

**Minutes of Regular Meeting
The Board of Education
Gallup McKinley County Schools
July 6, 2020**

A Regular meeting of the Board of Education of Gallup McKinley County Schools was held July 6, 2020, beginning at 1:00 PM in the Board Room of the Student Support Center, 640 Boardman, Gallup, NM 87301.

BOARD MEMBERS PRESENT:

Charles Long, President
Christopher Mortensen, Vice President
Michael W. Schaaf, Secretary
Priscilla Manuelito, Member
Kevin Mitchell, Member

GUESTS

Larry Foster
Mattie Foster

Terry Fraizer

STAFF MEMBERS PRESENT:

Mike Hyatt, Superintendent
Pauletta White, Assistant Superintendent of Student Services
Jvanna Hanks, Assistant Superintendent of Business Services - absent
Tim Bond, Assistant Superintendent of Support Services
Gerald Horacek, Assistant Superintendent of Curriculum and Instruction
Joan Nez, Recording Secretary

CALL TO ORDER – PLEDGE OF ALLEGIANCE - ROLL CALL

Charles Long called the Board of Education meeting to order at 1:00 p.m. on Monday, July 6, 2020, in the boardroom of the Student Support Center, 640 Boardman, Gallup, New Mexico. (Five board members were present for roll call: Charles Long, Chris Mortensen, Michael Schaaf, Priscilla Manuelito, Kevin Mitchell)

APPROVAL OF AGENDA

Michael Schaaf move and Priscilla Manuelito second to approve the agenda as presented. Upon roll call vote, motion carried unanimously. (Five board members present and voting: Kevin Mitchell-yes, Priscilla Manuelito-yes, Michael Schaaf-yes, Chris Mortensen-yes, Charles Long-yes)

A. Election of Board Officers per Board Policy 11.2.5/B-0900 121806

1. Board of Education President

Charles Long review the policy and procedures. Nomination opened for the President of Gallup McKinley County School Board of Education.

Chris Mortensen nominated and Michael Schaaf second nominating Charles Long for president.

Michael Schaaf motion and Chris Mortensen second to close the nomination.

Michael Schaaf move and Chris Mortensen second electing Charles Long as GMCS Board of Education President by acclamation. Upon roll call vote, motion carried unanimously. (Five board members present and voting: Kevin Mitchell-yes, Priscilla Manuelito-abstain, Michael Schaaf-yes, Chris Mortensen-yes, Charles Long-yes)

2. Board of Education Vice-President

Michael Schaaf nominated and Charles Long second nominating Chris Mortensen for vice-president.

Michael Schaaf motion and Chris Mortensen second to close the nomination.

Michael Schaaf move and Charles Long second electing Chris Mortensen as GMCS Board of Education Vice-President by acclamation. Upon roll call vote, motion carried unanimously. (Five board members present and voting: Kevin Mitchell-yes, Priscilla Manuelito-yes, Michael Schaaf-yes, Chris Mortensen-yes, Charles Long-yes)

3. Board of Education Secretary

Chris Mortensen nominated and Charles Long second nominating Michael Schaaf for secretary.

Chris Mortensen motion and Michael Schaaf second to close the nominations.

Chris Mortensen move and Charles Long second electing Michael Schaaf as GMCS Board of Education Secretary by acclamation. Upon roll call vote, motion carried unanimously. (Five board members present and voting: Kevin Mitchell-yes, Priscilla Manuelito-abstain, Michael Schaaf-yes, Chris Mortensen-yes, Charles Long-yes)

Gallup McKinley County School Board of Education Officers SY 2020-2021

President – Charles Long
 Vice President – Chris Mortensen
 Secretary – Michael Schaaf

B. Recognition (Student, Staff and Other) - none

APPROVAL OF MINUTES

Michael Schaaf move and Kevin Mitchell second the minutes of the Board of Education regular meeting of June 22, 2020 be approve as presented. Upon roll call vote, motion carried unanimously. (Five board members present and voting: Kevin Mitchell-yes, Priscilla Manuelito-abstain, Michael Schaaf-yes, Chris Mortensen-yes, Charles Long-yes)

APPROVAL OF CONSENT AGENDA ITEMS

Michael Schaaf move and Chris Mortensen second the consent agenda items be approve as presented. (4a, 4b, 4c) Upon roll call vote, motion carried unanimously. (Five board members present and voting: Kevin Mitchell-yes, Priscilla Manuelito-abstain, Michael Schaaf-yes, Chris Mortensen-yes, Charles Long-yes)

