

GARY J. MONTOYA
Board President
SUZETTE JEAN HASKIE
Board Vice President
CHRISTINA J. ASPAAS
Board Secretary
PHILIP J. KINLICHEE
Board Member
SHELDON PICKERING
Board Member



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**BOARD RETREAT MEETING - 9:00 A.M.
SAN JUAN COLLEGE, FARMINGTON, NM
(Friday, April 23, 2021)
MINUTES**

Members present

Christina J Aspaas, Gary J Montoya, Suzette J Haskie, Philip Kinlichee
Sheldon Pickering joined at 9:37 am

Meeting called to order at 9:37 AM

1. ROUTINE MATTERS:

A. Call Meeting to Order and Verify Quorum Present through a Roll Call
Motion to Call Meeting to Order and Verify Quorum Present through a Roll Call at 9:37 am
Discussion: Motion to accept the agenda as presented to the public to allow for deviation and conversation with open discussion with topics
Motion by Suzette J Haskie, second by Philip Kinlichee.
Final Resolution: Motion Carried, 3-1
Yes: Gary J Montoya, Suzette J Haskie, Philip Kinlichee
No: Christina J Aspaas
Not Present at Vote: Sheldon Pickering

2. REPORT AND DISCUSSION:

A. COVID-19 Pandemic and School Re-Entry considerations and potential action
Daniel P. Benavidez discussed the COVID-19 Pandemic, two of the schools shutdown for 10-14 days for concessionary measures and open back up on Monday, parents still have a choice to send their child to school or keep their child at home; PED allow for full entry to start the school year with full re-entry, only change is requiring schools to test students for COVID, parents do have the option to opt out for their child to be tested.

A discussion regarding General Counsel. Christina J Aspaas commented on the school attorney policy, therefore, it was right in what Ms. Chappelle as far as the entity and the district to give advice, however that changes with clear dispute between the board and superintendent, and she needs to be the board lawyer only. Daniel P Benavidez commented to his clear understanding that Ms. Aspaas asking the Superintendent not to refer to general counsel for potential action, this has nothing to do personally but has to do with the district. Philip Kinlichee commented on clarity of the representation of legal counsel when it comes to the board and CCSD. Ms. Aspaas requested if general counsel is not the board attorney, and an RFP needs to be placed to find another attorney. Germaine Chappelle commented her duty is required to work with the superintendent and others in the district, do not understand a premise of a dispute among the superintendent and board members, and an executive session is needed to discuss the situation to violation of confidential matters. Gary J Montoya commented on the opinions of the board and superintendent's duties. Ms. Aspaas asked if the attorney is the board lawyer and superintendent lawyer. Suzette J Haskie read the District Website Policy Section B - School Attorney. Ms. Haskie had a couple of issues with organizational chart and creation of position that was abolished of the Assistant Superintendent, there's a clear lack of communication. Gary J Montoya requested to go into executive session to discuss further.
(Sheldon Pickering joined by phone at 9:57 am)

Motion by Suzette J Haskie, second by Sheldon Pickering to Convene in Executive Session.

Discussion: Christina J Aspaas asked for clarification if the general counsel is the board attorney or not, before going into Executive Session. Gary J Montoya asked Germaine Chappelle if she is the board attorney, Ms. Chappelle did state yes she is the board attorney. Ms. Chappelle also commented on the attorney general guidelines and attorney guide book. Gary J Montoya read the school board policy BDG School Attorney. Philip Kinlichee noted that the vote was taken and asked if the motion needs to be rescinded. Ms. Aspaas would like to see the language stated by Ms. Chappelle regarding the executive session.

Motion by Suzette J Haskie, second by Sheldon Pickering to rescind the official motion from going into Executive Session. Discussion: Gary J Montoya commented that Germaine Chappelle was not able to verify the acknowledgement of language for the AG and to clarify with each board member to retract the initial vote. Motion carried, 5-0.

