



Central Consolidated School District #22

Shiprock Administration Office

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WORK SESSION

Shiprock Board Room, Shiprock, New Mexico

July 19, 2011 - 6:00 p.m.

MINUTES

School Board Members

Matthew Tso, President
Bernice Benally, Vice-President
Lupita White, Secretary
Hoskie Benally, Jr., Member
Randy Manning, Member

Administrators

Don Levinski, Interim Superintendent
Pandora Mike, Dir. of Curr., Instr. & Staff Dev.
Abena McNeely, Dir. of Admin. & Student Success
Gary Martinez, Director of Accounting

I. ROUTINE MATTERS

- A. Board President, Matthew Tso called the meeting to order and verified that a quorum was present through a roll call at 6:10 p.m.
- B. Lupita White led the School Board and audience in the Pledge of Allegiance.
- C. Hoskie Benally, Jr. conducted a prayer.

II. COMMENTS FROM THE AUDIENCE

Barbara G. Morgan of the Navajo Nation Office of Diné Culture and Language commented the highlights of the MOA between Navajo Nation and CCSD.

Gary Montoya, community member commented that the Board has challenge decision and it has been done.

Jocelyn Esquer, college student, requesting from the Board a letter of support for doctoral research and additional study.

Donovan Begay, community member had concerns about Navajo preference and received information from Labor Relation and would like to go over application with the Board and Superintendent. Also mentioned concerns on lunch being served for Summer Program.

III. REPORTS

- A. Pandora Mike, Director of Curriculum, Instruction and Staff Development, presented the Memorandum of Agreement (MOA) between the Navajo Nation and CCSD. The only difference in both the MOA is on the first page seventh paragraph which reads “WHEREAS, the CCSD and the Navajo Nation have a strong interest to ensure that all students succeed and are provided the best educational opportunities, and both parties desire to work together as partners on behalf of all our children”. Section IV Administration of Agreement letter E number 7 to share AYP Reports and Parent Advisory Committee who meets monthly and working with Bilingual Policy under the Indian Education and curriculum development coaches will be working with on Education curriculum and partnership with both the American and the Navajo culture. Section E number 16 to add student data to be release forms to be release to the tribe, a clause to have parents sign the release as part of registration process. Two new Immersion Programs include Nizhoni Elementary School and Mesa Elementary School. *Bernice Benally commented Section I. Scope of Agreement (letter B), No Child Left Behind Act not listed, so we can be in compliance with both laws. Matthew Tso commented already existed in Federal Law, actual implementation of the No Child Left Behind Act using the existing federal funding and the law is to expire in 2014. Lupita White suggested having the MOA to say “Revised Memorandum of Agreement between Navajo Nation and CCSD”, if we already have MOA in place just need to change the language and add revised. Don Levinski will get with attorneys and bring MOA back to the Board.*
- B. Olivia Kien, Director of Academic Support presented the Deaf Education Joint Powers Agreement with Farmington Schools. Summarized the process on various special services such as feeder route services for our students to travel from our school district to Farmington and different levels of elementary. *Randy Manning asked about the 40th day count if they will received the money from the state not from the district, so what is the additional \$5000 CCSD is going to get, Ms. Kien summarized the paragraph that explains the \$5000 per student.*
- C. Olivia Kien also presented the services for learning for Exceptional Program Instructional Support providers. RFP are in all different related services. Approve RFP at next Board meeting in August.
- D. James Preminger, Media Program Specialist presented a brief report on the expired leases. A letter from Mary Lujan, Realty Officer of the BIA to Dennis Fieldsted to discuss the findings requesting new leases for Shiprock Administration Complex –Nataani Nez Elementary, Old Valley Elementary School area, Shiprock area schools, Newcomb area schools, and Naschitti area schools. Discussion on authorization for the school district to enter into the leases and authority on behalf of the school district; surveys; environmental assessments and archeological clearances.
- E. Gary Martinez turn the report over to Mark Amo who presented a breakdown on the Performing Arts Financial Quarterly report.
- F. Gary Martinez presented the Payments of Bills; the Board had no questions for Mr. Martinez.
- G. Gary Martinez presented the Budget Adjustments and Increases. Randy Manning asked what was allocated and a breakdown on the Budget Adjustments for National Endowment to the Arts.

Mr. Tso asked what the School Improvement Grant for \$500,000, additional allocation increase estimate per Mr. Martinez.

- H. Gary Martinez also presented the Monthly Fiscal Report. End of the year with \$118 million after adjustments, total expenditures total \$88 million for that budget encumbered balance of \$7 million and unencumbered is under \$30 million for construction projects and various projects.

- I. Board Member Reports

Randy Manning, Hoskie Benally, Jr., and Lupita White had no reports.

Bernice Benally attended various meetings throughout the district and community. Ms. Benally also attended the Leadership Retreat in Cloudcroft, NM.

Matthew Tso also attended Chapter meetings and Leadership Retreat in Cloudcroft, NM.

- J. Superintendent Report

Don Levinski had no report.

IV. DISCUSSION

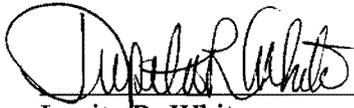
- A. Board President Matthew Tso explained the following allegations of Open Meetings Act Violations letter from Randy Jensen. The first allegation, quorums never happen at the Court hearing, no business was discussed, and three Board members were seated at different locations in the court room. The second allegation, Mr. Levinski had every right under House Bill 212 on personnel and the action taken to appoint Don Levinski as Acting Superintendent in the direction of Hanna Skandera, Secretary of Education. Mr. Levinski commented the action by the Board that Human Resources and Payroll move at the same time, per legal counsel. The next letter from Randy Jensen dated July 11, 2011, Mr. Tso commented that Mr. Jensen has allegations, he should write correspondence to Secretary of Education, to this date the Board has not received a letter or correspondence from the Secretary of Education on action taken as far as pointing Mr. Levinski as Superintendent are legal. The roll call on the Executive Session, it will not change the fact on how Board members voted, Mr. Tso will personally take it as a lesson to follow and look in the statue of procedures in a roll call. Second allegation, quoting advice from the attorney to address allegations to discuss in public and try to put these issues to rest. Third allegation to the simplification of the minutes, the Board has the right to make simplifications to the minutes as far as the Open Meetings Act, the Board has the authority to make those changes, according to the attorney Cuddy Law Firm, once the minutes are approve the tapes can be destroyed which is not the present practice of the school district, and it is up to the Board and district to decide what to do with the tape recording after the minutes are approved. Bernice Benally would like to add to the August's agenda change how we keep our minutes to comply with the recommendation by Cuddy Law Firm. The fourth allegation as far as Hanna Skandera's letter, based on appointing Don Levinski as Acting Superintendent. The fifth allegation, Mr. Levinski had a contract last year with Tse Bit Ai Middle School for 203 days as Principal and no additional money was given to Mr. Levinski. From the legal stand point Mr. Levinski got attorney advice before doing anything. The two promotions can move administration to administration is legal and teacher to administration are advertised positions. Hoskie Benally

wanted to show response to the allegations in the minutes and to make it official. If Mr. Jensen wants to file a compliant, he can file with the Attorney General per Mr. Tso.

V. ADJOURNMENT

Motion by Bernice Benally, second by Lupita White to adjourn the Work Session meeting at 8:06 p.m.
Motion carried, 5-0.

Respectfully Submitted,



Lupita R. White
Board Secretary