emails. If the issue is not resolved in discussion(s) with the teacher, the parents may contact the Head of School or Assistant Head of School to schedule a further discussion.

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Participation of parents: home life: Our community of Academy families is diverse in home environments. Schedules vary, siblings pose other demands, home resources differ. Still, there are commonalities that are of value to students.

Eating dinner together is a surprisingly strong predictor of academic success. It was the only factor found to be strongly correlated with high-school students attaining a National Merit Scholarship. Other regularities in the home schedule are commonly helpful, such as in bedtimes and meal times.

Reading with your child daily is one of the most beneficial home routines of all.

Giving the child a good breakfast is effective in enabling children to pay attention and to behave well. If you can not feed the child breakfast before coming to school we insist that you send food for that purpose with the child, in addition to the normal lunch and snacks.

Television viewing and electronic game-playing should be held to a minimum. Television offers a simple way to keep children occupied, but without parents’ attention to the duration of viewing and the program content, the effect on long-term achievement is typically deleterious. Truly educational programs are quite rare. Programs with content unsuitable for children can result in inappropriate behavior of the child at school, outside of parental oversight.

Talking with a child (not just to a child) and reading with him or her are much more beneficial uses of a child’s time, as also is a child reading on his or her own. We offer much time at the Academy for children to read, being convinced of its intrinsic value. Reading at home can reinforce that value.

Outdoor activities are an integral part of growing up. Besides giving children an opportunity to run around freely and explore nature, there are several tangible physical benefits. For example, while

excessive ultraviolet exposure can cause skin damage, but we need about 15 minutes a day of sunlight for our bodies to make vitamin D. Not only that, physical activity puts stresses on bones, which then increase their strength to deal with those stresses (this can prevent weak bones later in life). There are numerous other benefits, some intellectual and some physical.

Physical activity is a very important part of every life. It is necessary to develop and maintain a healthy body and mind. We have several breaks during the school day for this, but encourage the family to encourage further activity.

Children should play with blocks and/or other simple construction toys when they are young. In the first several years of childhood, children's brains are rapidly adjusting to the tasks they're being used for, to the point of killing off or failing to create parts that don't get used. By giving a child simple construction toys to play with when they're young, parents are helping to ensure the spatial relations part of their brain is well-developed, something that will serve them well later in life. Just to give a few examples, every time you give driving directions, play baseball, or try to solve a 3-D puzzle, one is using spatial relations. It doesn't hurt that playing with blocks builds motor skills, either.

Board and card games help build other parts of the brain. Specifically, they tend to help with pattern recognition and multi-step planning, both useful things to be good at. In addition, they provide avenues for direct social interaction, a must-have for children.

Give your child the opportunity to participate in the arts. This could be as simple as giving them Play-Doh™ to sculpt, or as involved as learning the violin. Regardless of what the art, it's likely to help with fine motor control and mental development.

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Behavior and discipline

As a general rule, we prefer to avoid using punishment as an incentive for good behavior. Instead, whenever possible, we will simply ignore minor bad behavior. Bad behavior is usually an attempt to get attention, and punishing a student for it, or even lecturing them on it, merely fulfills that expectation, leading to further bad behavior. Students who are genuinely having difficulty controlling themselves (especially if the events are frequent) may be asked to step outside the classroom while they calm down. If we find a student's behavior is a risk to themselves or others, or that certain behavior indicates serious underlying problems, we may ask that the student - and perhaps their family - go to counseling.

Fundamentally, teachers and students and other staff must respect each other in words and actions. Disruptive behavior is not accepted. Offensive, scatological, sexually demeaning language is not tolerated. Physical or psychological bullying is not tolerated.

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Conflict resolution helps everyone, in their personal relations and in their academic performance. It is in everybody's best interest that our students learn how to peacefully and reasonably resolve their conflicts without outside intervention whenever possible. The particular method of conflict resolution we will practice is called eye-to-eye, which our former Assistant Head of School Paula Hines introduced to the Academy from her experience at the Newark Center for Creative Learning. The technique, developed by the Quakers, is very straightforward. The teachers will model and facilitate the process, outlined below, for new students so they can become familiar with it. It is based on active listening, in which the participants listen carefully to one another and then repeat what they heard the other person say in their own words. It usually requires the individuals involved meet in a neutral place, at an appropriate time, and perhaps with a neutral facilitator or mediator. The following components must be followed:

1. Only one person will speak at a time.
2. All people will make every effort to listen with respect for the other(s).
3. All people will try to understand the points of view of the other(s), and should be willing to understand that there may be differences in how issues are perceived.
4. The confidentiality of the discussions will be honored, to the extent possible. This should be discussed if necessary.

When party A feels they have a problem with party B, they request an eye-to-eye with that party. Note that a party could be one person, or several. The two parties meet in some non-public location where they won't be interrupted, and party A starts by explaining how they feel they were wronged. Party B repeats the complaint in their own words to verify that they heard and understood the complaint. If Party A confirms that Party B understood their perspective, their roles reverse and Party B explains what happened from their point of view. The two parties, now aware of each other's point of view, try to come to a resolution. If they truly cannot come to an agreement, the next step is for a mediator (this can be a teacher or administrator, but it can be anybody both parties find acceptable) to judge the argument and propose a solution. If even mediation fails, the final step is for a teacher or administrator to hear the argument and impose a solution.

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Levels of intervention and action: Eye-to-eye resolution may not always suffice. A student may display chronic behavioral problems, or may display disruptive or offensive behavior in more general ways than in interactions with one or a few individuals in the Academy community. Teachers then do more direct consultation with such a student. The next level for resolution is referral to the Head of School. In the case of repeated or serious offenses, the Head of School will inform the parents of the student, asking them to enter a discussion. If the result is unsatisfactory, the Head of School shall convene a group of teachers and advisors, held to a condition of confidentiality, to decide upon action. Options for action include: a requirement that the parents obtain consultation, such as with a psychologist; temporary suspension of the student; or expulsion. Parents will be informed of the decision in adequate detail.

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Miscellaneous

Fees and fines. Optional activities like field trips may involve additional fees. On Fridays we have lunch with food from an outside vendor, with parents paying for the cost of the food their student ate. We inform parents about the amount and timing of payments for trips and food. To keep bookkeeping simple, we ask that checks for payment be made to the appropriate party. For example, for food, payment is usually made to the Head of School and not to the Las Cruces Academy, avoiding the need to pay in and pay out of the Academy accounts.

Lost or damaged school property will usually result in a fine equal to the amount it costs us to replace or repair the property unless we waive that fine. If a child damages the property of a third party (e.g. museum property on a field trip) and LCA has to pay for the damage, we will pass the cost on to the parents in the same way we would if it had been LCA property. We will inform you of the party to whom the check should be made.

As described earlier, there is a \$10 fee for each time a student is not picked up by 5:30, and a further \$20 fee if the student is not picked up by 6:00. We currently do not charge for after school care because we feel it is important for the students to interact and have time to do their homework. We ask that parents not abuse this luxury.

