



MINUTES

Las Cruces Public Schools Board of Education Special Meeting Closed Executive Session

Thursday, June 14, 2016 • 4:00 p.m.

LCPS Administration Building, Board Room • Recorded by LCPS.TV

I. INTRODUCTION – Vice President Chuck Davis

A. *Call to Order*

Sra. Maria A. Flores called the meeting to order at 4:00 p.m.

B. *Roll Call*

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

- Mr. Chuck Davis, Vice President
- Mrs. Barbara Hall, Secretary
- Mr. Maury Castro, Member
- Mr. Ed Frank, Member

Superintendent Stan Rounds was also in attendance. Sra. Maria A. Flores, Board President, joined the meeting telephonically in the Closed Executive Session and Elena Gallegos, Board Counsel, was in attendance.

C. *Approval of Agenda*

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

II. CLOSED EXECUTIVE SESSION – Vice President Chuck Davis

1. *Limited Personnel Matters Related to the Superintendent's employment contract including possible mutual severance, as permitted under Section 10-15-1(H)(2) of the New Mexico Open Meetings Act; and meeting with Board Counsel pertaining to threatened or pending litigation in which the public body is or may become a participant under Section 10-15-1(H)(7) of the New Mexico Open Meetings Act (severance of employment contract).*

A motion was made by Mr. Maury Castro and seconded by Mr. Ed Frank to move into closed executive session to discuss Limited Personnel Matters Related to the Superintendent's employment contract including possible mutual severance, as permitted under Section 10-15-1(H)(2) of the New Mexico Open Meetings Act; and meeting with Board Counsel pertaining to threatened or pending litigation in which the public body is or may become a participant under Section 10-15-1(H)(7) of the New Mexico Open Meetings Act (severance of employment contract). A roll call vote was taken. Mr. Castro-aye; Mrs. Hall-aye; Mr. Frank-aye; and Mr. Davis-aye. The motion passed unanimously.

III. OPEN SESSION – Vice President Chuck Davis

A motion was made by Mr. Ed Frank and seconded by Mr. Maury Castro to return into open session. A roll call vote was taken. Mr. Castro-aye; Mrs. Hall-aye; Mr. Frank-aye; Sra. Flores-aye; and Mr. Davis-aye.

1. *Report on Closed Executive Session*

Mr. Davis stated the board met in closed executive session from 4:06 p.m. to 5:25 p.m. to discuss Limited Personnel Matters Related to the Superintendent's employment contract including possible mutual severance, as permitted under Section 10-15-1(H)(2) of the New Mexico Open Meetings Act; and meeting with Board Counsel pertaining to threatened or pending litigation in which the public body is or may become a participant under Section 10-15-1(H)(7) of the New Mexico Open Meetings Act (severance of employment contract). No other matters were discussed; and no action was taken.

IV. Board Items

1. *Action on Superintendent's Contract Including Possible Approval of a Severance Agreement, Acceptance of Resignation and Authorization of Legal Counsel to Proceed in Completing Related Requirements Under State Law*

A motion was made by Mr. Ed Frank and seconded by Mr. Maury Castro to approve the Resignation and Severance Agreement between Las Cruces Public Schools and Stan Rounds, subject to approval by the Third Judicial District Court, Doña Ana County, State of New Mexico, and approval by the Secretary of Education, pursuant to 6.20.3.8 NMAC. A roll call vote was taken. Mr. Castro-aye; Mrs. Hall-aye; Mr. Frank-aye; Sra. Flores-aye; and Mr. Davis-aye. The motion passed unanimously.

Elena Gallegos, Board Counsel, shared with the audience that the Severance Agreement ("Agreement") and the resignation of Superintendent Rounds is before the Board for consideration and the contents of each are satisfactory to Mr. Rounds. The resignation of Superintendent Rounds is effective June 30, 2016 upon approval by the Secretary of Education. The severance payment amount to Mr. Rounds is \$140,000.00. The Agreement further provides for an approved leave for Superintendent Rounds effective immediately through June 30, 2016. Ms. Gallegos stated the district is in a good fiscal position to render the severance payment to as the cash balance amount came in at \$1.5 million over the original projected amount of \$7.5 million.

