



**MINUTES**  
**Las Cruces Public Schools Board of Education**  
**Regular Meeting**

Tuesday, June 16, 2015 • 4:00 p.m.  
LCPS Administration Building Board Room • Televised by LCPS.TV

**I. INTRODUCTION**

*A. Call to Order*

Sra. Maria A. Flores called the meeting to order at 4:18 p.m.

*B. Roll Call*

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

- Sra. Maria A. Flores, President
- Mr. Chuck Davis, Vice President
- Mr. Maury Castro, Member
- Mr. Ed Frank, Member

Superintendent Stan Rounds was also in attendance.

Mrs. Barbara Hall, Secretary; was absent.

*C. Pledge of Allegiance*

Sra. Flores led the audience in the Pledge of Allegiance.

*D. Approval of Minutes*

Sra. Flores stated that as she read over the minutes for the April 14, 2015 Regular Board Meeting and the May 26, 2015 Regular Board Meeting she would like the statement that she read on April 14, 2015 incorporated into the minutes and more detailed information with regard to public for the May 26, 2015 Board Meeting Minutes which will clarify for the public of what was actually said.

A motion was made by Sra. Flores to table the approval of the April 14, 2015 Regular Board Meeting Minutes and the May 26, 2015 Regular Board Meeting Minutes. A motion was made by Chuck Davis and seconded by Maury Castro to table the minutes. The motion passed unanimously.

*E. Approval of Agenda*

A motion was made by Maury Castro and seconded by Chuck Davis to approve the agenda. The motion passed unanimously.

Sra. Flores made a statement addressing some concerns and issues. Sra. Flores took full responsibility for any possible procedural errors that may have occurred in their attempt to perform their governance duties and their supervision of the superintendent.

Sra. Flores stated how concerns were raised about the management of the LEAP/JUMP program and how some of the board members met with the teachers. She felt a sense of urgency to move ahead on many different areas related to the program. Sra. Flores stated that in the end, the board addressed the future of LEAP as a budget issue, as a result of hard financial decisions they have had to make. Sra. Flores stated, the only way the board could address the LEAP/JUMP employees complaints regarding its management, was first to do an investigation by an independent party. Sra. Flores stated that an independent investigator was retained. Sra. Flores said the board's desire for an immediate investigation resulted in procedural errors on the board's part.

The final item in Sra. Flores' statement was in regards to the request of emergency funding from the PED in letter form. She thought Secretary of Education could respond before the board voted on the budget.

Sra. Flores stated the board has acknowledged that the required notifications of such board action were not properly followed with its adoption of the Resolution of June 9<sup>th</sup>, 2015. Her hope is that the board can review the findings of the investigation and take prompt action, if necessary, to address any issues which may arise and need their attention. She then asked the community to let the process be completed, respecting the rights of all involved.

*F. Approval of Consent Agenda Items*

A motion was made by Chuck Davis and seconded by Maury Castro to approve consent agenda items VI.A.1. Approval of Vendor Payments; VI.A.2. Approval of Property Dispositions; VI.A.3. Approval of Bids; VI.B.1. Approval of Student Out of State Travel, and VII.A.1. Third Reading and Approval of Policy JICL Threat of Violence by Students. The motion passed unanimously.