Continue with Letter A: COVID-19 Pandemic and School Re-Entry considerations and potential Action:

Gary J Montoya asked Daniel P Benavidez to continue with the report. Mr. Benavidez commented to continue with parent choice. Christina J Aspaas would like to see a chart on Covid-19 and guidelines. Paul Kinlichee according to the guidelines and legal guidelines with understanding and recommendation for the Superintendent to notify the Board. Gary J Montoya explained the county being yellow, a downward trend with levels. Germaine Chappelle commented on depending on color and waive of the Navajo Nation consideration, several communications with issues on Mandamus issue in executive session. There were concerns with the county going into red, however the state factors the numbers of folks vaccinated, color yellow will be for the next two weeks. Also received a letter from Interim Superintendent of Schools Patricia Gonnie on indicating following certain protocol on reported cases. Gary J Montoya commented for the Superintendent to stay in that position to allow parent choice and continue to work with the tribe. Suzette Haskie commented continue online relationship with the Navajo Nation, and requested notification of the pandemic of the district and closures. Mr. Montoya requested the Superintendent to inform the Board members by email. Germaine Chappelle had reached out to Interim Superintendent Gonnie requesting additional meetings discuss issues and have ongoing discussions.

B. Legislation enacted pertaining to education during the 2021 Legislative session and potential corresponding changes to board policy; and potential action

Daniel P Benavidez announced HB6 passed active on July 1, 2021, modification to the K5 Extended Learning with PED's blessings to modify the two programs and use them to benefit the kids. Basically the choice to come up with our own and not get funded or follow the K5 Plus extended learning plan to be funded. Go with the program for next year. Major legislation that affects our district, parent index to take the parent income, pertain to the school, one school can get less money from the state for a specific program, it's not the district calculation. Policy recommendations for board consideration in May or June, one is attendance, get a handle of attendance and making sure kids are going to school, and possibly approve or disapprove an idea from Vice-President Haskie talking about a potential create a policy to pay for school for employees to commit to being in the district for numbers of years in district. Gary J Montoya commented on how quantify those number on tax returns from parents. Mr. Benavidez commented on Potential At-Risk numbers is an issue and having to look in the future. Germaine Chappelle gave an overview of Legislation, line item veto by the governor, HB0002- Student Enrollment Hold Harmless (HB2; remains the same out of SPC).

Dismissed for Lunch at 12:23 pm

Resume from Lunch at 1:12 pm

B. Legislation enacted pertaining to education during the 2021 Legislative session and potential corresponding changes to board policy; and potential action:

Daniel P. Benavidez commented on monitoring finances and apply for K5 Plus and ELP due to loss of students, throughout the district we are down 200 students. Last Day of School end of May, Summer Enrichment Program for the summer June 18, provide extra learning environment for students due to COVID-19.

Germaine Chappelle continued with HB2 Relevant Budget Language. Daniel Benavidez explained the Fine Arts and PE Programs. A request from the Board to add Communication and Process with Board and Directors, Athletic and Arts positions to the Work Session agenda for May 2021. The Board is requesting a Special School Board meeting on Wednesday, April 28, 2021 at 4:30 pm, Shiprock Board Room, Shiprock, NM. Germaine Chappelle continued with the HB2 Relevant Budget Language.

C. San Juan Generating Station and other potential community economic development and infrastructure planning impacting/benefiting our schools; and potential action

Ms. Chappelle also talked about the San Juan Generating Station and Energy Transition Act, Presiding from PRC, ongoing discussion from PNM standpoint on abandoning SJGS and Four Corners.

3. ADJOURNMENT:

A. Motion to Adjourn the Board Retreat Meeting and continue on April 24, 2021

Motion to Adjourn the Board Retreat Meeting at 4:57 pm


Motion by Suzette J Haskie, second by Christina J Aspaas

Final Resolution: Motion Carried, 4-0

Yes: Christina J Aspaas, Gary J Montoya, Suzette J Haskie, Philip Kinlichee

Not Present at Vote: Sheldon Pickering (lost connection)

Respectfully Submitted,



Christina J Aspaas, School Board Secretary

for CJA 21 May 21