



MINUTES

Las Cruces Public Schools Board of Education Regular Meeting

Tuesday, November 19, 2013 • 6:30 p.m.
LCPS Administration Building Board Room • Televised by LCPS.TV

I. INTRODUCTION

A. *Call to Order*

Dr. Connie Phillips called the meeting to order at 6:32 p.m.

B. *Roll Call*

Roll call was taken by Mr. Chuck Davis. Those present:

- Dr. Connie Phillips, President
- Sra. Maria Flores, Vice President
- Mr. Chuck Davis, Secretary
- Mrs. Barbara Hall, Member
- Dr. Bonnie Votaw, Member

Superintendent Stan Rounds was also in attendance.

C. *Pledge of Allegiance*

President Phillips led the audience in the Pledge of Allegiance

D. *Performance by Oñate High School Chamber Singers*

A performance by Oñate High School Chamber Singers, led by Ryan Fellman, was followed by a round of applause.

E. *Approval of Minutes*

A motion was made by Mr. Davis and seconded by Dr. Votaw (with the correction to her name) to approve the minutes of the September 13, 2013 board retreat, September 17, 2013 regular board meeting and October 15, 2013 regular board meeting. The motion passed unanimously.

F. *Approval of Agenda*

President Dr. Phillips stated a change to the agenda that the board would hear public input regarding *agenda* items first, then public input regarding *non-agenda* items. Mr. Davis questioned President Phillips regarding his request at the last board meeting that a resolution surrounding New Mexico Teach be placed on the agenda for the November 19, 2013 regular board meeting. President Dr. Phillips responded she made a decision the resolution would best be heard at the board retreat on December 9, 2013. Mr. Davis stated that he will have a draft resolution for board members to consider at the December 9, 2013 retreat.

A motion was made by Dr. Votaw and seconded by Mrs. Hall to approve the agenda as amended. Mr. Davis stated his opposition. The motion passed.

G. *Approval of Consent Agenda Items*

A motion was made by Sra. Flores and seconded by Mr. Davis to approve the consent agenda items, which are: IV.A.1 approval of waiver from Prohibited Employee Procurement Participation – MSG; V.A.1 approval of property dispositions; V.A.2 approval of vendor payments; V.A.3 approval of budget increases/adjustments; V.A.4 acceptance of donation from Sonoma Elementary PTO, and V.B.1 approval of student out-of-state travel; and VI.B.1 third reading and approval of Policy IHAM, Health Education. The motion passed unanimously.

II. PUBLIC INPUT

A. *Agenda items*

Adam Shervanick, a 6th grader at Lynn Middle School, shared with the board his support regarding the acceptance of PTO funds for a track at Sonoma Elementary School. Adam shared that although he is currently a student at LMS, he previously attended Sonoma Elementary. The board thanked him for his comments and advised the donation was accepted earlier in the evening on consent.

B. *Non-agenda items*

Mr. Bruce Hartman, a diagnostician with LCPS, discussed his concern of the level of poverty in New Mexico and Dona Ana County, the New Mexico Teacher Evaluation system and test scores. Mr. Hartman stated that 25.6% of families in Dona Ana County are at the poverty level with 65.52% of our student body is at or below poverty level.

Mikayla Richardson, a junior at Mayfield High School, read a letter to the board regarding test scores. Mikayla indicated she is a 4.0 student and participates in several clubs and extra-curricular activities. She no longer enjoys school anymore due to the high pressure of the mandatory testing and that kids feel stressed by the testing requirements. Mikayla stated the testing did not matter; that it was only for the school district to get more money. Teachers only teach to the test but say nothing in fear of losing their jobs.

Melissa Mullinax shared her thoughts regarding challenging common core and testing of students.

Kris Nielson, a parent who has returned to Las Cruces after 10 years stated his concern regarding the future of children in schools and their happiness. He stated that narrow standards and tests do not provide happiness; the tests are not designed for the kids; but to measure teachers. He suggested that district refuse the PED tests and that teachers will also rise and take back their profession.

