

MINUTES OF REGULAR SCHOOL BOARD MEETING

DULCE INDEPENDENT SCHOOLS

November 15, 2022

I. CALL MEETING TO ORDER

A. Board President Phillip Salazar called the meeting to order at 4:00 p.m. in the conference room at the District Administration Building, Dulce, New Mexico.

1. The Pledge of Allegiance and Salute to the State Flag of New Mexico were recited.

II. ASCERTAIN QUORUM (I)

MEMBERS PRESENT: Members present at roll call were: Phillip Salazar- Board President, Frankie Ortiz- Board Vice-President, Annette TeCube- Board Secretary; Diana Vigil-Board Member, and Claudine George- Board Member.

MEMBERS ABSENT:

ADMINISTRATION PRESENT: Present including ZOOM platform and phone conference were:

Ina Montoya, Interim Superintendent/Elementary Principal; Carole Gomez, Business Manager; Melody Gomez, HR Director; Estefanita Abeyta, Director of Instruction; Deanna Manwell, Executive Assistant; Nancy Jobe, High School Principal; Jack Props, Middle School Principal; Yvette Mares, Accounts Payable; Bonnie Dagget, District Testing Coordinator; Antonia Vigil, Accounting Technician; Milton Archuleta, Data and Communications Manager; Nick Wilson, IT Coordinator; Melissa Polacco, Federal Programs Director; Katie Cachucha, SPED Coordinator; Marcella Talamante, Education Community Liaison

TEACHERS PRESENT:

OTHER STAFF PRESENT:

OTHERS PRESENT: Roxie De Santiago- Walsh Gallegos; Dr. Jim Hattabaugh, Lorene Willis

III. APPROVE AGENDA (A)

Interim Superintendent, Ina Montoya made the recommendation to approve the Agenda as presented.

Motion made by Frankie Ortiz; seconded by Diana Vigil. Motion carried.

IV. LIMITED PUBLIC PARTICIPATION FORUM (I)

Steve Gallegos, Parent, arrived at 4:28 p.m. to present his concerns to the Board under the Limited Public Participation forum. Board President Phillip Salazar informed Mr. Gallegos of the Limited Public Participation procedures. Mr. Gallegos addressed his concerns regarding the Dulce Elementary School.

V. SUPERINTENDENT'S ITEMS (I)

1. Ina Montoya, Interim Superintendent Report

Interim Superintendent, Ina Montoya presented the Superintendent Report to the Board. The report provided information on current Professional Development for staff, staff training, testing for students, an update on facilities, EL students, and other programs being planned. At this time Mrs. Montoya entertained

questions from the Board. Board Secretary, Annette TeCube had a question regarding CPI training. Mrs. Montoya provided further clarification on what CPI Training offers for all staff.

2a. Nancy Jobe- High School Principal

High School Principal, Nancy Jobe presented to the Board the High School Report. Ms. Jobe's report included a continued update on the coordination efforts with Robert Dooer of Marathon Corporation for the internship with JAN, student events at the High School, Student of the Month Awards, and other school events. Ms. Jobe entertained questions from the Board at this time. Board Member, Diana Vigil, had a question regarding attendance levels. Ms. Jobe explained attendance levels have decreased, some due to COVID-19 cases. Board Secretary, Annette TeCube, had a question on whether students are having enough food for lunch. Ms. Jobe provided further information stating there is plenty of food, some students have seconds. In addition, the office staff are working to create a pantry for students if they are hungry during the day.

2b. Jack Props- Middle School Principal

Middle School Principal, Jack Props presented the Board with the Middle School Report. Mr. Props provided further clarification on the vendor selection for the DMS culinary classroom. The report included data on formal staff evaluations, testing scores, attendance levels, school population levels, and an update on the vaping sensors. Mr. Props entertained questions from the Board at this time. Board Member, Diana Vigil requested further clarification on the evaluations. Mr. Props provided clarification on the evaluations being for staff. Board Vice-President, Frankie Ortiz had a question regarding when the vaping sensors were installed. Mr. Props explained how the system worked and stated they were installed in August/September. Further discussion continued on the process for the culinary classroom. The Board had further questions regarding the food being brought by parents/guardians to students throughout the day. Board President, Phillip Salazar made the recommendation to Interim Superintendent, Ina Montoya to follow up with Christina Martinez, Food Service Manager, to ensure food for students is being taken care of to keep students fed throughout the day. Board Secretary, Annette TeCube had a question regarding iStations, Mr. Props provided further explanation on the topic.