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Helping the Academy

You can help the Academy and your child in diverse ways:

1. Offering constructive suggestions about our operations, academic, financial, or otherwise. LCA community meetings are an excellent venue. We discussed them in an earlier section of this handbook.
2. Volunteering to help at the Academy. Volunteers have helped with cleaning, student supervision in silent reading, planning events and preparing for them, and offering special one-time classes, such as on art. We can always use such help, and we greatly appreciate it. Another need of ours is cataloguing our vast holdings of books. We have a barcode scanner and software that volunteers can use.
3. Attending programs and events at the Academy. Especially, it brightens the lives of children when parents and friends come to student performances.
4. Paying tuition in timely fashion. We depend upon our cash flow from tuition for the bulk of our income. Large expenses arise at some times of year, such as for insurance; it is important for us to have cash reserves to cover these. Please see the note earlier about late fees. We call attention to the payments due in the summer, which appear to be readily overlooked. For families using the 11-month plan, we send invoices on the 1st of each month, in May before the next school year (due on 15 July) and then in August through April (due by the 15th). Invoices for payment for a full semester are sent in mid-May for the following fall semester, due by 15 July, and on 1 January for the spring semester, due on 15 January. An invoice for payment for the full year is sent in mid-May, due by 15 July.
5. Charitable giving. As other non-profits do, we rely on donations to cover the shortfall of income that is a fact of life, even with our Head of School and Board Chair working without pay. Donations also help us to improve our educational efforts by providing for teacher development and educational resources. We are working on developing annual fund campaigns, designed with the help of a professional fundraising consultant with over 30 years of experience. Giving by 100% of parents, according to ability, is a virtual necessity in our approach to prospective donors in the community at large and with foundations. The gifts join with those from the board members, teachers, students, friends, corporations, and foundations in keeping the Academy growing and improving. We also value the participation of grandparents and other relatives.

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Guidelines for attendance by a child who is ill or has been ill recently

Evidence of having a communicable illness, or an illness that will make a student unable to perform academically. The guidelines here are not comprehensive but cover most cases of possible illness.

- Fever, chills, or sweats: A child with these symptoms is very likely to be ill and to have a communicable illness; the child **must be kept at home for at least 24 hours** after a fever has subsided. Parents may gauge a child's temperature informally or with a thermometer, either oral or infrared. Please note that oral temperature readings do not accurately reflect body core temperature if the child has eaten food or drunk liquids recently.
- Sneezing: when accompanied by aches or fever, sneezing indicates illness. The child should be kept at home. If the child does not have aches or fever, he or she may simply have allergies. Parents should use judgment in deciding if a child is well enough to attend school.
- Coughing: a cough that is painful, that produces phlegm, or that causes wheezing or shortness of breath indicates illness. Medical care should be sought and the child should not go to school.

- Gastrointestinal distress: “stomach aches” and / or diarrhea and /or nausea are common symptoms of gastrointestinal infection by any of a wide variety of agents – bacteria, viruses, or protozoa. These diseases are very contagious, debilitating, and, to be sure, messy. The child must be kept at home. Some cases of GI distress arise from a temporary condition of food poisoning, such as from over-age food. While the condition is not contagious, it is debilitating and messy. The child must be kept at home.
- Pinkeye: this is a condition described well by the name. It can originate from exposure to wind or sun, but most of the time it is an illness that is highly contagious, caused by a viral or bacterial infection. Preventing the spread involves strict attention to handwashing; children are not capable of this care and must not attend school when they have pinkeye.
- Earache: this is typically from illness. While it is not contagious, it is debilitating and unlikely to improve without medical care. The child should not come to school.
- Measles and chickenpox: these have very characteristic rashes. They are rare, now that immunization is almost universal. If your child has not been immunized and has the symptoms, they must not attend school, and they must get medical attention. Complications can occasionally be severe.
- Head lice: the signs are an itchy scalp and the presence of small, wingless insects on the scalp and very small, yellowish eggs on hair shafts. Head lice do **not** indicate poor hygiene or low social status, but they are contagious via close contact. A child with head lice should not come to school, and should be treated with shampoos containing 1% permethrin (Nix).

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Guidelines: expectations regarding homework

Kindergarten first-grade students do not have daily homework. Families are encouraged to read with their child for at least 30 minutes per day.

Students in second grade and higher grades commonly have daily homework assignments. Teachers write the assignments on the board in class and the students are expected to write down the assignment. We expect that parents of older students will check that the student has completed all homework for timely completion.

The assignments increase in depth and required time with grade level. Assignments will cover each subject. For younger students, the assignments will require about 30 minutes each night. By fourth grade, they will typically require about one full hour.

Some homework will be assigned on a weekly basis rather than a daily basis. Students need to hand in completed homework in timely fashion.

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Policy on parents driving their own children on field trips

In parallel with policies of other schools, such as the Minnetonka, MN school district, we have a policy that any adult who drives an LCA student or students for an LCA event must have his or her driving record on file with the Academy. This requirement does not apply to dropping off and picking up a student or students to begin or end their school day. **However, it includes the case of transporting one’s own child or children on an LCA trip**, such as a field trip. We have this policy so that students are protected to the extent we can offer and so that the Academy is not needlessly exposed to legal actions in case of vehicular accidents. When students are on a trip as part of the Academy school day, we must assume a proper degree of oversight and responsibility.

Parents can have a driving record sent to the Academy at 4904 Calabazilla Dr., zip 88011, by going online at <https://secure.mvd.newmexico.gov/RenewalServices/DHR/Individual/>. The approval process takes at least 48 hours. Please plan accordingly. There is a nominal fee of \$6.33. The driving record should be current, no less than two years old at the time that the adult wishes to transport any student or students.

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Schedules – yearly and daily

The schedule for the school year is posted on the Academy Website. There is a link at the upper right of the home page, entitled “Calendar.” We follow a full 180-day school year, closely matched to the Las Cruces Public School (LCPS) calendar overall. We do not have teacher development days that the LCPS specifies; we hold class on those days.

The first and last days of classes vary slightly each year. Dates are posted on the Website. For 2017-18 as an example, the relevant dates:

- First day of classes: Monday, 14 August 2017
- Last day of classes:
 - Fall semester: Thursday, 21 December 2017
 - Spring semester: Friday, 25 May 2018

The holidays and breaks that we observe are:

Fall semester

- Labor Day, 4 September 2017
- Fall break, one day: Friday, 6 October 2017
- Thanksgiving week, 20-24 November 2017
- Winter – New Year’s break, approximately 2 ½ weeks: Friday, 22 December 2017 – Sunday, 7 January 2018

Spring semester

- Spring break – full week – in 2018, this is 19 - 23 March
- April break, one day: Friday, 27 April 2018

In order to have 180 days of class during the year, we will have class on Martin Luther King Day, Monday, 16 January 2018. The students will provide a re-enactment of one of the notable events in the struggle for equality; families are invited. Similarly, we hold classes on three other federal holidays, Columbus Day, 9 October 2017, Veterans Day, 10 November 2017, and Washington’s Birthday, 20 February 2018.

We have a number of special events throughout the year, such as student performances with potluck dinners, open houses, and book fairs. We note these on the Website.

The **daily class schedule** is sent by email to parents. It is not put on the Website in public view because it identifies children, if only by first name, so that parents can see which class sessions their children are in.