A motion was made by Mr. Ed Frank and seconded by Mr. Maury Castro to accept the resignation of Superintendent Rounds, effective June 30, 2016, as determined by the Resignation and Severance Agreement which is subject to approval by the Secretary of Education, pursuant to 6.20.3.8 NMAC. A roll call vote was taken. Mr. Castro-aye; Mrs. Hall-aye; Mr. Frank-aye; Sra. Flores-aye; and Mr. Davis-aye. The motion passed unanimously.

Sra. Flores read a joint statement on behalf of board members and Mr. Rounds which stated that an agreement of the parties has been reached will allow Mr. Rounds to pursue other interests. She expressed appreciation of Mr. Rounds and wished him well in his future endeavors. In the joint statement, Mr. Rounds thanked the current and past Boards of Education for allowing him the opportunity to serve the district.

He stated that together the graduation rate has increased, new schools were opened and strong community support was received for bond and mill levies.

A motion was made by Mr. Maury Castro and seconded by Mr. Ed Frank to approve Superintendent Round's leave of absence effective immediately through June 30, 2016 with the exception of completing this week's training obligation with the University of Virginia Turnaround Program, as determined by the Resignation and Severance Agreement. The motion passed unanimously.

A second motion was made by Mr. Maury Castro and seconded by Mr. Ed Frank to authorize legal counsel to proceed with seeking approval of the Resignation and Severance Agreement pursuant to 6.20.3.8 NMAC by filing an action in the Third Judicial District Court, Dona Ana County, State of New Mexico seeking court approval; and requesting approval from the Secretary of Education, including by providing the Secretary with all required information necessary for approval, as recommended by legal counsel in executive session. A roll call vote was taken. Mr. Castro-aye; Mrs. Hall-aye; Mr. Frank-aye; Sra. Flores-aye; and Mr. Davis-aye. The motion passed unanimously.

2. *Possible Appointment of Acting Superintendent Pending Selection of an Interim Superintendent*

A motion was made by Mr. Ed Frank and seconded by Sra. Maria Flores to appoint Terry Dean as Acting Superintendent beginning June 15, 2016 as determined by the Resignation and Severance Agreement pending Board appointment of an Interim Superintendent. A roll call vote was taken. Mr. Castro-aye; Mrs. Hall-aye; Mr. Frank-aye; Sra. Flores-aye; and Mr. Davis-aye. The motion passed unanimously.

V. Public Input

Kimberly Rubideaux, Student Advisory Council Representative Read a statement thanking Mr. Rounds for his work in the district and stated a positive change in leadership is needed for the district. André Gonzales, community member, also spoke to the contributions made by Mr. Rounds in the district and his agreement that new leadership is needed.

Ray Jaramillo, parent, spoke in support of the Board and the general direction it is taking in supporting teachers.

Patrick Sanchez, NEA President, spoke with regard to new district leadership. He wished Mr. Rounds well in his future endeavors and stated there is much work to do to repair the declining morale of the district.

Bruce Hartman, NEA- LC Representative, spoke in support of the Board and urged them to continue to improve instruction.

Irma Valdespino, CSEC-LC President, also spoke in support of the Board and Mr. Rounds. She thanked Mr. Rounds for all he has done for the district.

Julio Martinez, Principal at Jornada Elementary School, spoke in support of Mr. Rounds. She stated that he came to Las Cruces after hearing Mr. Rounds speak in

another district and said that he had to work for him. Mr. Martinez personally thanked Mr. Rounds for his contributions and successes in the district.

VI. Adjournment

A motion was made by Mr. Ed Frank and seconded by Mr. Maury Castro to adjourn the meeting. The motion passed unanimously. The meeting ended at 6:00 p.m.

Board President

Board Secretary

Minutes taken by Tina Gonzalez.