- G. *Approval of Amendment to the Resolution Approved June 9, 2015*  
A motion was made by Maury Castro and seconded by Ed Frank to approve the Amendment to the Resolution approved on June 9, 2015 to reflect a 4-0 vote on item 4 and not a 5-0 vote due to the fact Mr. Frank was not present. A roll call vote was taken. Sra. Flores – aye; Mr. Davis – aye; Mr. Castro – aye; and Mr. Frank – aye. The motion passed unanimously.
- H. *Ratification of Hiring an Independent Investigator to Investigate the Superintendent’s Conduct Related to Leading Edge Acceleration Program and its Program Management and Service to Students*  
A motion was made by Maury Castro and seconded by Chuck Davis to approve the ratification of the previous board action to retain an independent investigator and to authorize the board president to supervise the investigation.
- Mr. Castro stated he would like to expand the investigation that is directly related to the situation at Leading Edge Acceleration Program (LEAP). Sra. Flores suggested waiting and voting on what was in front of them.
- A roll call vote was taken. Sra. Flores – aye; Mr. Davis – aye; Mr. Castro – aye; and Mr. Frank – aye. The motion passed unanimously.
- I. *Ratification of authority for Board President to send Letter to the Secretary of Education Requesting Emergency Funding for the 2015-2016 School Year*  
A motion was made by Ed Frank and seconded by Chuck Davis to ratify the boards previous action to authorize the board president to send a letter to the Secretary of the Public Education Department seeking emergency supplemental funding for the 2015-16 school year. A roll call vote was taken. Sra. Flores – aye; Mr. Davis – aye; Mr. Castro – aye; and Mr. Frank – aye. The motion passed unanimously.
- J. *Ratification of Board action to remove The Leading Edge Acceleration Program from the District’s Budget for the 2015-2016 School Year*  
A motion was made by Maury Castro and seconded by Ed Frank to ratify the boards previous action to remove The Leading Edge Acceleration Program from the 2015-16 school district’s budget. A roll call vote was taken. Sra. Flores – aye; Mr. Davis – aye; Mr. Castro – aye; and Mr. Frank – aye. The motion passed unanimously.

## II. CLOSED EXECUTIVE SESSION

1. *Limited Personnel Matters Related to the Evaluation of the Superintendent, as permitted under Section 10-15-1(H)(2) of the New Mexico Open Meetings Act, and Communications with Legal Counsel Regarding Pending or Threatened Litigation, as permitted under Section 10-15-(H)(7) of the New Mexico Open Meetings Act*  
A motion was made by Chuck Davis and seconded by Maury Castro for the board to move into closed executive session. A roll call vote was taken. Sra. Flores – aye; Mr. Davis – aye; Mr. Castro – aye; and Mr. Frank – aye. The motion passed unanimously.  
Sra. Flores stated they would reconvene at 6:30 p.m.
2. *Report on June 16, 2015 Closed Executive Session*  
Sra. Flores stated that the board met in closed session today, June 16, 2015 in the Superintendent’s Office at the Administration Building from 4:30 p.m. to 6:39 p.m. to discuss the Superintendent’s year end evaluation and pending or threatened litigation. No other items were discussed; and no action was taken.
3. *Action Item – If necessary, as a result of the Closed Executive Session*  
None

## III. RECOGNITIONS

- A. *Free Country Everyday Hero Award*  
Superintendent Rounds recognized Joseph Harley Strawn, a junior at Centennial High School. Joseph was honored for the Camp Solar Project he did through his Eagle Scouts. The work was at the Community of Hope’s Camp Hope. The project provided more self-sufficiency for the residents.
- B. *NM School Board Association 2015 Excellence for Student Achievement Award*  
Superintendent Rounds recognized Mr. Eddie Leon as a 2015 NM School Board Association Student Achievement Award Winner. Mr. Leon is a technology teacher at Mesilla Park Elementary School. The award

recognizes recipients for their role in improving student achievement at the local district level.

C. *Cenergistics Energy Excellence Award to LCPS*

Superintendent Rounds introduced Larry Wyatt from Cenergistics. He presented LCPS with the Energy Excellence Award. This award is presented to those clients achieving a significant savings milestone, which in the case of LCPS is \$5,807,084 in savings over a period of 47 months through January 2015. This award celebrates a solid, sustainable program and demonstrates the support and cooperation of administration, faculty and staff. Superintendent Rounds recognized many staff members responsible for helping to receive this award.

**IV. PUBLIC INPUT**

A. *Non-agenda items*

Patrick Sanchez of NEA-LC spoke on behalf of NEA-LC and CSEC regarding their feelings about the purposed furloughs. They have some other ideas regarding saving money out of the budget and have hired a budget analysis.

Bruce Hartman of NEA-LC highlighted a few budget items that are increases from the 2014-15 school year to the 2015-16 school year according to the budget given to the school board. He stated that some of these increases seemed excessive.

Amy Simpson talked about how the budget analyst that NEA-LC hired had identified some budget increases. She stated that one of the concerns has to do with our cash balance. It seems to be shrinking because we have overstaffed ourselves, which she sees tied to the opening of Centennial High School.