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PUTTING IT TOGETHER: Our parent-student contract

Contracts were first generated for the 2013-14 academic year. At the beginning of each academic year or at the time of enrollment of a student joining the Academy in mid-year, we provide a contract to be signed by the student's parent(s) or guardian(s). The contract lays out the mutual obligations of them and of the school. The parent(s) or guardian(s) sign the contract as a condition of continued enrollment. The contract includes sections that ask for medical emergency information and the names of persons authorized to pick up the student from the school. It also presents the expectations of the parent(s) or guardian(s) volunteering at the school, their role in fundraising for the school, and the ways that tuition is to be paid.

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Transferring to another school

While we expect that most students will benefit from continued attendance at the Academy, there are reasons for a student to transfer to another school. Our concern is that the student be accommodated well in the new school. We advance this by providing the student's records to the new school in timely fashion. The primary records are the report cards, while disciplinary records, family records, and others may be provided within the confines of applicable law. Most records are electronic and can be sent by email; sensitive records may be encrypted, with a password provided by us to the recipient in an appropriately secure mode such as a phone call, a letter, or a Google Hangout with conversation history off. Our Head of School and teachers can participate in telephone and chat conversations with administrators of the student's new or proposed new school, to a reasonable level of effort. The Head of School decides when the effort promises to pass beyond the standard of being reasonable.

A request for records may include a separate evaluation by a teacher or teachers. The evaluation will be reviewed by the Head of School. The information provided by the teacher is confidential, not to be provided directly to the student's parent or guardian, neither by us nor by the recipient school.

A parent or legal guardian of a student may request that records be sent to another school. We prefer that the request be in writing or in electronic form with all the pertinent information. The first request will be fulfilled without charge, provided that the amount of documentation requested is reasonable; for example, an extensive set of all the works of the student is not reasonable to request. Requests for records to be sent to additional schools present a burden on the staff. We apply a fee of \$50 to fulfill each additional request.

SECTIONS IN DRAFT FORM, TO BE POSTED

PART 2. OUR POLICIES FOR TEACHERS

Selection, hiring, and employment

Qualifications – not certif.; incl. past dismissals

Teacher qualifications are published by the school

Background check– there are no automatic disqualifications

The selection process – application (resume, stmt.), refs., interview in group; tests, for math

At-will employment, with its qualifiers

Salaried position – exempt from 52K cutoff for overtime; professional

Contract and its terms

Legal items – I-9, WC, liability coverage

Orientation by Head of School

Compensation

Uniform, to date
Pay rate, by fraction of full-time equivalence (FTE)
One FTE = 50 periods/d (5 days, 10 periods per day in schedule)
Pay twice monthly; 9- or 12-month choice; direct deposit highly preferred
Benefits split out, if desired; offer of pension or health care plans contingent upon group enrollment
Teaching duties and relations with students
Place of work, and hours of attendance – occasional off-site or out-of-class time events, not burdensome
Holidays, sick leave, personal time (as for medical appointments)
Schedule of classes and students in classes – negotiated in common; joint governance, to extent allowed by labor laws
Academic freedom; we review progress; teachers have free choice of materials
Diligent instruction
Maintaining cross-cultural competencies
Working to develop character and social skills in students
Documenting student progress – portfolios as desired; reporting the curriculum elements and student progress summaries for the weekly newsletter and for report cards
Participating in parent-teacher conferences
Student discipline – use of judgment; eye-to-eye method of conflict resolution; discipline devolves to Head of School as needed
Referring students who need special help or discipline
Harassment training – harassment between students or students and teachers
No dress code
Expectation of a professional development program
Welcomed involvement in the selection of teaching resource
Review of performance – by Head of School; at least annually; Head of School or Deputy is free to observe at any time
Awareness that we retain records of teacher performance
Resolution of grievances and adversarial situations – as specified in the teacher contract
Safety – personal and of students
No weapons, drugs
Training in fire drills
Training in first aid
In closed classroom, there must be two teachers
Sickness; food allergy caution
Nondiscrimination – in teaching and in relations with staff, families, and the public
Grievances and resolution
Use of school resources – teaching equipment and supplies, Internet, office equipment, food facilities
Petty cash use
Use of own vehicle with students, if desired; the LCA must have the teacher's driving record
Our records of teachers and their performance

PART 3. OTHER EMPLOYEES, NOT EMPLOYED TO INSTRUCT STUDENTS (CUSTODIAN, NURSE, OTHERS)

Scope of positions under consideration

Hiring by the Head of School

Into salaried professional position

Procedures as for teachers

Into status as contractor

The school administration and staff sets standards of performance but not time and effort

Procedures largely as for teachers

Responsibility for reporting tax obligations and paying taxes is on the contractor; the school provides the compensation records

Qualifications, professional or non-professional

Background check– there are no automatic disqualifications

The selection process – application; possible transfer from public or private agencies

At-will employment, with its qualifiers

Generally, hiring into salaried position

If salaried and considered as professional - exemption from 52K cutoff for overtime

Contract and its terms

Legal items – I-9, WC, liability coverage

Orientation by Head of School

Compensation

Pay rate, by fraction of full-time equivalence (FTE)

One FTE = 50 periods/d (5 days, 10 periods per day in schedule)

Pay twice monthly; 9- or 12-month choice; direct deposit highly preferred

Benefits split out, if desired; offer of pension or health care plans contingent upon group enrollment

Adherence to school policies

Policies against invidious discrimination

Other policies

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PART 4. SCHOOL FACILITIES AND OPERATIONS – LEGAL AND OPERATIONAL OVERVIEW

In brief, the LCA is run as a non-profit private school, a public educational charity with an all-volunteer Board of Trustees. The Board has a single employee, the Head of School, currently Dr. Lou Ellen Kay. The LCA was incorporated on 2 March 2007 and began classes on 14 August 2009.

LEGAL INCORPORATION AND LICENSING

Incorporation with the State of New Mexico: done on 2 March 2007, with State Corporation Certificate 2845790. We filed out [Articles of Incorporation](#) and our [By-laws](#), amending them through 24 October 2007 to meet federal standards for 501(c)(3) status, made retroactive to 2 March 2007. Our address of incorporation is 4904 Calabazilla Dr., Las Cruces, NM 88011, which is our mailing address; there is no street mail delivery in zip code 88047.

Federal taxation registration: We have FEIN 06-1816372. Information for access to the EFTPS system for tax payments and reporting is held by the bookkeeper, currently Board Chair Vincent Gutschick.

Obtaining status as a public educational charity under section 501(c)(3) of the IRS code: As just noted, the final [determination](#) was made, retroactive to 2 March 2007. A critical part of the determination is that we have a fully compliant statement against invidious discrimination on the basis of race, creed, color, national or ethnic origin, sex, physical disability, or sexual orientation; this statement appears on our website and all public documents wherever practical.

Business license: We are licensed in the current jurisdiction of our physical presence. As of 2 August 2012, this location has been 1755 Avenida de Mercado, Mesilla, NM 88047. Consequently, we have held continuously business license 0493 in the Town of Mesilla. We renew the license annually.

DUNS number: for several purposes, including applications for grants, we are listed with Dunn and Bradstreet, with number 832513050.

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FACILITIES

Renting and meeting codes; situation in an appropriate environment: We have rented our instructional facilities from the beginning of classes, first on the Downtown Mall in Las Cruces, now in Mesilla in the former Preston Contemporary Art Center. Each location meets/met municipality codes for school operation: location on an arterial or collector road, location on 1 acre or more (variance approved on the Downtown Mall, given abundant parking adjacent); adherence to fire codes (all classrooms within 10 steps of an exterior exit, in the absence of a sprinkler system [expensive, and not an allowed modification in our current location]; appropriate emergency lighting and signage, which we added; appropriate wall covering); ADA compliance of all hallways, bathrooms, and classrooms. The locations have been chosen as well for their internal and external environments that are attractive, safe, and conducive to teaching, with low noise and cleanliness.