Nitish Narula, of PASS, stated that they were denied to be a part of the agenda. He stated that by not including the group on the agenda, the district has failed them; a concern of not being worthy. Mr. Narula stated on record a motion to initiate a public forum where teachers and parents can address the board before semester ends regarding testing and the New Mexico Teacher Evaluation system.

Terrie Dallman, a 14 year veteran teacher in the bilingual program at Zia Middle School, stated she is not a robot; but a real person. She, like other teachers, care for students. Students tell her they hate taking tests; that it makes them feel inadequate. Students feel isolated and never good enough. Ms. Dallman invited the board to visit schools on non-special days, i.e. during testing and to consider subbing to see the climate at school. Ms. Dallman also stated she seconds the public forum idea brought forward by Mr. Narula of PASS.

Deborah Romero, a Tier III teacher at Mesilla Park Elementary School, said she loves to teach. Ms. Romero stated her appreciation of the long hours the school board and Superintendent puts in. Ms. Romero discussed emotions she is experiencing regarding the involvement of politics in our classrooms, i.e. night terrors and crying. She acknowledged that it is no fault of any one person; but a broken system. Teachers need more time to teach besides teaching to the test.

Hanna Phillips, a teacher, spoke in regards to end of course exams and the harm the tests put on the schools. The tests take time away from instruction as kids get pulled out of the classrooms to take the tests. Teachers don't see the tests, yet are evaluated on them. Ms. Phillips also shared her love for teaching.

Margaret Sanchez-Maes, a parent, is sad that kids have to go through the testing. Ms. Maes understands the importance of testing, but believes it is not doing what it is supposed to be doing. Ms. Maes has two daughters in the LCPS district who love school. She stated that the kids feel the weight on their teacher's shoulders; they feel the tension and the stress. Her daughters are high achievers, but their spirit is getting broken. Ms. Maes stated her concern for students who are not high achievers as her daughters and how the testing is affecting them.

Jessica Blanchard, a teacher at Lynn Middle School, stated her principal told her to stick to the curriculum. Some weeks teachers only have one planning period per week. There is a lot of pressure in trying to keep up with teaching to the curriculum. Ms. Blanchard stated teachers feel like Nazis. She requested to take away a PLC during the week to give teachers another planning period. Ms. Blanchard also asked that the teacher evaluation system be reconsidered; the evaluations are unfair as teachers are at risk for abusing a benefit that is part of their contract and they are at risk of being evaluated by those not properly trained.

Irma Valdespino, President CSEC-LC, stated that it is American Education Week and we should celebrate the gift of learning and recognize our teachers and students.

III. RECOGNITIONS

A. *Comcast Cable Check Presentation*

Nyeta Haynes, Executive Director for LCPS Foundation, recognized LCPS Foundation board members in the audience including Superintendent Stan Rounds, Larry Altamirano, Barbara Hall, Brigitte Zigelhofer and Mike Cook. Mrs. Leslie Cervantes, former Executive Director for LCPS Foundation, accepted a donation in the amount of \$26,040.00 to the LCPS Foundation from Comcast Cable for Comcast Cares Day held at Dona Ana Elementary on April 27, 2013. A record breaking 1,489 volunteers participated in the daylong event to beautify the school and grounds. Mr. John Christopher, State Director Comcast Cable, stated that more volunteers participated in Las Cruces on Comcast Cares Day than any other city across the country. Cherie Love, Principal, Dona Ana Elementary School and Bobby Stout, PPD Director, LCPS were also present and recognized.

Mrs. Cervantes stated that one-half of the proceeds received from Comcast Cable will be given to Dona Ana Elementary and the other half to the LCPS Foundation.

IV. SUPERINTENDENT'S REPORT

Superintendent Stan Rounds asked for a point of privilege. He stated that it is American Education Week and thanked the board for their tireless efforts in supporting our students and their families. Mr. Rounds stated that board members do not get paid their efforts and shared how committed the board is to our children and employees. He also thanked over 3,600 of our employees from teachers, to custodians to principals that serve 25,000 students every day in our district.

A. *Approval of Waiver from Prohibited Employee Procurement Participation – MSG (Michael Scott Gandara Inspections)*

This item was on consent and approved earlier in the meeting.