- A. Approval of W.K. Kellogg Foundation Grant for \$250,000 to Gallup McKinley County Schools - CONSENT
- B. Approval of the 2020-2021 MESA Memorandum of Understanding (MOU) - CONSENT
- C. Approval of Johnson O'Malley Award for School Year 2019-2020 for Gallup McKinley County Schools – CONSENT (Board member Chris Mortensen allowed questions from the last meeting to be clarified)

Priscilla Manuelito asked if the unspent JOM funds will move to the new school year 2020-21 since this school year has ended.

Pauletta White reported the JOM award arrived late for school year 2019-2020, the reimbursements to replenish accounts is not likely as the account books closed on June 30, 2020. The unspent funds will revert back.

Mike Hyatt discuss because the funds were not received in a timely manner there was interruption in services for the students, they were being denied. The staff worked very hard to get the funds for the school district. Serious consideration having the funds go directly to the school district bypassing the Navajo Nation who takes a percentage of the award.

STUDY CIRCLE

- A. Reports
 - 1. Superintendent Report
 - a. Re-entry Plans for Fall School 2020-2021

Mike Hyatt reported looking forward to re-open the schools in the fall, lives have changed. The Governor's office provided information, the guideline and suggestions, they are specific types for all students. The school district is currently in negotiations with the union. The students return next month tentatively August 3rd, 2020 will be the first day of school on a hybrid schedule. The options are students can remain at home and study online or come to school. Studies show the students learn more in a school face to face with a teacher. Students will wear masks as required, social distancing markings in the buildings, hand sanitizers are made available and extra cleanliness. There are constraints; there will be challenges, technology constraints, and negotiations. Not everyone will be satisfied. Staff is eager to return to school as much as students. Laptops were purchased and have arrived. Meals will be served to all students. The key to Miyamura High School will be returned to the school district on July 13, 2020 with Air Conditioning/HVAC system intact.

Gerald Horacek spoke on upgrade the wireless access points at each school buildings, train teachers to teach in a new norm, computers will be at school sites by end of July, installation of Wi-Fi and hot spots for all school buildings and buses.

Board members discuss how the sports will be for the fall, online teaching versus in school setting, McKinley Academy, social distancing, surveys, ventilation issues, staff comfort level, partner with other entities, school calendar and overall challenges. A recommendation to involve the Navajo Nation to provide some internet services for rural areas.

NEW BUSINESS

- A. Consider Notice of Sale and Delegation of Authority Resolution to approve sale of \$5,850,000 of general obligation bonds Series 2020A and 2020B - DISCUSSION / ACTION

Priscilla Manuelito move and Michael Schaaf second to approve the Consider Notice of Sale and Delegation of Authority Resolution to approve sale of \$5,850,000 of general obligation bonds Series 2020A and 2020B as presented. Upon roll call vote, motion carried unanimously. (Five board members present and voting: Kevin Mitchell-yes, Priscilla Manuelito-yes, Michael Schaaf-yes, Chris Mortensen-yes, Charles Long-yes)

(Chris Mortensen exited the meeting at 2:48pm)

- B. To seek administrative and/or judicial relief on PED continued use of impact aid credits in SEG distribution to the School District for FY 2020 and 2020 – DISCUSSION / ACTION

Michael Schaaf move and Priscilla Manuelito second to approve to authorize the Board of Education to file a legal action in the form of a Writ of Mandamus against the PED Secretary to compel him to amend the incorrect and improper financial data on State aid to public school districts submitted to the U.S. Department of Education to pass the disparity test to take Impact Aid credits under the SEG from the School District. The litigation will be paid for by the Board of Education through use of Impact Aid funds or other funds that are not part of the SEG” for FY 2020 and 2021 as presented. Upon roll call vote, motion carried unanimously. (Four board members present and voting: Kevin Mitchell-yes, Priscilla Manuelito-yes, Michael Schaaf-yes, Charles Long-yes)

- C. Approval of a position statement on the current status of the sufficiency lawsuit Yazzie-Martinez - DISCUSSION / ACTION