Lease: We lease the Preston Building from Preston Wisconsin, LC, of Niles, IL, renewing the lease annually. The terms of the lease include:

- Maintenance of a substantial damage deposit (negotiated down to \$30,000) held in an escrow account with Edward Jones, proprietor Connie Lee, in Las Cruces. Vincent Gutschick has authority to manage the investment.
- Our paying the property tax for Preston Wisconsin, LC. In our own status under section 501(c)(3), we are exempt from property tax; we have agreed to this term. The cost is approximately \$9,000 annually.
- Our paying the property insurance on the building, to the insurer, Acuity. The cost is approximately \$5,600 annually.
- Physical maintenance: Preston Wisconsin, LC, retains Brian Fallstead of Las Cruces for this.
- Fire and burglar alarm service: We agreed to maintain the service, operated by Allied Security, Las Cruces office, and now billed by the Alarm Funding Association, a national group. The service requires that we maintain a land line through CenturyLink, which also provided DSL service.

Certificate of occupancy: Fire Marshall Kevin Hoban of the Town of Mesilla inspected the facilities on 14 August 2012 and issued a certificate of occupancy, the day prior to our first day of classes.

Meeting the requirements of the liability insurer: a representative of the insurer of record in 2012, Thomco, visited in September, 2012; we made changes, such as signage about the building owner's non-liability and posting of playground rules, pursuant to their requirements.

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Utilities: Electric power is provided on two accounts, for two parts of the building, by El Paso Electric; we use autopay to pay all charges due on time. Water, sewer, and trash collection service is provided by the Town of Mesilla; we also use autopay with the Town. Natural gas is provided by Zia Natural Gas;

charges are billed to Preston Wisconsin, LC; we pay the forwarded bills by check. DSL service is provided by CenturyLink, also on autopay.

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Safety and cleanliness inspections: all staff are aware of the condition of the facilities. The Head of School conducts inspections every afternoon after class, and as needed. The Fire Safety Association inspects the fire extinguishers every two years. We hold fire drills as mandated by the County of Dona Ana, weekly on the first month of classes and monthly thereafter. The playground equipment with fall hazards (climbing dome and play houses) has gymnastic tumbling plans under and around, rated for a 6' fall. Playground rules are posted and are enforced by teachers, two or more of whom are present during recess and physical education classes.

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Other facilities: We have no other leased or owned facilities. Management planning and record-keeping is done in good part at our location of incorporation, the residence of Head of School Dr. Lou Ellen Kay and Board Chair Dr. Vincent Gutschick, 4904 Calabazilla Dr., Las Cruces, NM 88011. Corporate records are effectively fully electronic; paper records are scanned. All major records – legal records, student records, personnel records, etc. – are backed up online to SpiderOak, a fully secure, zero-knowledge service. Board of Trustees meetings are typically held at the residence.

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Off-site activities: Our students have a number of field trips, ranging from nearby fields and the Town of Mesilla plaza to road trips in-state; out-of-state trips are contemplated. We require written permission for all students. We require that all drivers provide us with their driving record, even if they are only transporting their own child or children.

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GOVERNANCE

Who we are, the Las Cruces Academy, Inc., and what we do

Mission statement

Teaching

Mandated outreach

Articles of Incorporation and By-laws

Administration by the Head of School and Deputy Head of School as employees of the Board of Trustees

Board of Trustees - policies

Number and offices

Roles of officers

Composition of the Board– recruitment, qualifications, selection

Planning for succession

Conflict of interest declarations and resolution of conflicts of interest

Terms of service

Current members

Selection of Board members – nomination and joining the Board

Orientation by other members of Board

Privacy protection – records; recusal; visitor presence/restriction by topic; public presence and communications (email considered unsecured – must pwd-protect sensitive communications)

Duties, obligations, liability limits of the Board

Attendance at meetings, anticipated four times annually

Meetings called by the Board Chair with two weeks' notice except in emergencies

Adherence to mission and vision

Quorum for actions on personnel, finances, and legal obligations

Having authority to file and amend Articles of Incorporation and By-laws, by majority vote

Annual review

Authority over finances

Operations are managed by Head of School

Oversight by Board of financial transactions by the Head of School or his/her designees

Originating and managing loans and major assets

Negotiating leases of capital assets

Reviewing finances and annual filing of the federal form 990

Assuring that the Academy's operations conform to all local, state, and federal laws and regulations

With the Head of School, assuring that the school facilities and equipment are adequate for instruction and are safe

Establishing and maintaining policies on:

Investments

Taking on debt

Fundraising

Risk management – incl. insurance

Legal representation

Employing the Head of School as the sole employee

The Head of School is not an ex-officio Board member but is invited to attend Board meetings

Setting compensation, terms of employment, review and termination procedures

Respecting the boundaries between the Board and administrative roles

Contact with public, students, families, employees, contractors, governmental agencies

Meetings – scheduling, agenda, frequency

Reviewing the Head of School

Participating with Head of School and advisors as needed in review of effectiveness of school programs (II.E)

Self-review of the Board

Oversight of finances and legal issues

Setting up bank accounts and financial instruments, including credit cards

Engaging services for bookkeeping and accounting, including any auditing

Having no direct involvement in management of employees other than Head of School

Performing self-study of the school performance with the Head of School and other parties as appropriate, including an accrediting agency

PART 5. POLICIES FOR HEAD OF SCHOOL AND DEPUTY HEAD OF SCHOOL

As the sole employee of the Board of Trustees & full administrative authority of daily operations

Duties – She/he is responsible for implementing all the operation of the school

Hiring faculty

Providing written contracts to teachers

Publishing the qualifications of teachers

Assuring that teachers have appropriate education and understanding of the developmental needs of the age group that they teach

Reviewing academic qualifications and professional and personal references of teachers

