

Background Check and Parent Driver Procedures for EMHS Volunteers

A background check is required by state law and school policy for volunteers who will be interacting closely with students. Examples of volunteers who may need background checks include tutors, mentors, chaperones, volunteer drivers, coaches and Discovery Project volunteers. Background checks are good for two years.

As of November 1, 2013, fingerprints are no longer required to process a background check application due to changes made by the Department of Public Safety. Volunteers can fill out a background check application online or by downloading the form from the EMHS website. Once your payment of \$22.00 has been received by the school, the background check will take up to one week to complete.

For more information about background checks or to provide evidence of a clear background check done by another institution, please contact the Office Manager at 505-281-7400 ext. 114.

We often need parents who are willing to drive for field trips and Discovery Projects. Please contact the Office Manager for more information about Parent Drivers and paperwork to be completed.

East Mountain High School, PO Box 340, Sandia Park, NM 87047 (505) 281-7400

Background Check Application

Full Name:

(Last Name)

(First Name)

(MI)

Aliases: _____

Social Security Number: _____ - _____ - _____

Date of Birth: ___/___/____ (MMDDYYYY)

Address: _____

Years lived in NM: _____

If Less than 10 years, list previous states of residence:

Telephone No.: _____

Email Address: _____

I authorize EMHS and its agents to check my personal history, including without limitation, evaluations, criminal arrest and conviction records, reference checks, and release of investigatory information possessed by any state, local, or federal agency. I **expressly waive** in connection with any request for or provision of such information, any claims, including without limitation defamation, emotional distress, invasion of privacy or interference with contractual relations that I might otherwise have against EMHS, its agents and officials or any provider of such information.

Signature

Date



EAST MOUNTAIN HIGH SCHOOL

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VOLUNTEER ASSIGNMENT AGREEMENT and ADMINISTRATIVE RULES FOR REGULAR VOLUNTEERS AT East Mountain High School

State law requires schools to have policies in place clearly establishing guidelines and practices for regular volunteers (6.50.18 NMAC). Please read, sign, and return this form.

A regular volunteer is a person who commits to serve on a regular basis at East Mountain High School without compensation.

East Mountain High School gratefully accepts the support of parents and community members who volunteer for work in the school or provide services to its students. To promote safety and security in the school, and satisfactory experiences for volunteers, East Mountain High School observes the following rules regarding regular volunteers and volunteer services:

1. Volunteers must complete this Volunteer Assignment Agreement in which the volunteer acknowledges and agrees that the following obligations or restrictions will apply to volunteer as a result of the School's acceptance of volunteer's offer to provide volunteer services to the School.
2. Individuals who wish to volunteer their services to the school shall be subject to reference checks, and all individuals having direct contact with or unsupervised access to students must undergo a bi-annual criminal background check including, but not limited to any history of drug abuse or drug dealing, domestic violence, DUI offenses, and sex crimes.
3. Volunteers shall not be allowed to begin their service until after their duties are explained to them and they have accepted, in writing, the following volunteer pledge:
 - A. It is my duty to deal justly and considerately with each student, school employee or other volunteer;
 - B. It is my duty to share the responsibility for improving educational opportunities for all;
 - C. It is my duty to stimulate students to think and learn, but at the same time protect them from harm;

D. It is my duty to respect the confidentiality of student records and information about students, their personal or family life; _____ Initial

E. It is my duty not to discriminate or to permit discrimination on the basis of race, color, national origin, ethnicity, sex, sexual orientation, disability, religion or serious medical condition against any person while I am on duty as a volunteer;

F. It is my duty to avoid exploiting or unduly influencing a student into engaging in an illegal or immoral act or any other behavior that would subject the student to discipline for misconduct, whether or not the student actually engages in the behavior;

G. It is my duty to avoid giving gifts to any one student unless all students similarly situated receive or are offered gifts of equal value for the same reason;

H. It is my duty to avoid lending money to students;

I. It is my duty to avoid having inappropriate contact with any student, whether or not on school property, which includes all forms of sexual touching, sexual relations or romantic relations, any touching which is unwelcome by the student or inappropriate given the age, sex and maturity of the student;

J. It is my duty to avoid giving a ride to a student;

K. It is my duty not to engage in sexual harassment of students, other volunteers or school employees;

L. It is my duty not to engage in inappropriate displays of affection, even with consenting adults, while on school property or during school events off premises;