2c. Ina Montoya, Elementary Principal

Elementary Principal, Ina Montoya presented her report to the Board. Mrs. Montoya's report included data on attendance, community involvement, staff professional development, and on instruction. At this time Mrs. Ina Montoya entertained questions from the Board. Board Secretary, Annette TeCube addressed her concerns regarding the clear backpacks/mesh backpacks. Mrs. Montoya took the concern into consideration and will address it. The Board had no further questions for Mrs. Montoya.

3. Department Report: Data and Communications Manager, Milton Archuleta

Data and Communications Manager, Milton Archuleta, presented his report to the Board. At this time Mr. Archuleta entertained questions from the Board. Board President, Phillip Salazar had a question regarding how involved the DISD is in PowerSchool. Mr. Archuleta explained the District has been involved with the program since 2009. He further explained how PowerSchool works and how each school utilizes the program. Further discussion continued on the duties Mr. Archuleta conducts and whom he coordinates tasks within the DISD. The Board had no further questions for Mr. Archuleta.

VI. APPROVAL OF MINUTES (A)

1. Approval of the October 18, 2022 Regular Board Meeting Minutes

Interim Superintendent, Ina Montoya made the recommendation to approve the October 18, 2022 Regular Board Meeting Minutes as presented. Motion made by Frankie Ortiz, seconded by Annette TeCube. Motion carried.

VII. FINANCE COMMITTEE (I/A)

1. Consolidated Board Report (I)

Business Manager, Carole Gomez presented the Consolidated Board Report for information purposes only.

2. October 2022 Disbursement Report (A)

Business Manager, Carole Gomez presented the October 2022 Disbursement Report for Board approval. Board Member, Diana Vigil had a question regarding a charge for the new trailer housing. Ms. Gomez explained the charge was the second payment made on the new trailer housing for teachers, one final payment will be made following approval after the walk-through of the houses. Ms. Vigil had an additional question regarding the charge for the CPO. Ms. Gomez explained both her and Melody Gomez, Human Resources Manager, attended the training and both are certified CPOs for the District. Interim Superintendent, Ina Montoya made the recommendation to approve the October 2022 Disbursement report as presented. Motion made by Frankie Ortiz; seconded by Claudine George. Motion carried.

3. Monthly Budget Changes Report (A)

a. Monthly Maintenance Budget Transfers

Business Manager, Carole Gomez presented the October 2022 Maintenance Budget Transfers for Board approval. The Board had no questions on the matter. Interim Superintendent, Ina Montoya made the recommendation to approve the October 2022 Monthly Maintenance Budget Transfer as presented. Motion made by Diana Vigil; seconded by Frankie Ortiz. Motion carried.

b. BARs.

1. American Rescue Plan Act Individual with Disabilities in Education- IDEA-B (24346)

Business Manager, Carole Gomez presented the American Rescue Plan Act Individual with Disabilities in Education- IDEA-B (24346) for Board approval in the amount of \$38,954.00. Ms. Gomez explained the BAR is due November 30, 2022, to NMPED. Interim Superintendent, Ina Montoya made the recommendation to approve the American Rescue Plan Act Individual with Disabilities in Education- IDEA-B (24346) in the amount of \$38,954.00 as presented. Motion made by Frankie Ortiz; seconded by Diana Vigil. Motion carried.