Reviewing the other requirements for teachers upon hiring and thereafter
 Orienting new faculty and mentoring them
 Hiring contract instructors
 Scheduling of services is by the contractor, by labor law that defines the position of contractor
 Admitting students
 Publishing the requirements for enrollment and expectations of the student and the family of the student
 Offering available financial aid (scholarships) to current and new students on an equitable basis
 Allowing purchases and legal engagements on the part of the school, etc.
 The Head of School may ask the Board to hire or designate a Deputy Head of School
 The Deputy confers with the Head of School and may take over any or all duties of the Head of School as circumstances merit, including unavailability or incapacitation of the Head or the direct request of the Head
 The Head of School may also hire contractors for instruction or non-instructional functions such as custodial work or acting as school nurse
 Taking responsibility for safety
 Assuring that the curriculum and teaching methods meet or exceed state requirements
 Publishing the curriculum
 Adhering to nondiscrimination policies regarding students, teachers, families, and the public
 Having cross-cultural competencies (Sec. F)
 Providing overview of faculty
 Keeping student records and providing for security thereof
 Providing student records to another school upon request of parents or guardians
Setting standards for records retention and destruction
 Adhering to provision of the Articles of Incorporation and By-laws
 Assuring consideration for the intellectual, social, physical, aesthetic, and ethical needs of students (Sec. II.A)
 Assuring that the school programs address the abilities, learning styles, and developmental need of students (II.A)
 Assuring that the curriculum, as written, describes the content, scope, organization, continuity, and transition of all subjects (II.A)
 Setting class size as it relates to school's mission (II.C)
 Providing periodic assessment of student development; reporting to families (II.C)
 Setting and following policies of referral of students (II.C) – incl.
 Determining admissions, in consultation with faculty and advisors as merited
 Participating with Board and advisors as needed in review of effectiveness of school programs (II.E)
 Following up with graduates for their success
 Evaluate how school demonstrates development of student character (II.E)
 Assuring adequacy of learning resources – esp. library, technologies
 Assuring proper care of facilities, including any custodial service and building maintenance
 Assuring the provision of health services for students and employees (II.F) – for us, 1st aid and rapid Mesilla response – incl. procedures for emergency medical care (medical records, too)
 Providing or referring students to counseling (learning needs; careers?) (II.F)
 Managing co-curricular program congruent with mission of school (II.F) (after-school clubs)
 For early K = early childhood programs (II.G.2) – assuring compliance with regulations, including staff training (ours is academic program, note); provide physical activity
 Providing programs in the visual and performing arts and physical education c

Assuring that all programs and co-curricular offerings are appropriate to the developmental needs of students.

Preparing an annual report, including financial information

PART 6. OUTSIDE CONTRACTORS FOR PHYSICAL MAINTENANCE, REPAIRS, INSTALLATION OF ITEMS, AND THE LIKE

Under our current lease of facilities, these tasks are the responsibility of the building owner
Our responsibility is to assure that contractor actions do not compromise the education of students nor the safety of all persons on site

PART 7. POLICIES FOR VISITORS – EXCLUSIVE OF BOARD, EMPLOYEES, CONTRACTORS, STUDENTS, AND STUDENT FAMILIES

We welcome visitors for events and learning about our mission and its execution

We welcome volunteers to aid us in instruction, fundraising, management, maintenance, and more

Scheduled presence and unscheduled presence

Adherence to policies

Avoiding invidious discrimination against any and all

Noninterference in our educational mission

Behavior

Weapons, guns, and drugs

Sexual harassment

Other policies as implied

Total records

Location: Many records are received or created by bookkeeper Vince Gutschick electronically (many financial transactions) or on paper; other records are similarly received or created by Head of School Lou Ellen Kay. The paper records are scanned to electronic form, currently using a high-capacity high-speed Fujitsu ScanSnap S1500 scanner. The scanned paper documents are placed in folders, stored in an office in the school. Earlier documents, not all scanned, are stored in a fireproof file cabinet (5 linear feet in folders) at the incorporation address.

The electronic records cover diverse areas, including finance, student records, and more. The records are stored on the LCA laptops, in a large set of folders on each laptop, as well as on backups of those files on 4 external drives (ca. 600 GB, with multiple instances), and online in a cloud-based, zero-knowledge repository, SpiderOak One or applicable equivalent. Currently Board member Vinnce Gutschick has one laptop, with an account in his name for most use and an admin account for special actions such as software management. Current Head of School Lou Ellen Kay has another laptop, with similar personal and admin accounts. A summary of the set of folders has been provided to two current Board members and the Deputy Head of School, off-site for security of the records. All the laptops have up-to-date operating systems and antivirus and separation of user and admin accounts. A few records derive from the use of cell phones, one each for Vince Gutschick, Lou Ellen Kay, and Board member David Gutschick; all the phones have secure operating systems.

The QuickBooks company file is saved to an external drive; at appropriate intervals the file is copied to the *lca* folder on an LCA laptop and subsequently backed up to SpiderOak One.

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Student records: Records include application for admission, tuition payments, academic performance, medical needs and immunizations, recent trip permissions, and any significant disciplinary action. We have retained all records from inception of the school; we will review the policy and set a maximum

term of retention. The records kept by the administration are in: 1) paper form, almost exclusively in a file cabinet at the school, with some retained by individual teachers, and 2) electronic form, as just noted. As a private school not receiving funds from the US Department of Education, we are exempt from FERPA regulations, but we keep student records confidential outside of records explicitly authorized for dissemination by parents, such as in publicity on student achievements.

For students who are citizens of the European Union or whose parents are such citizens, we conform to the General Data Protection Regulations (GDPR) of the European Union. Details are given in a section of these policies, [above](#), for students and their families.

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EMPLOYMENT

Categories

Contractors: By law, we must distinguish between contractors and employees. The former are hired for a particular task but we do not specify the times for their work (they choose) nor the means for them accomplishing their work. Contractors do not have payroll taxes withheld by us. In the past, we had 1 or 2 contract instructors for music and/or for limited classes. We do not have any contractors currently.

Teachers: The greatest part of payroll and of total operating expense is for teachers. They are the most critical element for our students' learning, supplemented by the physical facilities and the overall learning environment that we provide.

Administrators: In the 2017-18 academic year, we began planning for ultimately employing a paid Head of School and one or more staff members for administrative functions (bookkeeping, website management, etc.), effectively adding two full-time positions for administration. We generated a special contract that covered both administrative and teaching duties; a candidate relinquished the position.

(Past) Development officer: From June, 2012 through June 2013 we hired a development officer, charged with increasing enrollment and raising funds. As we had been warned by several advisors about the experience of local non-profits with development officer positions, he was unable to be effective, so we terminated that position.

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Teachers

Recruitment and verification of abilities: The LCA is a small school with small enrollment, but with diverse subject offerings over grades from early kindergarten through 8th. It has proven impractical to hire 2 to 4 teachers to cover all grades and subjects with teachers of very diverse skills. Consequently, we hire both part-time and full-time teachers (and our Head of School and Board Chair teach for free). We recruit teachers on the advice of our academic contacts and our Board members. We also receive some unsolicited applications for employment, often by phone, a few times in person; we also have a link termed *Careers* on the footer of all our webpages. Turnover in teachers has proved to be challenging, with some teachers moving on physically or in careers or proving to be less effective than necessary, with one teacher also having proved to have behavioral problems. We monitor teacher performance and pay attention to the availability of strong teachers.

Open application: We accept applications of any type. Note that we do not require certification from a program of a school of education; one reason is that, as a private school, we are exempt from the requirements of the state Public Education Department. Some of our teachers have certification; more have not had it. In general, we have found that very strong teachers are found with qualification outside of such programs such as English majors and information technologists. We do not require alternative certification – rather, we require expertise and a passion for teaching.

Teacher application form: With a view toward meeting requirements for accreditation, in 2017 we created a uniform application form, fillable online. The application is shared with the Head of School and two Board members.

Review and teaching test plus interview; recording: Upon receiving application worthy to pursue for hiring a person, we set up a teaching test and an interview with a suitable board of advisors, which is not a fixed set of persons. The advisors are drawn from current teachers, Board members, and outside contacts with expertise in education. In the teaching test, the candidate teaches a class period or two with a selection of students of the appropriate age group, outside of any regular class time, commonly in the summer. The test and the subsequent interview are recorded and then evaluated by the advisors. The final decision on hiring is made by the Head of School.