B. *Certified/Classified Report*

There were no comments.

V. OTHER REPORTS

A. *Finance: Items #1, #2, #3, and #4 were on consent and approved earlier in the meeting.*

5. *First Quarter Reports for LCPS, La Academia Dolores Huerta Charter School and Las Montanas Charter High School*

Mr. Terry Dean, Associate Superintendent of Finance & Technology, presented to the board the first quarter reports for LCPS, La Academia Dolores Huerta Charter School and Las Montanas Charter High School.

Las Cruces Public Schools for the quarter ending September 30, 2013, received \$55,558,494.56 in revenue and expended \$58,782,027.66. The Operational cash balance was \$24,794,765.83 and total cash is \$54.5 million. Cash balances appear to be high and will continue to increase throughout the year until summer contracts are liquidated for employees. The Revenue Report reflects a balance of \$55,558,494.56 for each fund. The Expenditure Report reflects a balance of \$58,782,027.66 in expenditures. Specific issues within the expenditure report are (1) Fund 13000 Transportation reflects a negative budget balance of \$960,019.37. This negative balance is intentional and created due to the state underfunding these costs. The deficit must be covered from the Operational fund before the end of the year; (2) Fund 24109 IDEA B Preschool reflects a deficit balance of \$18,985.15. This fund consists mainly of salaries and the final allocation letter will not be enough to cover the deficit. The

fund's carry-over may not be sufficient to cover the deficit, therefore, the excess must be covered from the 24106 (IDEA B) fund; (3) Fund 24115 IDEA B Private School reflects a deficit of \$1,000.71. LCPS is working with PED to correct the deficit; and Fund 24154 Title II reflects a deficit balance of \$402,461.03. This fund should be corrected with the final allocation and carry-over awards.

La Academia Dolores Huerta Charter School for the quarter ending September 30, 2013, reflects total revenue of \$359,297.54 and expenditures of \$294,682.25. The report and supporting documentation was reviewed and found to be consistent. The Revenue Report accurately reflects the revenue for the period, and the Expenditure Report accurately reflects the budget balance in the comparison of the budget to the expenditures. The report of La Academia Dolores Huerta Charter School appears to be accurate in all material respects. The report is clean and accurate.

Las Montañas Charter High School submitted to the PED its report for the quarter ending September 30, 2013. The Cash Report reflects total revenue of \$611,973.97 and expenditures of \$583,075.46. The Revenue Report is consistent with the other reports and appears to be accurate. The Expenditure Report reflects significant encumbrances balance due to the unpaid salaries and benefits and reflects a deficit in Fund 24101 Title I of \$674. This deficit is due to the encumbrance of contracted salaries and that the charter has not received the authority to budget the remaining allocation. The report is very clean and accurate.

6. *Restatement to LCPS End of Year Report*

Mr. Terry Dean, Associate Superintendent of Finance & Technology, reported to the board that LCPS's Fourth Quarter Report was restated and submitted to the Public Education Department for the quarter ended June 30, 2013. The reasons for the restatement are in-direct cost rate change and revenue miss-posting in funds HB-33 (31600) & SB-9 (31700). Mr. Dean stated that LCPS received an email from the Public Education Department in October 2013, advising the indirect cost rate previously provided to the district was incorrect, and a restatement of the general ledger costs was required. The effect of the rate change to the operational funds cash balance was reduced by \$1,633. He also stated that upon information received from the County Treasurer in June 2013, revenue for Funds 31600 and 31700 were inadvertently reversed for last fiscal year. The restated report corrects this discrepancy.

B. *Instruction:* Item #1 was on consent and approved earlier in the meeting.

2. *Head Start Meal Report*

There were no comments.

3. *Update on ELL Academy*

Jed Hendee, Principal Las Cruces High School and Michelle Ronga, Instructional Specialist, at Las Cruces High School, provided an update to the board on Las Cruces High School's ELL Academy. Mr. Hendee stated that he has been with the district for 8 years and noted that there are a lot of very good things going on at the schools. Mr. Hendee began the ELL academy when he identified students at LCHS who were not receiving services through the bilingual program and were behind in credits. He noted the students were struggling to find their place on campus.