Priscilla Manuelito move and Kevin Mitchell second to approve the Approval of a position statement on the current status of the sufficiency lawsuit Yazzie-Martinez as amended to include additional comments and information from the board. Upon roll call vote, motion carried unanimously. (Four board members present and voting: Kevin Mitchell-yes, Priscilla Manuelito-yes, Michael Schaaf-yes, Charles Long-yes)

- D. Approval of position statement on current status of Impact Aid - DISCUSSION / ACTION

Kevin Mitchell move and Priscilla Manuelito second to approve the position statement on current status of Impact Aid as amended to include additional comments and information from the board. Upon roll call vote, motion carried unanimously. (Four board members present and voting: Kevin Mitchell-yes, Priscilla Manuelito-yes, Michael Schaaf-yes, Charles Long-yes)

EXECUTIVE SESSION

A. Communications with Legal Counsel Regarding Pending or Threatened Litigation related to the Board of Education’s intervention in the formal appeal by the Public Education Department of the U.S. Department of Education’s determination to deny certification of the impact aid equalization for use the SEG formula for FY 2020; request for hearing before the U.S. Department of Education on disparity test for certification of PED impact aid credits under the SEG for FY 2021 and discussion of options for seeking judicial and administrative relief, as permitted under Section 10-15-1(H)(7) of the New Mexico Open Meetings Act.

Michael Schaaf move and Chris Mortensen second to go into the executive session as permitted under Section 10-15-1(H)(2) of the New Mexico Open Meetings Act regarding the formal appeal by the Public Education Department of the U.S. Department of Education’s determination to deny certification of the impact aid equalization for use the SEG formula for FY 2020; request for hearing before the U.S. Department of Education on disparity test for certification of PED impact aid credits under the SEG for FY 2021 and discussion of options for seeking judicial and administrative relief. Upon roll call vote, motion carried unanimously. (Five board members present and voting: Kevin Mitchell-yes, Priscilla Manuelito-yes, Michael Schaaf-yes, Chris Mortensen-yes, Charles Long-yes) Meeting moved into executive session at 2:09 pm.

Michael Schaaf move and Priscilla Manuelito second to reconvene from the executive session on 10-15-1(H)(2) of the New Mexico Open Meetings Act regarding the formal appeal by the Public Education Department of the U.S. Department of Education’s determination to deny certification of the impact aid equalization for use the SEG formula for FY 2020; request for hearing before the U.S. Department of Education on disparity test for certification of PED impact aid credits under the SEG for FY 2021 and discussion of options for seeking judicial and administrative relief.

Upon roll call vote, motion carried unanimously. (Four board members present and voting: Kevin Mitchell-yes, Priscilla Manuelito-yes, Michael Schaaf-yes, Charles Long-yes) The meeting reconvened from executive session at 2:51 pm.

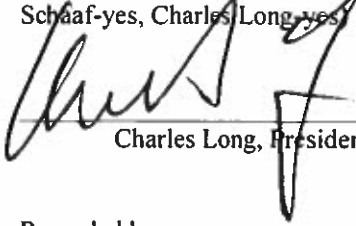
B. Report on Closed Executive Session

Charles Long reported in executive session the discussion was on Communications with Legal Counsel Regarding Pending or Threatened Litigation related to the Board of Education’s intervention in the formal appeal by the Public Education Department of the U.S. Department of Education’s determination to deny certification of the impact aid equalization for use the SEG formula for FY 2020; request for hearing before the U.S. Department of Education on disparity test for certification of PED impact aid credits under the SEG for FY 2021 and discussion of options for seeking judicial and administrative relief, as permitted under Section 10-15-1(H)(7) of the New Mexico Open Meetings Act.

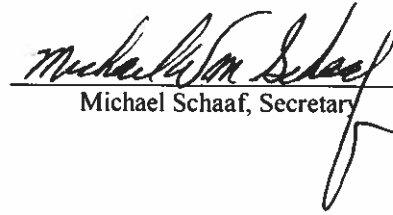
A moment of silence of the late Ruby Haley and other lives the school district lost.

ADJOURN

There being no further business Michael Schaaf move and Kevin Mitchell second the meeting be adjourn. Upon roll call vote, motion carried unanimously. (Four board members present and voting: Kevin Mitchell-yes, Priscilla Manuelito-yes, Michael Schaaf-yes, Charles Long-yes) Meeting adjourned on Monday, July 6, 2020, at 2:57 p.m.



Charles Long, President



Michael Schaaf, Secretary

Recorded by
Joan Nez
July 6, 2020