Deborah Romero congratulated the board for their perseverance.

B. *Agenda items*

None

**V. SUPERINTENDENT'S REPORT**

1. *Review of Administrator Assignments To Date and Existing Openings*

Superintendent Rounds announced to the public that Dr. Steven Sanchez, Deputy Superintendent and Mr. Dane Kennon, Associate Superintendent of Operations were retiring from the Las Cruces Public Schools. Superintendent Rounds thanked them for their service with the district and all they have done for our students. Superintendent Rounds presented them both with a gift on behalf of Las Cruces Public Schools.

Dr. Steven Sanchez stated it has been an honor serving the students of Las Cruces Public Schools.

Mr. Dane Kennon stated it has been an honor and thanked Superintendent Rounds for the opportunity.

Superintendent Rounds went over the Administrator Assignments to the board. He noted that we have filled all principalships except for the Mayfield High School principalship; a new assistant principalship has opened up at MacArthur Elementary; assistant principalship openings at Picacho Middle School and Sierra Middle School; otherwise at this time positions were full. Superintendent Rounds would keep the board updated as the summer went along.

Sra. Flores asked if the NA's on the list were the ones that were lost. Superintendent Rounds responded that yes; Central Elementary, Dona Ana Elementary, Mesilla Elementary, Sunrise Elementary, and University Hills were schools that lost the Assistant Principal positions. All other NA's on the list are ones that were unfilled prior to the request.

2. *Certified/Classified Report*

Dr. Elizabeth Marrufo, Associate Superintendent of Human Resource Development presented the report. No questions or comments

3. *Update on Licensure Advancement*

In January, 2015, the New Mexico Public Education Department released information regarding the new method for licensure advancement process. In February, 2015, Dr. Elizabeth Marrufo provided a presentation to the Board of Education regarding the requirements for licensure advancement. Dr. Marrufo stated that traditionally and in the last 15 years, any teacher who wished to advance had always completed a dossier. With the new process, it affords teachers who have 3 years at their current level one or level two; they have greater than 50% value added score; level two moving to level 3 must possess a Master's degree or National Board Certification in order to be eligible to bypass the dossier system. Dr. Marrufo then referred to her chart that was provided to the board the number of teachers who have taken advantage of the advancement. There have been about 148 teachers who have or are eligible to advance by bypassing the dossier process. Dr. Marrufo stated that per teacher, it is an estimated \$10,000.00 in

additional compensation plus benefits. Dr. Marrufo said that the advancement would total about \$1,480,000.00 which is in addition to the 76 teachers who will advance by submitting their dossier. She said by her calculations, between the 148 licensure advancements and the 76 dossiers, it would total \$2,240,000.00 dollars. Dr. Marrufo then gave credit to the LCPS district who fully supports the advancement and believes in the teachers.

Superintendent Rounds addressed Terry Dean, Associate Superintendent of Finance & Technology; that for this particular expense, it was budgeted for \$1,500,000.00. Superintendent asked Terry Dean, if the math is correct, then we have a \$600,000.00 issue in budget. Terry Dean, Associate Superintendent replied with a yes. Superintendent Rounds stated that there would likely be a discussion due to the fact this was more costly than anticipated

## VI. OTHER REPORTS

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

### 4. *Adoption of Education Retirement Board Resolution*

Mr. Terry Dean, Associate Superintendent of Finance & Technology, shared with the board in regards to the Educational Retirement Board Resolution. Mr. Terry Dean stated that previously the district paid 100% of the employee's contributions to Educational Retirement Board. This resolution grandfathers those individuals that were receiving the contribution for the current year and then splits the contributions for those that are grandfathered in from last year. It splits the contributions 50/50 between the district and the employee. Any new employee that comes to work for the district who qualifies for the return to work, their contributions will be entirely on the employee. This is the initiation of a phase out.

Mr. Ed Frank asked if this would only be for a year. Terry Dean stated that the board could take a different action next year if it chooses.

Mr. Maury Castro asked Terry Dean, Associate Superintendent for Finance & Technology, if any other district pays their employees share of the contribution or is our district the only one. Terry Dean stated that he posted a question on the New Mexico Association School Business Officials list serve, based on the responses Terry Dean receive, we are the only district making that contribution on behalf of the employees.