Teachers presented data to the board reflecting an increase in sections passed from SY 2012-2013 to SY 2013-2014 in the first nine weeks. The teachers indicated that building relationships with students is vital in keeping students in school; especially high risk students.

Students shared their experiences in participating in the ELL Academy. Many indicated that they are "blessed" to be a part of the program and to have the good support system their teachers provide. Each student stated an increase in their grades and that they now enjoy going to school.

Sra. Flores asked how many students were currently enrolled in the program. Mr. Hendee stated there are 54 students currently in the program. Board members thanked the teachers for the wonderful job they are doing with the students.

4. *Discussion of La Academia Dolores Huerta Charter School's request of relocation of present facility*

Mr. Octavio Casillas, Principal, addressed the board requesting to amend its charter and be granted permission to relocate the school to 1405 Solano Dr. in Las Cruces, New Mexico (The Church on the Rock) subject to financing and approval of contract by the La Academia Dolores Huerta Charter School's Governance Council. Mr. Casillas indicated the current facility which houses the school is 970 sq. ft.; the new facility is 25,000 sq. ft. Their classroom space would double.

President Dr. Phillips asked how much work would need to be done on the new building. Mr. Casillas responded that 4 refrigerated units would be needed to cool the facility and classroom walls would need to be built to make 16 classrooms. Mr. Casillas also stated that La Academia applied for a state charter in October, 2013 in order to be able to acquire grant money to be able to increase the student population. La Academia does not want to be a burden to LCPS. Mr. Casillas thanked the LCPS board and the Superintendent for their assistance in finding a location for the charter school and stated that although, LCPS's suggestions were declined; La Academia was grateful.

President Dr. Phillips asked if there is timeline for a decision of approval to move to the new facility. Superintendent Rounds responded that La Academia is targeting an additional 300 students for new facility, with the charter school's application to the state for state charter in October, 2013 - is it appropriate for the board to approve the move if La Academia is chartered by the state? Or, defer to Public Education Commission? La Academia's hearing for state charter is December 12, 2013. Superintendent Rounds will work with La Academia to formulate a plan for the board regarding a timeline and funding.

Sra. Flores asked if La Academia is affected by funding and needs the board's approval to relocate so La Academia can move forward, will the board be able to vote on the approval?

Dr. Votaw stated she believed that the board could possibly approve on a contingency or maybe La Academia could do concurrent applications for charter with the state and LCPS. Superintendent Rounds responded that concurrent applications are illegal. Since La Academia has applied for a state charter, the state becomes the legal standard if they are renewed. Superintendent Rounds also shared his concerns/reservations on whether or not the board could act on approving the move with the pending application to the state.

C. *Operations:*

1. *Construction Projects Report*

There were no comments.

2. *Approval of Bus Inspector Agreements*

Mr. Larry Altamirano, Director of Transportation, requested approval for three School Bus Inspector Agreements for the Fall and Spring semesters. The PED recently informed the district that school bus inspection agreements could no longer be made with a company, only to individual inspectors. To comply with the new regulation, the district will now issue individual bus inspector agreements as opposed to company agreements. The district has used the same company for over 18 years, and will continue to use the inspectors within that company.

A motion was made by Mr. Davis and seconded by Sra. Flores to approve the School Bus Inspector Agreements. The motion was approved unanimously.

VI. BOARD ITEMS

A. *New Business*

1. *Approval of the accretion of LCPS Nutrition Services Warehouse and Delivery employees into CSEC-LC for the purposes of collective bargaining*

Irma Valdespino, President CSEC-LC, advised the board that CSEC-LC has conducted an authorization card campaign with nutrition services warehouse and delivery employees. 10% of the employees have demonstrated their desire to be represented by the union. CSEC-LC requests support for the accretion of nutrition services warehouse and delivery employees into the CSEC-LC collective bargaining unit pursuant to NMAC 11.21.2.38.

A motion was made by Mr. Davis and seconded by Sra. Flores to approve the accretion of LCPS Nutrition Services Warehouse and Delivery employees into CSEC-LC for the purposes of collective bargaining. The motion passed unanimously.

