



**MINUTES**  
**Las Cruces Public Schools Board of Education**  
**Special Meeting**  
Tuesday, April 8, 2016 • 9:00 a.m.  
LCPS Administration Building Board Room

**I. INTRODUCTION**

*A. Call to Order*

Sra. Maria A. Flores called the meeting to order at 9:00 a.m.

*B. Roll Call*

Roll call was taken by Mrs. Barbara Hall. Those present:

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

Superintendent Stan Rounds was also in attendance. Mr. Frank appeared telephonically.

*C. Approval of Agenda*

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

**II. CLOSED EXECUTIVE SESSION**

1. *Communications with Legal Counsel Regarding Pending Litigation, as permitted under Section 10-15-1(H)(7) of the New Mexico Open Meetings Act, specifically, Board of Education for the Las Cruces Public Schools v. STS of New Mexico, et. al., Cause No. D-307-CV-2016-00723 filed to prevent loss of school bus transportation services required under contract.*

A motion was made by Mr. Maury Castro and seconded by Mr. Chuck Davis to move into closed executive session to discuss pending litigation, as permitted under Section 10-15-1(H)(7) of the New Mexico Open Meetings Act, specifically, Board of Education for the Las Cruces Public Schools v. STS of New Mexico, et. al., Cause No. D-307-CV-2016-00723 filed to prevent loss of school bus transportation services required under contract. A roll call vote was taken. Mr. Frank-aye; Mr. Davis-aye; Mrs. Hall-aye; Mr. Castro-aye; and Sra. Flores-aye. The motion passed unanimously.

2. *Report on Closed Executive Session*

Sra. Flores stated the Board met in closed executive session from 9:01 a.m. to 10:40 a.m. to discuss pending litigation, as permitted under Section 10-15-1(H)(7) of the New Mexico Open Meetings Act. No other matters were discussed and no action was taken.

### III. PUBLIC INPUT

Mr. Glenn Landers, parent, spoke with regard to the intervention of the district in the potential bus driver strike. He believes the bus drivers have the right to strike and the district should not intervene in a private sector matter.

Irma Valdespino, CSEC-LC President, shared that the bus drivers care for the students and are attentive to them.

### IV. SUPERINTENDENT'S UPDATE

1. *Confirm and Ratify Superintendent's Action to Seek a Temporary Restraining Order for Continued Bus Service*

Superintendent Rounds recommended the item be tabled. A motion was made by Mr. Chuck Davis and seconded by Mr. Maury Castro to table the item. A roll call vote was taken. Mr. Frank-aye; Mr. Davis-aye; Mrs. Hall-aye; Mr. Castro-aye; and Sra. Flores-aye. The motion passed unanimously.

2. *Authorize Continued Litigation to Seek Preliminary Injunction for Continued Bus Service*

Superintendent Rounds recommended board members affirm and authorize continued litigation with Andy Sanchez as counsel. A motion was made by Mrs. Barbara Hall and seconded by Mr. Maury Castro to affirm and authorize continued litigation to seek a preliminary injunction for continued bus service with Mr. Andy Sanchez as legal counsel for the district. A roll call vote was taken. Mr. Frank-nay; Mr. Davis-nay; Mrs. Hall-aye; Mr. Castro-aye; and Sra. Flores-nay. The motion failed.

There was a discussion regarding bus overloads. Superintendent Rounds suggested board members gather information from STS-New Mexico regarding safety and overloads and have a further discussion at the April 19, 2016 regular board meeting.

Mr. Castro stated that he felt the students are being held ransom by bus drivers in implementing a strike. Sra. Flores urged STS-New Mexico and unions to use other means to get back to negotiations instead of placing our students at risk. She stated that students come first; and they are our number one priority. Services should be provided through the end of the contract. Everyone must do their duty. Mr. Frank agreed with Sra. Flores.

Superintendent Rounds shared his concern of the potential outcome in not continuing with the litigation. He stated the emergency filing for a preliminary injunction was to ensure students would not be without transportation as STS-New Mexico informed the district that a strike was imminent. A total of 7,300 students would be without transportation if a strike occurs. Superintendent Rounds also urged the parties to return to negotiations as to not hurt students. He stated if a strike occurs and services is not provided, he will pursue litigation for breach of contract. Sra. Flores agreed with the Superintendent.

### V. OTHER REPORTS

#### A. *Human Resources*

1. *None.*

*B. Instruction*

*1. None.*

*C. Finance*

*1. None.*

*D. Operations*

*1. None.*

**VI. BOARD ITEMS**

*A. New Business*

*1. None*

*B. Old Business*

*1. None*

**VII. ADJOURNMENT**

A motion was made by Mrs. Barbara Hall and seconded by Mr. Chuck Davis to adjourn the meeting. The motion passed unanimously. The meeting was adjourned at 11:09 a.m.

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Board President

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Secretary

Minutes taken by Tina Gonzalez.