



MINUTES

Las Cruces Public Schools Board of Education Regular Meeting

Tuesday, September 16, 2014 • 6:30 p.m.
LCPS Administration Building Board Room • Televised by LCPS.TV

I. INTRODUCTION

A. *Call to Order*

President Dr. Bonnie Votaw called the meeting to order at 6:31 p.m.

B. *Roll Call*

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

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

Superintendent Stan Rounds was also in attendance.

C. *Pledge of Allegiance*

President Dr. Votaw led the audience in the Pledge of Allegiance

D. *Performance by Mesa Middle School Orchestra*

The audience enjoyed a performance by the Mesa Middle School Orchestra under the direction of Eric Rangel.

E. *Approval of Minutes*

A motion was made by Mr. Chuck Davis and seconded by Sra. Maria Flores to approve the minutes of the August 19, 2014 Regular Board Meeting and the September 2, 2014 Work Session. The motion passed.

F. *Approval of Agenda*

Sra. Maria Flores requested the Board vote on Item V.A. 2. Vendor Payments separately.

A motion was made by Sra. Maria Flores and seconded by Mrs. Barbara Hall to amend the agenda. The motion passed unanimously. A motion was made by Sra. Maria Flores and seconded by Mr. Chuck Davis to approve the agenda as amended. The motion passed unanimously.

G. *Approval of Consent Agenda Items*

A motion was made by Mrs. Barbara Hall and seconded by Mr. Chuck Davis to approve consent agenda items V.A.1. Approval of Property Dispositions; V.A.3. Approval of Budget Adjustments; V.A.4. Approval of Employee Request for Waiver; V.B.1. Approval of Student Out of State Travel; V.B.2. Approval of 2014-15 FERPA Notice; V.B.3. Approval of 2014-15 Notice of Non-Discrimination; and V.B.4. Approval of 2013-14 Head Start Self-Assessment Report. The motion passed unanimously.

II. PUBLIC INPUT

A. *Non-agenda items*

None.

B. *Agenda items*

None.

President Dr. Votaw announced that public agenda items on the Board's agenda is an item for discussion at the Board's retreat on October 24, 2014. She asked the community to please email their suggestions to Board members.

IV. SUPERINTENDENT'S REPORT

1. *Ratification of Collective Bargaining Agreement between LCPS Board of Education and CSEC-LC through June 30, 2015*

Mr. Herb Torres, shared with the Board the substantive changes to the CSEC-LC Collective Bargaining Agreement which include the Nutrition Services warehouse employees who were accreted into the union in 2013-14 and the 2014-15 salary schedules which were ratified by the Board on June 26, 2014. Mrs. Irma Valdespino, CSEC-LC representative, spoke to the Board with regard to CSEC-LC's ratification of the Agreement.

A motion was made by Mr. Chuck Davis and seconded by Dr. Connie Phillips to ratify the Collective Bargaining Agreement between LCPS Board of Education and CSEC-LC through June 30, 2015. A roll call vote was taken. Sra. Flores – yes; Mrs. Hall – yes; Dr. Phillips – yes; Mr. Davis – yes; Dr. Votaw – yes. The motion passed unanimously.

2. *Ratification of Collective Bargaining Agreement between LCPS Board of Education and NEA-LC through June 30, 2016*

Mr. Herb Torres, shared with the Board the modifications to the NEA-LC Collective Bargaining Agreement regarding definitions, staffing, and grievance procedures. Superintendent Rounds will report to the Board on NEA grievances quarterly. A discussion ensued regarding the salary schedules for ancillary staff. Mr. Torres stated the Collective Bargaining Agreement team is working on three Memorandums of Understanding in this regard, and a recommendation to the Board should come forward at the end of the year.

A motion was made by Mr. Chuck Davis and seconded by Mrs. Barbara Hall to ratify the Collective Bargaining Agreement between the LCPS Board of Education and NEA-LC through June 30, 2016 pending ratification by NEA-LC. A roll call vote was taken. Sra. Flores – yes; Mrs. Hall – yes; Dr. Phillips – yes; Mr. Davis – yes; Dr. Votaw – yes. The motion passed unanimously.

3. *NMSU General Obligation Bond*

Mr. Ben Woods, Senior Vice President for External Relations at New Mexico State University spoke to the Board briefly on NMSU's General Obligation Bond for higher education which will be on the November ballot. A handout was provided to Board members.

4. *Personal Point of Privilege – Superintendent Rounds*

Superintendent Rounds asked for a personal point of privilege and provided to the Board a handout regarding the District's number of retirees and resignations which included chart comparisons by school year and teachers by course type (effective vs. minimally effective).

5. *Certified/Classified Report*

There were no comments by Board members.

V. OTHER REPORTS

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

2. *Vendor Payments*

Mr. Terry Dean, Associate Superintendent of Finance & Technology, shared with the Board the District's payments to vendors and recommended approval. Sra. Flores previously requested the MVEDA membership fee not be paid as she feels the membership does not effectively impact our students.