2. American Rescue Plan Act- Individual with Disabilities in Education- Pre-School

Business Manager, Carole Gomez presented the American Rescue Plan Act Individual with Disabilities in Education- Pre-School for Board approval in the amount of \$3,260.00. Interim Superintendent, Ina Montoya made the recommendation to approve the American Rescue Plan Act Individual with Disabilities in Education- Pre-School in the amount of \$3,260.00 as presented. Motion made by Frankie Ortiz; seconded by Diana Vigil. Motion carried.

c. **Last-Minute BARs.**

1. **Public School Capital Outlay**

Business Manager, Carole Gomez presented the Last-Minute BAR for the Public-School Capital Outlay for Board approval in the amount of \$100,000.00. Ms. Gomez explained the DISD already received the funds and they are allocated for Maintenance and Repairs. Interim Superintendent, Ina Montoya made the recommendation to approve the Public-School Capital Outlay in the amount of \$100,000.00 as presented. Motion made by Diana Vigil; seconded by Claudine George. Motion carried.

VII. OLD BUSINESS (I/A)

1. **Amend 2022-2023 SY Salary Schedule**

Human Resources Manager, Melody Gomez presented the amendment to 2022-2023SY Salary Schedule. Ms. Gomez informed the Board that the changes are to the title change of Maintenance Staff, the change is to All Staff. The stipend schedule wording required updates to Professional Services in General, but not limited to the classroom. The last change is the addition of the IT Coordinator to the Salary Schedule. Interim Superintendent, Ina Montoya made the recommendation to approve the amended 2022-2023SY Salary Schedule as presented. Motion made by Frankie Ortiz; seconded by Claudine George. Motion carried.

2. **Approve negotiated lease with Contex Energy Company**

Roxie De Santiago, of Walsh Gallegos, presented the revised negotiated lease from Contex Energy Company. She provided an update on the negotiations and explained the changes are increases to the percent yield payment and the increase from \$1.00 to \$3.50 annual fee when the land is not producing. Roxie De Santiago reiterated the DISD can seek advice from an Oil and Gas attorney if they wish. She further explained the separate negotiated lease is the better option instead of being entered into a forced pool of many landowners. Interim Superintendent, Ina Montoya made the recommendation to approve the negotiated lease with Contex Energy Company as presented. Motion made by Frankie Ortiz; seconded by Phillip Salazar. Members voted nay: Diana Vigil and Annette TeCube. Motion carried.

IX. NEW BUSINESS (I/A)

1. **DISD Housing Lease Agreement**

Human Resources Director, Melody Gomez presented the DISD Housing Lease Agreement. Ms. Gomez explained the Housing Agreement has been used by DISD but has never been Board approved. Also, they would like the document Board approved so it can be updated. Board Secretary, Annette TeCube had a question regarding the wording of the first page. Ms. Gomez further explained the limited availability of people to come to Dulce and purchase a home, it is why the District provides housing for the teachers. Further discussion continued on the process of updating the agreement and further Board approval. The DISD Housing Lease Agreement was tabled pending further review by legal counsel.

2. **New Request for Proposals for Legal Services**

Roxie De Santiago, of Walsh Gallegos, presented the new request for legal services to the Board. She informed the Board their office received an email from DISD Human Resources Manager, Melody Gomez

and potentially DISD Business Manager, Carole Gomez, informing them the Firm could potentially reach the annual limit for legal fees of \$60,000; once the limit is reached, no legal services will be provided. Further discussion continued on the legal circumstances the DISD has faced in the last 6 months. Ms. De Santiago provided information on the process the DISD should take in order to select a law firm for legal services. In addition, she informed the Board, the new RFP would have to go through the procurement process. Board President, Phillip Salazar made the recommendation for Interim Superintendent to begin the process for the RFPs and have them sent out. Board Member, Diana Vigil requested more information from Business Manager, Carole Gomez regarding if another firm is selected. Ms. Gomez stated there are exceptions, the current firm can continue to be used if there is pending litigation. Also, the DISD would require assistance from a law firm to write the specifications of the RFP. Board President, Phillip Salazar, recommended Interim Superintendent, Ina Montoya seek legal counsel to assist in writing the RFPs for future submission to CES for DISD. Business Manager, Carole Gomez, provided more information to the Board on the procurement process. No further discussion continued on the matter.