M. It is my duty not to possess or use tobacco, alcohol or illegal drugs while on school property or during school events off premises;

N. It is my duty to use educational facilities and property only for educational purposes or purposes for which they are intended consistent with applicable law, policies and rules;

O. It is my duty to avoid any violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct when on school property or off campus at school functions;

P. It is my duty to refrain from using school information technology equipment, hardware, software or internet access for other than a school related purpose;



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- Q. It is my duty to refrain from striking, assaulting or restraining students unless necessary in the defense of self or others;
- R. It is my duty to refrain from using inflammatory, derogatory or profane language while on school property or while attending school events off premises;
- S. It is my duty to refrain from bringing or possessing firearms or other weapons on school property except with proper authorization;
- T. It is my duty not to be under the influence of alcohol or illegal drugs on school property or at school events off premises; and
- U. It is my duty to report, as appropriate under the circumstances, violations of this pledge by other regular volunteers or school employees.
4. An employee of the School may not volunteer to his or her own department, or provide services of the same type the employee is employed to perform.
 5. All regular volunteers shall be provided with a job description, outlining specific duties, time commitment, and qualifications for acceptance as a volunteer.
 6. Regular volunteers shall be given appropriate training, supervision, and evaluation.
 7. All volunteers must understand that failure to obey the code of ethics and standards of professional conduct as provided in ~~6.60.9.8 NMAC and 6.60.9.9 NMAC~~ concerning the obligations of school personnel is grounds for dismissal. **
 8. For the mutual protection of volunteers and the School, personnel administering the volunteer programs shall provide a safe place to work and clear project organization or direction, establish and inform volunteers of emergency procedures, ensure that volunteers understand that their activities create School liability, and that ethical standards apply to them as well as regular School employees.
 9. Volunteers who will have direct contact with students may be asked to furnish such health certificates as may be required by law or as requested by the School.

10. Volunteers shall abide by and provide services according to the policies and regulations of the School, and shall be subject to the direction and supervision of School employees.
11. Any volunteer' services may be terminated at any time, at the sole discretion of the School.

I have read and understand the foregoing information.

Print Name

Signed

Date

Name(s) of my student(s) _____

****Please retain 6.60.9.8 NMAC and 6.60.9.9 NMAC attached.**

6.60.9.8 CODE OF ETHICS: We, professional educators of New Mexico, affirm our belief in the worth and dignity of humanity. We recognize the supreme importance of the pursuit of truth, the encouragement of scholarship, and the promotion of democratic citizenship. We regard as essential to these goals the protection of freedom to learn and to teach with the guarantee of equal educational opportunity for all. We affirm and accept our responsibility to practice our profession according to the highest ethical standards. We acknowledge the magnitude of the profession we have chosen, and engage ourselves, individually and collectively, to judge our colleagues and to be judged by them in accordance with the applicable provisions of this code.

A. Principle I: Commitment to the student. We measure success by the progress of each student toward achievement of his/her maximum potential. We therefore work to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals. We recognize the importance of cooperative relationships with other community institutions, especially the home. In fulfilling our obligation to the student, we:

- (1) deal justly and considerately with each student;
- (2) encourage the student to study and express varying points of view and respect his/her right to form his/her own judgment;
- (3) conduct conferences with or concerning students in an appropriate place and manner;
- (4) seek constantly to improve learning facilities and opportunities.

B. Principle II: Commitment to the community. We believe that patriotism in its highest form requires dedication to the principles of our democratic heritage. We share with all other citizens the responsibility for the development of sound public policy. As educators, we are particularly accountable for participating in the development of educational programs and policies and for interpreting them to the public. In fulfilling our obligations to the community, we:

- (1) share the responsibility for improving the educational opportunities for all;
- (2) recognize that each educational institution has a person authorized to interpret its official policies;
- (3) acknowledge the right and responsibility of the public to participate in the formulation of educational policy;
- (4) evaluate through appropriate professional procedures conditions within a district or institution of learning, make known serious deficiencies, and take action deemed necessary and proper;
- (5) assume full political and citizenship responsibilities, but refrain from exploiting the institutional privileges of our professional positions to promote political candidates or partisan activities;
- (6) protect the educational program against undesirable infringement, and promote academic freedom.