A motion was made by Mrs. Barbara Hall and seconded by Mr. Chuck Davis to approve the vendor payments. A roll call vote was taken. Mr. Davis-aye; Dr. Votaw-aye; Sra. Flores-nay; Mrs. Hall-aye; and Dr. Phillips-aye. The motion passed.

6. *Approval of LCPS 403(b) Plan; Article 1.16 Includible Compensation, Article .24 Severance from Employment, Article 5.3 Minimum Distributions, Article 5.7 Qualified Military Service Distributions and Article 9.12 Qualified Military Service Benefits Resolution*
Mr. Terry Dean, Associate Superintendent of Finance & Technology shared with the Board changes in the plan in keeping with federal law and regulations. The primary change is for military service members and the change is retroactive to January 1, 2009.

A motion was made by Dr. Connie Phillips and seconded by Mrs. Barbara Hall to approve the LCPS 403(b) Plan; Article 1.16 Includible Compensation, Article .24 Severance from Employment, Article 5.3 Minimum Distributions, Article 5.7 Qualified Military Service Distributions and Article 9.12 Qualified Military Service Benefits Resolution. A roll call vote was taken. Sra. Flores – yes; Mrs. Hall – yes; Dr. Phillips – yes; Mr. Davis – yes; Dr. Votaw – yes. The motion passed unanimously.

6. *Approval of LCPS 403(b) Plan; Article 4.1 Loan Resolution*
Mr. Terry Dean, Associate Superintendent of Finance & Technology shared with the Board the District's 403(b) Plan currently does not provide a provision for loans. The change in the plan now provides for loans and the employee will pay the loan costs associated without increasing the administrative cost for the District plan.

A motion was made by Mr. Chuck Davis and seconded by Mrs. Barbara Hall to approve the LCPS 403(b) Plan; Article 4.1 Loan Resolution. A roll call vote was taken. Mr. Davis-aye; Dr. Votaw-aye; Sra. Flores-nay; Mrs. Hall-aye; and Dr. Phillips-aye. The motion passed.

7. *Approval of LCPS 403(b) Plan; Article 6 Roth Contributions Resolution*
Mr. Terry Dean, Associate Superintendent of Finance & Technology shared with the Board the District's current plan for deferred compensation which allows participants to make contributions before state and federal taxation. The change in the plan would allow contributions to be made after federal and state taxation allowing the assets to grow tax free and all distributions are exempt from future taxation.

A motion was made by Mr. Chuck Davis and seconded by Dr. Connie Phillips to approve the LCPS 403(b) Plan; Article 6 Roth Contributions Resolution. A roll call vote was taken. Sra. Flores – yes; Mrs. Hall – yes; Dr. Phillips – yes; Mr. Davis – yes; Dr. Votaw – yes. The motion passed unanimously.

8. *Fourth Quarter Report for La Academia Dolores Huerta*
Mr. Terry Dean, Associate Superintendent of Finance & Technology, reported to the Board the Fourth Quarter Report for La Academia Dolores Huerta Charter School. The report reflects an operational cash balance of \$252,704.98. The Charter received \$1,585,488.27 in revenue during the fiscal year. Based on the information received from the Charter, the report appears to be correct. During our review of the reports, an error was noted of \$4.70 in expenditure report. However, the report has been approved and accepted by the Public Education Department with the error.

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

C. *Operations*

1. *Construction Projects Report*

Mr. Dane Kennon announced that the Las Cruces High School construction project is running on time with very limited change orders thanks to the design team. There were no comments.

VI. BOARD ITEMS

A. *New Business*

2. *First Reading of Policy ILBB State Program Assessment*

Dr. Steven Sanchez, Deputy Superintendent, brought before the Board the first reading of Policy ILBB State Program Assessment. The change in the policy reflects a title change to District Assessment Policy, technical changes, and an opt-out provision for various assessments. The policy will be brought back to the Board for a second reading at the October regular board meeting.

Sra. Flores asked that strengthening the Individual Education Plan process for student in Special Education be added to the policy so there is no unnecessary testing for students in Special Education. Dr. Votaw commented on the opt-out provision of the policy, stating that parents should be fully informed of the consequences of opting out. Dr. Sanchez will revisit the language currently in the draft policy and bring a recommendation forward to the Board with the suggested changes. The draft policy will be posted online for community review. Sra. Flores asked that the opt-out form be posted online as well.

B. Old Business

1. Approval of 2015 NMSBA Resolutions

President Dr. Bonnie Votaw reviewed the 2015 proposed resolutions with Board members: Recruit and Retain Teachers and Other Educational Personnel, Allow Waivers in Creation of Innovative Programs, and Continued Support for 2014 NMSBA Resolutions. Dr. Phillips would like the language to be specific outlining the definition of full implementation with regard to the PARCC assessment in the Continued Support for 2014 NMSBA Resolutions resolution. A discussion ensued regarding the PARCC assessment and the effect on teacher evaluation, school grading, and as a graduation requirement. Dr. Sanchez suggested its use as a pilot for one year. Sra. Flores suggested the PARCC assessment be available in Spanish. There was a further discussion regarding the impact of consolidating the 2014 supported resolutions into one and Mr. Davis stated that NMSBA will support resolutions as they come forward for legislation.