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Duties of teachers to students: Our section in this policy handbook for teachers presents the details. We expect due diligence in creating their curriculum and purveying it to the students, strong support for the emotional well-being of the students, on-time performance, and cultivation of the culture of respect among teachers, students, parents, and administrators. The exact subjects to teach and days and times are negotiated when we run the school schedule. Each teacher must record student progress and contribute appropriately to report cards four times annually and weekly to our newsletter.

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Contracts: annual, renewable, at will, full- or part-time: Board Chair Vincent Gutschick drafted the first teacher contract in 2009 and had it reviewed by the Bates Law Firm in Las Cruces. Essentially the same form has been used to date.

We issue new or renewal contracts, at the beginning of instruction by any teacher, usually then at the beginning of the academic year in August. Contracts run to the end of the academic year, unless there are unusual circumstances. Some teachers are hired full-time, others at part-time, as needed for students to have instruction in all subjects at all levels. Employment is at-will in the state of New Mexico. This means that the employer and the employee are both free to terminate employment with or without cause, with *specified exceptions*; taking these from standard labor law and our own needs for continuity in good teaching, these exceptions are that 1) an employee cannot be terminated:

- In retaliation for refusal to violate public policy or state or federal law, or for reporting such violation;
- Without good cause, after a stated probationary period. We hereby set this period at one month, as of the date of hire, or the date this revision of the policy manual and its dissemination to employees, 29 August 2017, whichever date is earlier;
- If we, the LCA, expressly violate our own written policies;
- As invidious discrimination based on race, creed, color, religion, sex, national origin, age, or handicap status; these prohibitions are explicit in our teacher contract. The important qualifier is that the discrimination be invidious, unrelated to the ability and will of the employee to do the work;
- In violation of the federal Family and Medical Leave Act, which permits most employees (e.g., those who have been employed at least 12 months with the employer) to take a leave of absence for specific medical or family problems. Some details can be seen at <https://www.dol.gov/whd/regs/compliance/posters/fmlaen.pdf>.

On the part of the actions or statements by the employee, his or her employment can be terminated for:

- Abandonment of his or her position, as detailed in the signed employment contract;
- Actions or statements that endanger the safety of any person involved with the school or its physical facilities, or that put at significant risk the mission of the school as specified in the Articles of Incorporation and/or the mission statement. These actions or statements include, but

are not limited to, disruption of teaching by other teachers or significant hindrance of administrative operations such as finances, discipline, or scheduling.

Termination proceedings can begin:

- After two written warnings of significant adverse performance or behavior on the part of the employee;
- Or, immediately if the employee has posed or is posing a significant danger to a person or to the facility or to the mission of the school.

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Provisions of the contracts:

Joint management: Teachers participate in creating the curriculum and give advice on policies. They cannot, of course, be involved in personnel decisions involving other teachers.

Non-discrimination by the LCA and by teachers: Everyone in the LCA is bound by the provisions of the non-discrimination statement that we created on principle and that we filed as part of the application for determination of our status as a 501(c)(3) public educational charity.

Identity and contact information

Duties: teaching, care of student physical needs, student records and reporting: – weekly newsletter input; parent-teacher conferences; report-card input

Orientation

Hours and dates of performance: incl. some evening, off-site

Duration of contract; resignation and abandonment

Behavior:

Salary and pay periods; payroll deductions:

Benefits offered:

Vacation and leave:

Reimbursement of employee expenses:

Free choice of outside activity:

Confidentiality of records:

No non-competition clause:

Employee retains intellectual property:

Return of LCA property:

Duty to report unlawful activity:

Grievances and dispute resolution:

Waiver of breach:

No severance pay:

Prolonged illness provision:

Zipper clause, saving clause, applicable law:

Signatures:

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Teacher authority over all students:

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Student discipline: teacher and Head of School: - difficult or dangerous behavior referred; no corporal punishment

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TAXATION AND EMPLOYMENT COMPLIANCE

Federal requirements

Form 940, federal unemployment tax: As a school, we are exempt from FUTA.

Form 941, payroll taxes: We are required, by our monthly income, to report by the 15th of each month employee tax liabilities – withholding for federal income tax, Social Security, and Medicare. We use the EFTPS system for reporting and paying these liabilities. On a quarterly basis, we file the 941 report, generated in our QuickBooks bookkeeping software and filed electronically within the software.

Employee forms W-2 and W-3: We create these forms annually before the deadlines, within QuickBooks. We provide paper copies of the W-2 form to employees (by 28 February) and file the W-2s and the W-3 electronically within QuickBooks (by 31 March).

Employee form W-4: We have employees fill out this form to set the amount of federal income tax to be withheld from their gross pay.

Employee form I-9: Each new employee fills out this form to confirm eligibility for employment. We follow the strict requirements on our part.

Contractor forms 1099 and 1096: If we have any contract instructors or consultants, as we have had in past years, we create a form 1099-MISC in QuickBooks, printing it on federal forms. We create a form as well for our landlord. We send the forms by 1 February). We file the copies and the form 1096 with the IRS.

Annual tax return, form 990 as a non-profit entity: As this form is quite complex, we engage our accountant, Fristoe and Company, PA, of Las Cruces to create it. We provide the QuickBooks company file electronically and all required associated transaction records in electronic form. The form is due on 15 November, reporting activity during our prior fiscal year, 1 July through 30 June.

Other: attention to unrelated business income: Non-profit entities are entitled to raise funds, including on a regular basis. However, sales of goods and services unrelated to the primary mission and carried on regularly are subject to income tax, pursuant to IRS Publication 598. We are aware of this regulation at all times; to date, we have not pursued any trade falling under this regulation.

Department of Labor regulations: At the time of this writing, the DOL has proposed mandatory overtime pay and extensive record-keeping of all hours worked by employees, on-site and off-site, for employees whose salary is under \$47,476. This is to prevent abuses, making low-paid employees work free overtime. Our teachers work off-site and evening events, but we are exempt from the DOL rules as an educational institution with our employees not involved in interstate or international trade. We take care not to overburden our teachers.

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State requirements

Annual corporate report: We file this report online with the New Mexico Secretary of State, annually by 31 March. At the same time we pay the filing fee.

Combined Reporting System for income: We have a state CRS ID, 03-114724-00-0. By the 25th of each month, we must report state income tax withholding and any Gross Receipts Tax (extremely rare; we are tax-exempt for income *related to* our tax-exempt status, notably teaching. The exemption extends to fundraising activities that are limited, as noted under state form *FYI-103: Information for Non-Profit Organizations* and *Brochure #4, 501(c)(3) Nonprofit Groups & New Mexico's Gross Receipts Tax*. We use our QuickBooks software to create the report of NM withholding.

Quarterly payroll reports, NM ES-903A: We file these reports quarterly, by the last day of the month following the end of each quarter. We generate the reports in QuickBooks and file electronically with the NM Department of Workforce Solutions (DWS).

Quarterly payments of state unemployment tax, SUTA: We create the report in QuickBooks and file it electronically with NM DWS. There are times that QuickBooks and the DWS site disagree by 1 cent, so

we wait until the DWS site has processed the ES-903A form. Our record of zero claims over our history entitles us to the minimum SUTA rate of 0.33%.

Quarterly payment of the Workers Compensation fee, WC-1: We pay the fee by the last day of the month following the end of each quarter. Currently the fee is \$4.30 per employee employed at the end of the quarter. We create the form in QuickBooks and file it electronically, also paying the fee to the NM Taxation & Revenue Department electronically.