2. *Adoption of Resolution and Proclamation of Special School Bond Election and Special Public School Buildings Tax Election*

Mr. Paul Cassidy of RBC Capital Markets addressed the board regarding election resolutions prepared by the Cuddy law firm as bond counsel.

The first part of the resolution, calls for two election questions on ballot. \$65 million bond issue amount is anticipated, and LCPS can issue for the next four years. Currently LCPS is at 73% bond capacity, and is expected to continue to remain at 70-75% bond capacity. It also directs when voters must be duly registered and when absentee voting begins. The resolution states Election Day is the first Tuesday in February, February 4, 2013.

The second part of the resolution is in regards to the House Bill 33-Public School Capital Improvements Tax, which is the cash flow source of money for the district's Facilities Master Plan. There are three mills currently imposed by district and this improvements tax resolution can be approved every six years without a tax rate increase. It also establishes election timeframes and deadlines as well as directs the Superintendent to take the resolution to the county clerk for polling.

A motion was made by Mr. Davis and seconded by Dr. Votaw to adopt the Resolution and Proclamation of Special School Bond Election and Special Public School Buildings Tax Election. A roll call vote was taken. Sra. Flores - "aye;" Dr. Votaw – "aye;" Mr. Davis – "aye;" Mrs. Hall- "aye" and Dr. Phillips – "aye." The motion passed unanimously.

3. *Adoption of Resolution Authorizing and Directing School Election Procedures*

Presented together with VI.A.2. Adoption of Resolution and Proclamation of Special School Bond Election and Special Public School Buildings Tax Election by Paul Cassidy of RBC Capital Markets.

A motion was made by Mr. Davis and seconded by Sra. Flores to adopt the Resolution Authorizing and Directing School Election Procedures. A roll call vote was taken. Sra. Flores - "aye;" Dr. Votaw – "aye;" Mr. Davis – "aye;" Mrs. Hall- "aye" and Dr. Phillips – "aye." The motion passed unanimously.

4. *Adoption of Resolution Authorizing Sale of General Obligation School Bond Series 2013*

Mr. Paul Cassidy of RBC Capital Markets reported to the board Moody's bond rates and interest rates received from bids. The Resolution Authorizing Sale of General Obligation School Bond Series 2013 is necessary to sell \$10 million of general obligation bonds. The district received public bids from competing firms for the purchase of the bonds. The best bid received was from Morgan Stanley at 3.45. Second highest bid received from Piper Jaffray at 3.58. The average rate is 3.04; interest to tax payers \$2.9 million. Upon adoption of the resolution to sale the bonds, the district will proceed with the closing of the transaction that is scheduled to occur on December 23, 2013.

A motion was made by Mr. Davis and seconded by Dr. Votaw to adopt the Resolution Authorizing Sale of General Obligation School Bond Series 2013. A roll call vote was taken. Sra. Flores - "aye;" Dr. Votaw – "aye;" Mr. Davis – "aye;" Mrs. Hall- "aye" and Dr. Phillips – "aye." The motion passed unanimously.

5. *Introduction of Bond Election Blue Ribbon Committee Chairperson*

Superintendent Stan Rounds introduced Mrs. Sherley O'Brien as this year's Blue Ribbon Committee Chairperson for the bond election. Mrs. O'Brien is a former LCPS teacher and administrator whose twin daughters attend Centennial High School. Mrs. O'Brien has served on several boards of directors of many local non-profit organizations and has volunteered on behalf of numerous fundraisers. Mrs. O'Brien currently serves as vice president of the LCPS

Foundation board of directors. She and her husband, Jeff, are the owners of Arroyo Medical Supply and Mesilla Valley Kitchen.

6. *First reading of Policy DJ-Procurements*

Mr. Terry Dean, Associate Superintendent of Finance & Technology, presented to the board the first reading of Policy DJ-Procurements. The proposed updated policy is to assure compliance with state law and regulations imposed by the State Procurement Office. The policy will be posted on the district's website for review.

Mr. Dean recommended Policy DJ move forward for second reading and approval at the next regular board meeting.