Mr. Maury Castro asked Terry Dean if the other districts had any problems hiring experienced people. Terry Dean responded that he has no knowledge as to other districts recruitment difficulties that they may have.

Superintendent Rounds stated that when we did this, our intent was at a time when we had diminishing ability to get well talented teachers. Superintendent Rounds went on to say that a vast majority of district's in New Mexico saw their T and E (Training and Experience) drop which loses considerable amount of money. Las Cruces Public Schools saw our T and E actually rise. Superintendent Rounds stated that our additional resource in the T and E for the 2015-16 year is estimated at \$1,800,000.00 dollars. He explained to the board that under our practice we have spent \$400,000.00 a year; in this last year we saw a \$1,800,000.00 lift in T and E. The requisite the board is getting, is to pull that back without hampering those people who came in under this provision. Superintendent Rounds said that we are looking at a two year guide plan so we can measure whether or not it chills their desire to work for us because their take home pay will get reduced. Superintendent Rounds went on to explain that a return to work employee will get no more benefit under Education Retirement Board and have no net gain. Superintendent told the board that the proposal before them is to see if that chills and if it begins to mediate over 2 years to draw that \$400,000.00 back, hoping not to lose the T and E leverage we have.

Mr. Maury Castro commented that double dipping is something that we can do without.

A motion was made by Ed Frank and seconded by Maury Castro to adopt the Education Retirement Board Resolution. A roll call vote was taken. Sra. Flores – naye; Mr. Davis – naye; Mr. Castro – naye; and Mr. Frank – aye. The motion did not pass.

Superintendent Rounds stated that moving laterally from a level 1 to a level 3 does not diminish the T and E. Superintendent Rounds understood the board's action and respectfully believes it is an error.

### 5. *Adoption of Resolution allowing Superintendent or Designee to Award Bids and Proposals and to Execute Related Contracts/Agreements on behalf of the Board of Education until the August 2015 Regular Board Meeting*

Terry Dean, Associate Superintendent of Finance and Technology, explained that since the board had elected to recess during the month of July, there were certain contracts that needed to be approved in the month of July to be ready for the beginning of school. Terry Dean shared with the board that there was an attachment included with the resolution that gives an example of the types of contracts. He explained that this particular resolution will give us the authority to let these contracts be prepared for the beginning of the year at the

schools after closing the bids. These will be brought back to the board in the August regular board meeting for ratification.

A motion was made by Chuck Davis and seconded by Ed Frank to adopt the Resolution allowing Superintendent or his Designee to Award Bids and Proposals and to Execute Related Contracts/Agreements on behalf of the Board of Education until the August 2015 Regular board Meeting. A roll call vote was taken. Sra. Flores – naye; Mr. Davis – aye; Mr. Castro – aye; and Mr. Frank – aye. The motion passed.

7. *Board Financial Report*  
There were no comments.

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

2. *Update on Dona Ana County Juvenile Detention Center Program*  
Dr. Steven Sanchez, Deputy Superintendent, introduced Andria Romero-Ozment, Principal, Title 1 Coordinator from the Juvenile Detention Center. She gave a summary to the Board regarding the educational services provided at the Juvenile Detention Center. The team is suggesting a name change from The Detention Center, as it is currently known, to Cobra Vista.

3. *Head Start Meal Report*  
There were no comments.

C. *Operations*

1. *Presentation on School Resource Officer's Duties*  
Mr. Todd Gregory, Safety and Security Coordinator, and Deputy Chief of Operations for Las Cruces Police Department, Justin Donavon presented to the Board a history of the School Resource Officer Program.

2. *Approval of School Resource Officer Memorandum of Understanding between LCPS and the City of Las Cruces*

A motion was made by Chuck Davis and seconded by Ed Frank to approve the School Resource Officer Memorandum of Understanding between Las Cruces Public Schools and the City of Las Cruces. A roll call vote was taken. Sra. Flores – aye; Mr. Davis – aye; Mr. Castro – aye; and Mr. Frank – aye. The motion passed unanimously.