Reporting new hires: When we hire a new employee, we are required to report the employee name and other information to the New Mexico New Hires Directory, within 10 days after the first date of work.

Non-taxable purchases on our behalf: Our purchases of goods for our use are exempt from Gross Receipts Tax; services are not exempt. To get this benefit, we must generate a Nontaxable Transaction Certificate (NTTC) electronically for each vendor on the state site, <https://tap.state.nm.us>. We provide a printed copy for the vendor and retain an electronic copy.

Department of Workforce Solutions regulations: We post the Workers' Compensation rules in our office, where the teachers all pass.

Registration of our agents with NM Taxation & Revenue Department: Any change in our registered agent(s), currently Vincent Gutschick and Lou Ellen Kay, will be reported to TRD; the Las Cruces office is a convenient location to do so.

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City/town requirements

Business license: We maintain a current business license. At the time of this writing, it is number 0493 with the Town of Mesilla

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INSURANCE

Liability insurance: We maintain high-level liability insurance, currently with Philadelphia Insurance through local agency Campbell Insurance of Las Cruces. We report accurate, conservative estimates of exposures, such as the number of students, estimating the highest likely number each year. We read every line of the policy to ensure proper coverage. Our current general aggregate limit is \$3,000,000; our personal and advertising limit is \$1,000,000 per occurrence and per person or organization; our business property limit is \$150,000; a complete description is in the policy, which can be made available. The cost of the policy for 2017-18 is \$3,450.

Specialty School Umbrella insurance policy: Additional coverage for \$1,000,000 per occurrence and per person or organization is provided through Philadelphia Insurance. The cost for 2017-18 is \$750.

Property insurance for the building owner: As part of the lease by which we currently occupy the school premises at 1755 Avenida de Mercado, Mesilla, NM, we pay the premium for Preston Wisconsin, LP, to their provider, Acuity.

Workers Compensation insurance: We have a mandated account with the NM Department of Workforce Solutions; our insurer is New Mexico Mutual. The cost of the policy varies with the total salary paid out; in 2017-18, our cost was \$1,346, subject to the most recent self-audit in which we report total salaries.

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FINANCES, INCLUDING PAYROLL

In brief: We operate with an all-volunteer Board of Trustees; our Head of School, Dr. Lou Ellen Kay, and our Board Chair, Dr. Vincent Gutschick, work full time as volunteers. Our income is primarily tuition, budgeted at \$261,862 for 2017-18, with some changes anticipated during the year. Tuition typically covers about 92% of operating costs, supplemented by fundraisers and donations. Lou Ellen provided \$155,000 in funds for start-up and operations, including approximately \$78,000 in nonrecoverable leasehold improvements at the Downtown Mall location. Our expenses are dominated by salaries for teachers and a part-time administrator, and attendant payroll taxes, insurance, and professional development funds; the total budgeted for these is \$165,336 for 2017-18 for 3.602 full-time equivalents. Building occupancy is the next largest expense, budgeted for 2017-18 at \$93,576 for rent, property insurance, utilities, and property tax. Other expenses bring the total to \$279,895.

Our fiscal year is 1 July through 30 June, by federal regulation for us as a non-profit institution.

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Banking and financial instruments

Operating and reserved funds: Since incorporation in 2007 we have maintained business accounts at FirstLight Federal Credit Union, at the 300 E. Foster branch in Las Cruces. The operating funds have 3 accounts, share (minimal), share draft (about 1/3 of funds, since mid-August 2017), and money market; in the Chart of Accounts these are accounts 1030 and 1031. The funds reserved for scholarships and a (dormant) building fund are in 2 accounts, share (again, minimal) and savings. All accounts are insured to \$250,000.

The share draft operating account is used for automatic payments of the credit card balance, rent, and utilities. For tax payments it is also linked to the federal EFTPS system and to the state Taxation & Revenue Department and the Department of Workforce Solutions.

Credit card: Since 2009 we have held a credit card with Chase Mastercard. It is on autopay to pay the full balance from our operating account every month.

PayPal and Square: We have accounts with both of these services. We use PayPal for some online purchases, drafted from our operating account. We use both for receiving payments for goods sold at silent auctions during the Food for Thought fundraisers.

Accounts with vendors, utilities, and taxation agencies: The LCA has initiated purchasing accounts with approximately 100 vendors and agencies. They were created by Board Chair Vincent Gutschick in his capacity as bookkeeper under authority delegated by Head of School Lou Ellen Kay. Access to the accounts is protected by login names and passwords.

Exemptions from Gross Receipts Tax: We generate nontaxable transaction certificates with vendors of goods on the NM state site.

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Bookkeeping and accounting

Bookkeeping: All finances are tracked with QuickBooks Premier, set up for us as a non-profit. The Chart of Accounts was set up initially with the aid of professional bookkeeper Laine Burnworth and it is reviewed each year with our account, Fristoe & Company, PA, of Las Cruces. We follow standard bookkeeping best practices, on an accrual basis. We have not been audited; we are considering an audit as is necessary for accreditation that we are planning to apply for.

As bookkeeper, Vincent Gutschick maintains the QuickBooks files, bank and credit card records, vendor and utility records, tuition payment records, and an Excel file independent of QuickBooks as a check.

Accounting: Our accountant, Fristoe & Company, PA, prepares the complicated federal form 990, the tax return for non-profits. Vincent Gutschick as bookkeeper provides the QuickBooks company file to the accountant, along with all supporting documentation that includes records of reconciliation of the bank and credit-card accounts. Fristoe & Company, PA generate the form 990 on a cash basis, thus converting some accounts payable and accounts receivable. They also provide unaudited financial statements.

Review: The Board Treasurer has oversight of the finances. Until recently, Vincent Gutschick also acted as Treasurer for the Board. This did not provide independent oversight. At a Board of Trustees meeting on 17 May 2017, the Board approved the consideration of potential Board member Brian Stein of Washington Federal Bank as Treasurer. Brian has yet to accept election as a Board member; the Board will reconsider election of a Treasurer.

Records and access: The section of this policy handbook on Governance: Total records details the keeping of records. All records require login names and passwords for access – on Vincent Gutschick’s laptop for login, where most records are also encrypted, on the SpiderOak One cloud backup, with a separate password, on bank and credit-card accounts, and on all accounts with taxation and regulatory compliance sites and vendors. A detailed copy of the access methods was created as a password-protected PDF file and sent by FedEx to Board member David Gutschick as protection, both for access to the records and for performing transactions in the event of Vincent Gutschick’s incapacity.

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Financial authority

Signature authorities: Head of School Dr. Lou Ellen Kay and Board Chair Dr. Vincent Gutschick have signature authority on all the bank accounts. They and Board member David Gutschick have signature authority on the Chase MasterCard credit card. Lou Ellen as Head of School has nominal authority for transactions with vendors, almost all of which she has delegated to Vince. Vince also exercises authority with the taxation and compliance agencies.

Loan authority: Both the Head of School and the Board Chair have exercised the authority to incur a loan. The only instance to date has been a loan initiated 24 August 2012 of \$26,500 to fill out a damage deposit (a condition of the lease on our school facility) to the initially required amount of \$50,000. This loan was retired on 10 July 2015. Any future loans will use the same loan authority. No loans are being considered as of the date of revision of this document, 24 August 2017.

