

MINUTES OF SPECIAL SCHOOL BOARD MEETING

DULCE INDEPENDENT SCHOOLS

July 26, 2021

I. CALL MEETING TO ORDER

- A. Mr. Leon K. Reval, Board President called the virtual Special Board Meeting to order at 10:02 a.m. in the conference room at the District Administration Building, Dulce, New Mexico.
- B. The Pledge of Allegiance and Salute to the State Flag of New Mexico was recited.

II. ASCERTAIN QUORUM (I)

MEMBERS PRESENT: Members present at roll call: Leon Reval-Board President; Levi Pesata-Vice President, Diana Vigil-Board Member

MEMBERS ABSENT: Phillip Salazar, (excused absence), LaVonna James, (excused absence)

ADMINISTRATION PRESENT: Dr. Juanita Becenti-Superintendent, Carole Gomez-Business Manager, Melody Gomez-HR Director; Yvette Mares-Recorder

TEACHERS PRESENT:

OTHER STAFF PRESENT:

OTHERS PRESENT:

III. APPROVE AGENDA (A)

At this time Diana Vigil requested to make the motion to table all items on the Agenda and schedule another special meeting because she didn't have time to review the documents and she had also requested to add Executive Session to the Agenda and it was not included. Leon Reval explained the process for Board Members to ask the Superintendent to add an item to the Agenda and presented each Board Member with the following document.

*We always want to ensure the Board and District are in compliance with the Open Meetings Act (OMA), as well as with state law regarding the separate authority of the Board and the Superintendent (usually referred to as HB 212).*

*Unless there is a personnel matter over which the Board has statutory authority (e.g. a termination hearing, a grievance appeal, hiring or evaluation of a Superintendent), personnel matters are under the legal authority of the Superintendent, not the Board. Decisions about "insubordination" or staff conduct are Superintendent, NOT Board matters. As we have seen recently in some other Districts around the state, PED can remove a Board for failure to comply with the law.*

*With respect to the agenda, the OMA requires that agenda items and subjects be stated with sufficient specificity so that members of the public will know what the Board will discuss, and on what issues the Board may take action. Simply posting "personnel" or even an unspecified "executive session" is not sufficiently specific and the Attorney General has said that such a posting is a violation of OMA. DISD policy says that the Superintendent or Board members may place items on the agenda and that any "Board member desiring to place an item on the agenda will notify the Superintendent of the particular item of business at least five (5) central office working days before the meeting agenda is finalized (at least eight (8) days prior to the meeting)." Whether the item is on the "the next agenda will depend upon the amount of time necessary to provide information to the Board for deliberation and decision making." Per policy, that is a decision made by the Superintendent" in consultation with the Board President."*

*Each Board member took an oath of office to comply with the state laws of New Mexico, and that the Board has adopted in its policies the Board member code of ethics (policy B-0750 - BCA)*

Dr. Becenti also provided to each Board Member present a copy of the updated Organizational Chart and School Board Policy B-3050 BHC Board Communications with Staff Members

Superintendent Becenti stated some of the items on the Agenda today are time sensitive. Diana Vigil stated she only wants to make the motion to add these items to the next Agenda along with Executive Session and also address the re-opening plan. Levi Pesata stated the policy is any Board Member can request an item on the Agenda as long as two Board Members are in agreement.

The Board discussed Diana's request to table all items. Superintendent Becenti made the recommendation to approve the agenda as presented. Motion made by Leon Reval to approve the agenda as presented; seconded by Levi Pesata. Diana Vigil voted no. Motion carried by majority vote.

#### IV. OLD BUSINESS

##### 1. Amended Salary Schedule

HR Director, Melody Gomez presented the amended Salary Schedule for Board approval. Dr. Becenti made the recommendation to approve the Amended Salary Schedule as presented. Leon Reval made the motion to approve the District SAT Test Coordinator 210 amended Salary Schedule; seconded by Levi Pesata. Diana Vigil voted not. Motion passed by majority vote.

Levi Pesata asked for clarification on the MLSS position. Ms. Abreu clarified the position and duties of the MLSS. Levi Pesata asked Superintendent Becenti look into this MLSS position and find out if it is a mandated position by PED and provide information on what this individual will actually be doing with the District.

##### 2. Out of State Travel Request

Superintendent Becenti presented the Out of State Travel request for Loyola Bird to travel out of state to attend the NACEP's National Conference in Orlando, Florida on October 25 & 26, 2021. Vicky Abreu explained Dr. Bird has been invited to present at this conference and her lodging and meals will be paid by UNM and the District will be responsible for \$1,155.52 not to include mileage reimbursement. Diana Vigil expressed her concern, Dr. Bird will be out for two weeks because the Board approved out of state travel for Dr. Bird at the last Board meeting for the week prior. Motion made by Leon Reval to approve the Out of State Travel Request as recommended; no second on the motion. Motion failed.

##### 3. Approval of Francis Vigil Contract

Dr. Becenti presented the contract for Francis Vigil for Board approval. Diana Vigil questioned that, on the June 21, 2021 Board Meeting Minutes, Ms. Abreu stated she would be presenting a renewed contract with NIEA and not Francis Vigil. Francis Vigil explained that he had to present a contract due to the time constraint with NIEA not able to present a contract in time for the last Board meeting and in order to ensure this project moves forward and the work continues, he had to present a contract. Mr. Vigil stated at the end of his contractual period which ends in September a contract will be presented with NIEA. Levi Pesata asked Mr. Vigil if he would be able to accomplish the scope of work outlined in the contract by September 30<sup>th</sup>. Mr. Vigil explained and replied yes, everything will be accomplished within that timeframe. Mr. Vigil gave a brief background on NIEA (National Indian Education Association). Levi Pesata asked Business Manager, Carole Gomez if the District has the funds to pay this contract. Carole Gomez replied, for this contract, yes, we have the funds. Levi Pesata wanted clarification, after September 30<sup>th</sup> we will not have to pay Mr. Vigil any more money. Ms. Abreu replied "yes, correct".


Superintendent Becenti made the recommendation to approve the Contract for Francis Vigil in the amount of \$7,050.00 as presented. Motion made by Leon Reval to approve the Contract for Francis Vigil as recommended; seconded by Levi Pesata. Diana Vigil voted no. Motion passed by majority vote.

#### V. SUPERINTENDENT UPDATE

Dr. Becenti updated the Board on the MLSS directive, Dr. Becenti stated she will do research on this directive and report back to the Board. Dr. Becenti stated she will work with legal on the current personnel issue and will consult with the Board members on the outcome. Levi Pesata at this time reminded Dr. Becenti to ensure the District Administrative Team is clear with our COVID 19 response guidelines and get the message out to the community and work with the clinic to schedule dates to ensure eligible students can get vaccinated in a timely manner.

VI. ADJOURNMENT (A)

Superintendent Becenti made the recommendation to adjourn the meeting at 11:23 a.m.  
Motion made by Leon Reval to adjourn the meeting at 11:23 a.m. ; seconded by Levi Pesata.  
Motion carried.



---

Leon K. Reval, Board President



---

LaVonna James, Secretary