C. Principle III: Commitment to the profession. We believe that the quality of the services of the education profession directly influence the future of the nation and its citizens. We therefore exert every effort to raise educational standards, to improve our service, to promote a climate in which the exercise of professional judgment is encouraged, to demonstrate integrity in all work-related activities and interactions in the school setting, and to achieve conditions which attract persons worthy of the trust to careers in education. Aware of the value of united effort, we contribute actively to the support, planning, and programs of our professional organizations. In fulfilling our obligations to the profession, we:

- (1) recognize that a profession must accept responsibility for the conduct of its members and understand that our own conduct may be regarded as representative of our profession;
- (2) participate and conduct ourselves in a responsible manner in the development and implementation of policies affecting education;
- (3) cooperate in the selective recruitment of prospective teachers and in the orientation of student teachers, interns, and those colleagues new to their positions;
- (4) accord just and equitable treatment to all members of the profession in the exercise of their professional rights and responsibilities;
- (5) refrain from assigning professional duties to nonprofessional personnel when such assignment is not in the best interest of the student;
- (6) refrain from exerting undue influence based on the authority of our positions in the determination of professional decisions by colleagues;
- (7) keep the trust under which confidential information is exchanged;
- (8) make appropriate use of the time granted for professional purposes;
- (9) interpret and use the writings of others and the findings of educational research with intellectual honesty;
- (10) maintain our integrity when dissenting by basing our public criticism of education on valid assumptions as established by careful evaluation of facts;
- (11) respond accurately to requests for evaluation of colleagues seeking professional positions;
- (12) provide applicants seeking information about a position with an honest description of the assignment, the conditions of work and related matters.

D. Principle IV: Commitment to professional employment practices. We regard the employment agreement as a solemn pledge to be executed both in spirit and in fact in a manner consistent with the highest ideals of professional service. Sound professional personnel relationships with governing boards are built upon integrity, dignity, and mutual respect between employees, administrators, and local school boards. In fulfilling our obligations to professional employment practices, we:

- (1) apply for or offer a position on the basis of professional and legal qualifications;
- (2) apply for a specific position only when it is known to be vacant and refrain from such practices as underbidding or commenting adversely about other candidates;
- (3) fill no vacancy except where the terms, conditions, and policies are known;

- (4) adhere to and respect the conditions of a contract or to the terms of an appointment until either has been terminated legally or by mutual consent;
 - (5) give prompt notice of any change in availability of service, in status of applications, or in change in position;
 - (6) conduct professional business through recognized educational and professional channels.
- [6.60.9.8 NMAC - N, 04-30-01]

6.60.9.9 STANDARDS OF PROFESSIONAL CONDUCT:

A. Preamble

(1) We, licensed New Mexico educators acknowledge that ethical values in our schools cannot exist without ethical leadership. It is our ultimate goal to educate children so that they may become productive citizens; we understand that our guidance and ability to provide choices has a profound effect on reaching this goal. In affording students and each other choices, we agree to consider the consequence of each choice, the moral value best exemplified by the recommended choice, and our position on the choice if it were applied to us. These principles apply equally to all licensed educators in all schools except where they are uniquely applicable to public schools or where they conflict with principles of religious freedom.

(2) Moral values are to ethical leadership what years of experience are to a successful educator. The former sets the stage for success of the latter. Abstract principles that espouse excellence do not easily equate into simple behavioral maxims. We are certain that some foundational concepts can be embraced because they truly celebrate desirable moral values. These concepts are: respect for one's self and others, honesty and openness, the delicate balance between absolute freedom and safety, the equally delicate balance between confidentiality and the right to know, equality of opportunity, fairness to all, and personal integrity.

(3) In the final analysis it is our consistent ethical leadership that wins the most allies and produces the best results. Not only does this code highlight our professional responsibilities, but also it stimulates us to discuss the professional implications of our ethical choices and ethical recommendations, causes us to assess and reassess our application of moral values, and sets forth concrete behaviors appropriate for education professionals. We are committed to this code and understand that it provides minimally accepted standards of professional conduct in education.