Management of the escrow account for the lease damage deposit: An escrow account was established with Edward Jones Investment, Connie Lee advisor, Las Cruces, to hold the funds. Our landlord, Preston Wisconsin, LP, requires that we maintain a balance of approximately \$30,000 (originally \$50,000). The funds are invested, with some changes over time; both Preston Wisconsin, LP, and Board Chair Vincent Gutschick have authority to manage the funds, changing how they are invested.

On the initial setup of the account, the LCA solicited investment by LCA students’ parents and friends of the school. Vincent Gutschick created a prospectus, stating, among other provisions, that the investment by any party is liquid and that any interest accrued will be paid out in proportion upon the party cashing out. Some of the investors have cashed out; others have kept the funds with the account.

Budget: The Treasurer is responsible for creating a budget annually and exercising due diligence in overseeing the collection of income and the payment of expenses. Vincent Gutschick, with the aid at times of Board members, has created the budget each year. It is shared with the Board and summaries are also provided at times to the LCA families. We have maintained a balance close to neutral on a modified cash basis for 5 years running. We modify the cash income and expenses for proper attribution to the fiscal year. The major modification is attributing prepayment of tuition, commonly in May, to the next fiscal year.

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Payroll

Contractors and employees: By law, we must distinguish between contractors and employees. The former are hired for a particular task but we do not specify the times for their work (they choose) nor the means for them accomplishing their work. Contractors do not have payroll taxes withheld by us. In the past, we had 1 or 2 contract instructors for music and/or for limited classes. We do not have any contractors currently.

Pay rates: We generate an employment contract for each employee, commonly to originate at the date of the first classes of the school year in August. For teachers we negotiate the classes taught and we compute the fraction of full time to which that corresponds. For example, teaching 28 class periods per week counts at 0.56 FTE, based on 50 periods constituting full time. To date we have maintained a policy of uniform pay per FTE, which is \$41,200 for the 2017-18 academic year. We recently hired Eleanor C. Cain to be a part-time teacher at 0.8 FTE and part-time administrator at 0.23 FTE. Pay for administrative work we set at \$65,000 per FTE, a market rate. Each employee signs a contract with the specification of annual pay and its other provisions and stipulations.

Payroll disbursement: We maintain payroll records in our QuickBooks bookkeeping software. Following a recommendation of professional bookkeeper Laine Burnworth in 2008, we generate employee payroll as unscheduled payroll, avoiding some problems with schedule payroll. Payments are scheduled to be received by the employees on or before the 15th of each month and the end of each month. Employees receive 24 payments spread over 12 months for the 9 months of work. Payments are made by direct deposits to their bank accounts. We withhold employee payroll taxes. On the monthly payments of federal and state employment taxes we pay both LCA and employee taxes. We pay the Workers' Compensation fee, WC-1.

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Donations to the LCA

Soliciting and accepting donations; Sarbanes-Oxley: Our program income from student tuition is insufficient to cover operating expenses and certainly to build up a capital fund. Therefore, we solicit funds and hold fundraisers. The principal sources of donations are then:

- An annual fund, with requests to LCA families and various friends of the LCA.
- Direct solicitation of external donors.
- Unsolicited donations from friends of the LCA.
- Occasional grants. These have proven difficult to get as a private, non-profit school, as most grants are open to public schools and, among private schools, to for-profit schools. We do make proposals at intervals.
- Fundraisers. Over our recent history, the greatest income has come from our annual *Food for Thought* event, also posed as a community event. We state for attendees that half of the ticket cost is a tax-deductible donation, the rest being goods and services provided, primarily the dinner. Another regular fundraiser is a book fair at Barnes & Noble Booksellers in the Mesilla Valley Mall. More recently we have had other fundraisers, selling vendor coupons and pastries.

Donor acknowledgment: It is critical to provide donors with acknowledgment of their donations. We have a continuing subscription to the DonorSnap software from Nashotah Management. We use it to track donations and to create acknowledgment letters. We also make personal contact with various donors.

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Donated funds, goods, and services by volunteer administrators and a note payable

Donated funds: As founder of the LCA, Head of School Lou Ellen Kay provided substantial funds to start operations. Chief among the funds she provided were those for leasehold improvements to our initial rental location in the Las Cruces Downtown Mall, approximately \$78,000. Over the early years, she and other Board members provided other personal funds. The aggregate provision by Lou Ellen has been nearly \$155,000. On 20 March 2013, the LCA created a note payable to reimburse her, with updates tracked for later funds additions. In 2015 and in 2016, Lou Ellen converted \$20,000 of the note payable each time an outright donation.

Donated services: Both the Head of School, Lou Ellen Kay, and the Board Chair, Vincent Gutschick, have worked approximately full time (more, for Lou Ellen, somewhat less for Vincent, with no tight time records) without pay, as both teachers and administrators. The records of classes taught each semester are available. The administrative work accounts for much more time and includes maintaining student records, creating all the newsletters, report cards, and publicity, maintaining the LCA presence on the Web and on Facebook, bookkeeping, budgeting, vendor and taxation and compliance transactions, faculty recruiting and management, student recruiting in person, by school visits, and by phone, attendance at public events, organizing and running fundraisers, writing contracts, running payroll, sending invoices, scheduling classes, meeting with the Board, meeting with the Parent Committee, organizing and attending out-of-school events such as student performances, cleaning the school daily and weekly, maintaining equipment such as computers, negotiating insurance, deciding scholarships, ordering supplies, and providing student discipline, emotional care, and minor medical care. Were the uniform teacher pay rate applied to 2 FTEs efforts, the donation would amount to an average near \$80,000 annually.

Donated goods: Lou Ellen and Vince have also donated cultural artifacts, some supplies, and some small equipment, often scientific. David Gutschick has also donated such items. These donations have been acknowledged and their value taken as tax deductions.

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Donations by the LCA

The LCA has made several modest donations to local non-profits over the years: Casa de Peregrinos, Jardin de Los Ninos, and KRWG-FM.

Scholarships

Budgeting: We still consider ourselves as a start-up school, in that we have no endowment fund or alumni donations. Given as well our shortfall in program income, we judge it prudent to allot only about 3-5% of tuition income equivalent as awards of scholarships, or about \$7-10K. Notably, in 2017-18 we have had no requests for scholarships, for the first time. From 2009 through 2016, we received amounts between \$2500 (initially) to \$750 (most recently) from the El Paso Electric Company to support scholarships. In the current academic year, there are not requests, so that we cannot justify a grant proposal to EPE.

Solicitation and decisions: We have publicized scholarship availability in some public venues in the past. Currently, we note the availability of scholarships on our website, where the application for student admission is presented. We convene a board of advisors to decide upon awards, all of which are now based on need, not merit.

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OTHER

We are environmentally responsible. We recycle as much as possible of used paper, packaging, lunch and snack waste; we sort items into internal recycling (scrap paper for student use in play and in clubs such as engineering), compostables, and nonrecyclable waste. We minimize the use of air conditioning, using a broad comfort zone in all seasons. We use natural lighting extensively; in the current rental facilities, light tubes and windows with shades raised in most rooms provide excellent lighting. [\(Back to the top\)](#) (Back to the top of [administrative policies](#))