3. Approve DISD Employee Out of State Training and Travel

Interim Superintendent, Ina Montoya presented the Out of State Training and Travel for Milton Archuleta, Data and Communications Manager. Mrs. Montoya further explained the PowerSchool Training for Milton Archuleta. Interim Superintendent, Ina Montoya made the recommendation to approve the Out of State Training for Milton Archuleta not to exceed \$3,400 as presented. Motion made by Frankie Ortiz; seconded by Claudine George. Motion carried.

X. EXECUTIVE SESSION (D)

The Board may elect to go into Executive Session for reasons permitted in the New Mexico Open Meetings Act.

1. Discussion of Collective Bargaining strategies preliminary to bargaining negotiations as permitted under Section 10-15-1(H)(5) of the New Mexico Open Meetings Act.
2. Limited personnel matters as permitted under Section 10-15-1(H)(2) of the New Mexico Open Meetings Act, specifically so that
 - a. The Acting Superintendent can inform the Board regarding status pending investigations of classified and/or certified employees by the Acting Superintendent
3. Meet with Legal Counsel to discuss pending or threatened litigation as permitted under Section 10-15-1(H)(7) of the New Mexico Open Meetings Act, specifically to discuss:
 - a. the matter of *Bassinger v. DISD, EEOC Charge No. 543-2021-00687*
 - b. the matter of *Gomez v. DISD, EEOC Charge No. 543-2022-00239*
 - c. the matter of *Vicenti v. DISD, EEOC Charge No. 543-2022-00075*
 - d. the matter of *DFUSE Class Grievance filed October 4, 2022*
 - e. the matter of the *Grievance of Orion Cervio*
 - f. the matter of *Juanita Becenti*

The Board began Executive Session at 5:28 pm. The meeting was reconvened at 7:04 pm.

XI. REPORT ON EXECUTIVE SESSION; BOARD VICE-PRESIDENT (I)

Board President, Phillip Salazar read the report on Executive Session: “*The Board met in Closed Executive Session, and I affirm that the matters discussed in the closed meeting were limited to those stated in the motion to close the meeting and outlined in the posted agenda.*” All Board Members voted in agreement.

XII. CONSIDER TAKING ACTION ON EXECUTIVE SESSION TOPICS (A)

Approval or Disapproval to authorize the Superintendent and legal counsel to proceed as discussed in Executive Session in connection with:

- a. the matter of *Bassinger v. DISD, EEOC Charge No. 543-2021-00687*
- b. the matter of *Gomez v. DISD, EEOC Charge No. 543-2022-00239*
- c. the matter of *Vicenti v. DISD, EEOC Charge No. 543-2022-00075*

Board Vice-President, Frankie Ortiz made the recommendation for a motion to approve action taken and discussed in Executive Session by Interim Superintendent, Ina Montoya and by legal counsel. All Board Members voted in agreement.

XIII. ANNOUNCEMENTS (I)

1. NSBA 2023 Annual Conference April 1-3, 2023: Orlando, FL

Board President, Phillip Salazar presented the information for the NSBA 2023 Annual Conference on April 1-3, 2023 in Orlando, FL. Board Members were asked who will be attending, those attending will be Phillip Salazar, Board President; Frankie Ortiz, Board Vice-President; Claudine George, Board Member, and Annette TeCube, Board Secretary. Diana Vigil, Board Member, will provide an answer at a later date. Board President, Phillip Salazar, recommended to utilize the JAN’s hotel in Orlando, FL.

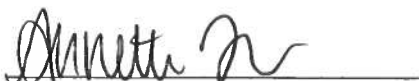
Further announcements: Board President, Phillip Salazar made the reminder for Board Members to continue to check email correspondence from the DISD to keep updated on information. Board Secretary, Annette TeCube, provided information on the JOM’s upcoming Fashion Show. Board President, Phillip Salazar suggested to have more student involvement in the Board Meetings. The Board will meet again on Friday, November 18, 2022.

XIV. ADJOURNMENT (A)

Interim Superintendent, Ina Montoya made the recommendation to adjourn the meeting. Motion made by Frankie Ortiz; seconded by Diana Vigil. Motion carried. Meeting adjourned at 7:12 p.m.



Phillip Salazar, Board President



Annette TeCube, Board Secretary