B. Standard I: Duty to the student. We endeavor to stimulate students to think and to learn while at the same time we seek to protect them from any harm. Ethical leadership requires licensed educators to teach not only by use of pedagogical tools, but also by consistent and justifiable personal example. To satisfy this obligation, we:

(1) shall, in compliance with the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g, 34C.F.R. Part 99), the Individuals with Disabilities Education Act (20 U.S.C. Section 1401 *et seq.*, 34 C.F.R. Part 300), the Mental Health and Developmental Disabilities Code (Section 43-1-19, NMSA 1978), the Inspection of Public Records Act (Section 14-2-1 *et seq.*, NMSA 1978), the Public School Code (Section 22-1-8, NMSA 1978), and the Children's Code (Sections 32A-2-32, 32A-4-3, NMSA 1978), withhold confidential student records or information about a student or his/her personal and family life unless release of information is allowed, permitted by the student's parent(s)/legal guardian, or required by law;

(2) shall not discriminate or permit students within our control, supervision or responsibility to discriminate against any other student on the basis of race, color, national origin, ethnicity, sex, sexual orientation, disability, religion, or serious medical condition;

(3) shall avoid using our positions as licensed school employees to exploit or unduly influence a student into engaging in an illegal act, immoral act, or any other behavior that would subject a licensed school employee or student to discipline for misconduct whether or not the student actually engages in the behavior;

(4) shall tutor students only in accordance with local board policies, if any, only after written permission from the student's parent(s)/legal guardian, and only at a place or time approved by the local school and/or the student's parent(s)/legal guardian;

(5) shall not give a gift to any one student unless all students situated similarly receive or are offered gifts of equal value for the same reason;

(6) shall not lend a student money except in clear and occasional circumstances, such as where a student may go without food or beverage or be unable to participate in a school activity without financial assistance;

(7) shall not have inappropriate contact with any student, whether or not on school property, which includes but is not limited to:

- (a) all forms of sexual touching, sexual relations or romantic relations;
- (b) inappropriate touching which is any physical touching, embracing, petting, hand-holding, or kissing that is unwelcome by the student or is otherwise inappropriate given the age, sex and maturity of the student;
- (c) any open displays of affection toward mostly-boys or mostly-girls; and
- (d) offering or giving a ride to a student unless absolutely unavoidable, such as where a student has missed his/her usual transportation and is unable to make reasonable substitute arrangements;

(8) shall not interfere with a student's right to a public education by sexually harassing a student or permitting students within our control, supervision or responsibility to sexually harass any other student, which prohibited behavior includes:

- (a) making any sexual advances, requests for sexual favors, repeated sexual references, any name calling by means of sexual references or references directed at gender-specific students, any other verbal or physical conduct of a physical nature with a student even where the licensed educator believes the student consents or the student actually initiates the activity, and any display/distribution of sexually oriented materials where students can see them; and
- (b) creating an intimidating, hostile or offensive work/school environment by at a minimum engaging in any of the prohibited behaviors set forth at Paragraph (7) or Subparagraph (a) of Paragraph (8), Subsection B of 6.60.9.9 NMAC, above.

C. Standard II: Duty to the profession. The education profession has been vested by the public with an awesome trust and responsibility. To live up to that lofty expectation, we must continually engender public confidence in the integrity of our profession, and must strive consistently in educating the children of New Mexico, all of whom will one-day shape the future. To satisfy this obligation, we:

- (1) shall not make a false or misleading statement or fail to disclose a material fact in any application for educational employment or licensure;
- (2) shall not orally or in writing misrepresent our professional qualifications;
- (3) shall not assist persons into educational employment whom we know to be unqualified in respect to their character, education, or employment history;
- (4) shall not make a false or misleading statement concerning the qualifications of anyone in or desiring employment in education;
- (5) shall not permit or assist unqualified or unauthorized persons to engage in teaching or other employment within a school;
- (6) shall not disclose personal, medical, or other confidential information about other educational colleagues to anyone unless disclosure is required or authorized by law;
- (7) shall not knowingly make false or derogatory personal comments about an educational colleague, although first amendment protected comments on or off campus are not prohibited;
- (8) shall not accept any gratuity, gift, meal, discount, entertainment, hospitality, loan, forbearance, favor, or other item having monetary value whose market value exceeds \$100, excluding approved educational awards, honoraria, plaques, trophies, and prizes;
- (9) shall avoid conduct connected with official duties that is unfair, improper, illegal or gives the appearance of being improper or illegal;
- (10) shall not sexually harass any school employee, any school visitor or anyone else we might encounter in the course of our official duties, which includes:
 - (a) making any sexual advances, requests for sexual favors, repeated sexual references, and name calling by means of sexual references or references directed at any gender-specific individuals named above;
 - (b) making any other verbal gesture or physical conduct with any of the above-named individuals even where the licensed educator believes they consent or they actually initiate the activity;
 - (c) displaying or distributing any sexually oriented materials where the above-named individuals can see them;and
 - (d) creating an intimidating, hostile, or offensive work/school environment by engaging in any of the prohibited behaviors set forth at Subparagraphs (a), (b) or (c), Paragraph (10), Subsection C of 6.60.9.9 NMAC, above;
- (11) shall educate oneself at least annually about avoiding sexual harassment by either attending periodic training, reviewing sexual harassment literature or the EEOC guidelines found at Title 29 Code of Federal Regulations Part 1604 (29 C.F.R. Section 1604.1 *et seq.*), or contacting appropriate school human resources personnel;
- (12) shall not engage in inappropriate displays of affection, even with consenting adults, while on school property or during school events off campus;
- (13) shall not without permission of a supervisor use public school property to conduct personal business or our personal affairs;
- (14) shall use educational facilities and property only for educational purposes or purposes for which they are intended consistent with applicable policy, law and regulation;
- (15) shall not discriminate against any school employee, or any other person with whom we have any dealings or contact in the course of our official duties, on the basis of race, color, national origin, ethnicity, sex, sexual orientation, disability, religion, or serious medical condition;
- (16) shall not engage in any outside employment:
 - (a) the performance of which conflicts with our public school duties, such as where a licensed educator takes a private job that would require performance in the very school district where he/she is employed;
 - (b) where we use confidential/privileged information obtained from our public school employment as part or all of our private employment duties; and
 - (c) that impairs our physical ability to perform our school duties;
- (17) shall not, with the intent to conceal/confuse a fact, change or alter any writing or encourage anyone else to change or alter any document:
 - (a) in connection with our official school duties;
 - (b) in connection with another licensed person's official school duties;
 - (c) in connection with any standardized or non-standardized testing;
 - (d) in connection with any school application or disclosure process; and
 - (e) in connection with any writing submitted to the public education department related to our initial or continued licensure, including endorsements;
- (18) shall not in connection with any state board-approved teacher test knowingly make any misrepresentations about one's identity, or engage in any false or deceptive acts of test-taking or test-registering;
- (19) shall not engage in any conduct or make any statement:
 - (a) that would breach the security of any standardized or non-standardized tests;

- (b) that would ignore administering portions or the entirety of any standardized or non-standardized testing instructions;
 - (c) that would give students an unfair advantage in taking a standardized or non-standardized test;
 - (d) that would give a particular school or a particular classroom an unfair advantage in taking a standardized or non-standardized test; and
 - (e) that would assist students in obtaining services or benefits for which they do not qualify or are not entitled;
- (20) shall not, when on school property or off campus while representing the school or attending a school function, engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct which tends to disturb the peace;
- (21) shall not hold, or continue to hold, employment for which educator licensure or certification is required when the individual knew, should have known or is informed by the PED, that the individual does not hold the required credentials; and
- (22) shall not use school information technology equipment, hardware, software or internet access to view, download, display, store or print pornographic images or advertisements, nude images, or sexually explicit depictions or language;
- (23) shall not engage in unprofessional conduct, which conduct shall include but not be limited to the following:
- (a) striking, assaulting or restraining a student for no valid reason;
 - (b) using any written or spoken words in public schools or at school events that are inflammatory, derogatory or otherwise demonstrate a bias against a person or group, on the basis of their race, religion, culture, ethnicity, sexual preference, sexuality or physical disability;
 - (c) bringing firearms onto school property or possessing them on school property, except with proper authorization;
 - (d) possessing or consuming alcohol beverages at school;
 - (e) possessing or using illegal drugs;
 - (f) being under the influence of alcohol or illegal drugs at school;
 - (g) actively obstructing an investigation into the possible unethical or illegal conduct of a school employee; and
 - (h) engaging in favoritism or preferential treatment toward any school employee or applicant in regards to that individual's hiring, discipline, terms of employment, working conditions or work performance due to that individual's familial relationship with the licensee;
- (24) shall report any knowledge of inappropriate contact, as provided by Paragraph (7) of Subsection B of 6.60.9 NMAC with a student or other school employee to the local school authority within 30 days of obtaining such knowledge.
- [6.60.9.9 NMAC - N, 04-30-01; A, 10-17-05; A, 10-31-06]

Signature: _____

Date: _____