B. *Old Business:* Item #1 was on consent and approved earlier in the evening

2. *Third reading of policy ADF, Wellness for Students and Staff*

Dr. Steven Sanchez, Deputy Superintendent, brought before the board the third reading of Policy ADF. The policy which outlines key components of the district's wellness was updated to comply with public school codes. After the second reading of the policy, it was determined by staff to suggest minor revisions for the board to consider during the third reading. The changes include striking "ensuring" and adding "supporting" under Position, III, A, 2; striking "ensuring" and adding "promoting" under Position III, A, 6; and adding "promoting staff wellness through District programs or services in order to support and/or improve the mental, emotional, behavioral and social health of staff members" under Position III, A, 10.

A motion was made by Mr. Davis and seconded by Sra. Flores to approve Policy DJ-Procurements. The motion passed unanimously.

VII. BOARD MEMBER REPORTS

Sra. Flores would like to see a public forum as suggested earlier in the meeting. Superintendent Rounds indicated the district was approached by the PED for public discussion co-sponsored by the state PTA on December 12, 2013. Sra. Flores attended the first Centennial High School academic awards assembly; visited with IPE at Conlee Elementary, with Mr. Barrio and Ms. Merrick for a writing period and centers, and ENLACE at Mayfield High School. Sra. Flores also toured the bus yard and noted that there are 44 special needs buses and 18 spare buses. She also attended a "Don't Meth with Me" presentation at Zia Middle School by the Rotary Clubs of Las Cruces. Sra. Flores also participated in the Beat the Hunger Parade put on by the Las Cruces High School and Mayfield High School Honor Societies.

Mrs. Hall attended the District Advisory Council meeting with Dr. Votaw. She also attended the LCPS Foundation board meeting in which the foundation voted to support and institute our own district spelling bee instead of our students having to travel to El Paso. Mrs. Hall stated that teacher proposals for grants are coming in, and the Celebration for Excellence dinner is in the works. Mrs. Hall also attended the "Don't Meth with Me" presentation at Lynn Middle School; Veterans Day at Conlee Elementary with Dr. Phillips; and visited with the LEAP program as well as a Gomez & Gomez classroom at Jornada Elementary School.

Dr. Votaw attended the District Advisory Council meeting and a IPE training class at Dona Ana Elementary as well as the IPE graduation. Dr. Votaw commented on the IPE program stating that she sees "great promise in the program engaging parents in their child's education." She also attended the New Mexico Science Teachers' Association Math and Environmental Education Conference at Centennial High School, the legislative dinner, a meeting with the League of Women Voters, and the teachers' leadership training by Dr. Elizabeth Marrufo. Dr. Votaw found the teachers' leadership training to be very stimulating.

Mr. Davis stated the board as a group attended the IPE graduation. He found it very stimulating and a worthwhile program; he hopes the program will expand into other schools to increase parent involvement.

President Dr. Phillips attended the IPE graduation and gave a special thanks to Olga Hawkins and Delilah Morales for their work in the program. President Dr. Phillips also attended the Beat the Hunger Parade and the academic awards dinner at Centennial High School. She also attended Conlee

Elementary’s Veterans Day with the White Sands Missile Range base commander, and an audit committee meeting with Mr. Davis. She also visited with Dr. Marci Oxford and will report on that visit at the next board meeting.

Superintendent Rounds reminded the board of the Blue Ribbon Committee meeting on November 21, 2013.

VIII. UPCOMNG EVENTS

A. *Calendar of Events*

President Dr. Phillips said a calendar of events was placed in each board member’s folder for their review. She reminded the board of the joint work session with the City of Las Cruces on December 3, 2013; board retreat on December 9, 2013; and regular board meeting on December 10, 2013.

President Dr. Phillips asked if the board would be agreeable to hold the joint work session with the City of Las Cruces at the City building due to its larger accommodations. The board agreed.

IX. ADJOURNMENT

A motion was made by Mr. Davis and seconded by Sra. Flores to adjourn the meeting. The motion passed unanimously. The meeting was adjourned at 9:03 p.m.

Board President

Board Secretary

Minutes taken by Tina Gonzalez.