Dr. Phillips suggested a change in the language regarding the Waiver Innovative Program. Dr. Votaw would like the conditions of the waiver listed at the beginning of the resolution and reverse the content in the wherefore clause. A further discussion ensued regarding the Recruit and Retain Teachers and Other Educational Personnel resolution. Dr. Sanchez stated the resolution is needed to fill critical positions in high needs areas. He will add the language “as demonstrated by a local needs agency” into the resolution.

A motion was made by Mrs. Barbara Hall and seconded by Mr. Chuck Davis to approve the Recruit and Retain Teachers and Other Educational Personnel Resolution as amended. A roll call vote was taken. Sra. Flores – yes; Mrs. Hall – yes; Dr. Phillips – yes; Mr. Davis – yes; Dr. Votaw – yes. The motion passed unanimously.

A motion was made by Mr. Chuck Davis and seconded by Mrs. Barbara Hall to approve the Allow Waivers in Creation of Innovative Programs Resolution as amended. A roll call vote was taken. Sra. Flores – nay; Mrs. Hall – yes; Dr. Phillips – yes; Mr. Davis – yes; Dr. Votaw – yes. The motion passed.

A motion was made by Dr. Connie Phillips and seconded by Sra. Maria Flores to approve the Continued Support for 2014 NMSBA Resolutions Resolution as amended. A roll call vote was taken. Sra. Flores – yes; Mrs. Hall – yes; Dr. Phillips – yes; Mr. Davis – yes; Dr. Votaw – yes. The motion passed unanimously.

2. Action on Board Meeting Conflict Dates

Board members discussed the options available in regards to the conflicting board meeting dates of December 2, 2014 and May 19, 2015. The Board agreed to cancel the December 2, 2014 Work Session and reschedule the December 16, 2014 Regular Board Meeting to December 9, 2014 beginning at 6:30 p.m. The May 19, 2014 Regular Board Meeting is rescheduled for May 26, 2014.

A motion was made by Sra. Maria Flores and seconded by Mrs. Barbara Hall to cancel the December 2, 2014 Work Session and reschedule the December 16, 2014 Regular Board Meeting to December 9, 2014. A roll call vote was taken. Sra. Flores – yes; Mrs. Hall – yes; Dr. Phillips – yes; Mr. Davis – yes; Dr. Votaw – yes. The motion passed unanimously.

A motion was made by Dr. Connie Phillips and seconded by Sra. Maria Flores to reschedule the May 19, 2014 Regular Board Meeting to May 26, 2014. A roll call vote was taken. Sra. Flores – yes; Mrs. Hall – yes; Dr. Phillips – yes; Mr. Davis – yes; Dr. Votaw – yes. The motion passed unanimously.

3. *Second Reading of Policy JLC Student Health Services*

Mrs. Ellen Williams, Director of Health Services, brought before the Board the second reading of Policy JLC Student Health Services. The policy was adjusted from the first reading to reflect that a health service is not a part of the development curriculum. Ms. Williams stated there were no comments from the community and the policy will come before the Board for a third reading at the October regular board meeting. Sra. Flores would like to add collaboration with school based health centers language to the policy. Mrs. Williams will follow up with amended language.

VII. BOARD MEMBER REPORTS

President Dr. Bonnie Votaw reported that the Board met in closed session on September 12, 2014, from 1:34 p.m. to 3:39 p.m. to discuss the Superintendent’s evaluation and protocols. No other business was discussed and no action was taken.

Sra. Flores attended a data meeting at Sonoma Elementary School; an Open House at Picacho Middle School; visited Ms. Leslie’s classroom at East Picacho Elementary School; acted as a facilitator with NGAGE; was interviewed by Maggie Taylor, a Las Cruces High School student; toured the Region 19 Museum in El Paso, Texas; and taught a first teacher class with the Children’s Reading Foundation at Hermosa Heights Elementary School. Mrs. Hall attended a District Advisory Council meeting.

VIII. UPCOMNG EVENTS

A. *Calendar of Events*

President Dr. Votaw shared with the Board that a calendar of events was placed in each board member’s folder for their review and reminded the Board that the October 7, 2014 Work Session is cancelled.

IX. ADJOURNMENT

A motion was made by Mr. Chuck Davis and seconded by Sra. Maria Flores to adjourn the meeting. The motion passed unanimously. The meeting was adjourned at 8:29 p.m.

Dr. Bonnie Votaw, Board President

Mr. Chuck Davis, Board Secretary

Minutes taken by Tina Gonzalez.