3. *Approval of School Resource Officer Memorandum of Understanding between LCPS and the Town of Mesilla*  
A motion was made by Chuck Davis and seconded by Maury Castro to approve the School Resource Officer Memorandum of Understanding between Las Cruces Public Schools and the Town of Mesilla. A roll call vote was taken. Sra. Flores – aye; Mr. Davis – aye; Mr. Castro – aye; and Mr. Frank – aye. The motion passed unanimously.

4. *2015-16 Coordinated School Health Goals*

Nancy Cathey, Director of Nutrition Services, gave a brief summary to the board on the 2015-16 Coordinated School Health Goals and its history. She said that these goals will be shared with the principals so they might think about how to implement them. They will be evaluated at the end of every school year as part of the principal's evaluation. Nancy Cathey explained how we applied for a grant with Paso del Norte in order to help support these goals. We have received that grant which allows us to hire someone to work on the health and physical education curriculum. That person will also be able to support staff wellness development.

Sra. Flores requested copies of the evaluation for all board members.

5. *Construction Projects Report*

Chuck Davis asked Dane Kennon, Associate Superintendent of Operations, if Las Cruces High School was on track. Mr. Kennon responded that Las Cruces High School is ahead of schedule.

## VII. BOARD ITEMS

A. *Old Business*

1. *Third Reading and Approval of Policy JICL Threat of Violence by Students*  
*Was on consent\* and approved earlier in the meeting*

B. *New Business*

1. *First Reading of Policy GBGC Employee Wellness*

Dr. Marrufo, Associate Superintendent of Human Resource Development, presented policy to the board with revisions. The revisions indicated in this first reading, were recommended by Dr. Martin Greer, District Psychologist; Kathy Becker, Employee Assistance Coordinator; Barbara Berger, District Health and Nutrition Specialist; and Dr. Elizabeth Marrufo, Associate Superintendent of Human Resource Development.

Sra. Flores questioned Item I on the policy; Superintendent Rounds stated that earlier in the policy it protects them as a safe zone with their ability to go to the EAP. If within that string, we have breaks of laws, regulations, or rules; this will then allow for enforcement.

Sra. Flores asked if this would infringe on privacy of a patient. Superintendent Rounds stated what it doesn't do, is give access to EAP documents. What we are trying to do, is be distinct.

Ed Frank asked what if the violation is due to the problem that they are going to get help for. Superintendent Rounds responded what we are trying to do is construct that tension between services and requirements of their job or law. Superintendent Rounds stated he would appreciate any public comment that might come in.

2. *Recommendation on District Community Memberships*

Superintendent Rounds gave a brief summary of the Greater Las Cruces Chamber of Commerce, Mesilla Valley Economic Development Association (MVEDA), and Hispanic Chamber of Commerce organizations that were presented to the board in their packets. The total allocation for these organizations was \$5000.00.

Ed Frank asked what the gain was for investing \$5000.00. Superintendent Rounds responded that the district is a full community partner and the community returns their investment in us with bonds, support, and services. He recommended to the board that they split between the three organizations.

Ed Frank had a concern that at least one of the organizations gets involved politically. He asked if it was appropriate for a school district to be supporting an organization that seems to lean toward one particular political party.

Sra. Flores stated she believed the district should participate in all three organizations but at a minimal expense.

Jo Galvan, Director of Communications and Policy Development, gave a summary of how having these organizations has been a benefit to the district.

Sra. Flores entertained a motion to have \$500.00 membership fee to Las Cruces Chamber of Commerce; \$500.00 membership fee to Mesilla Valley Economic Development Association; and \$500.00 membership fee to Hispanic Chamber of Commerce.  
A motion was made by Maury Castro and seconded by Chuck Davis that \$500.00 will go to each of the three organizations. The motion passed unanimously.

**VIII. BOARD MEMBER REPORTS**

Chuck Davis introduced his daughter from Virginia.

Sra. Flores explained Barbara Hall's absence.

**IX. UPCOMNG EVENTS**

A. *Calendar of Events*

Sra. Flores shared with the Board that a calendar of events was placed in each board member's folder.

**X. ADJOURNMENT**

A motion was made by Chuck Davis and seconded by Maury Castro to adjourn the meeting. The motion passed unanimously. The meeting was adjourned at 8:12 p.m.

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Board President

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Secretary

Minutes taken by Kristen Stevens.