

Albuquerque Bilingual Academy
ABA GC Meeting Minutes for Virtual Meeting
Date: August 31, 2020

Board Members Present	Brenda Baca, Doris Cole, Julian Munoz, Melissa Trujeque	
Absent	Jose Garcia	
Others in Attendance	Chris Jones, Danielle Miranda, Kyle Hunt, Patty Matthews, Priyam Banerjee, Esteban Cole, David Bryant, Pilar Jaurrieta, Constance Torres, Marissa Rios, Yvette Barnwell, Cindy Segura	
QUORUM	<u> X </u> YES NO	
Meeting called to order	Brenda Baca called the meeting to order at 5:31 pm & Roll Call by Brenda Baca	
Item	Discussion	Action/Recommendation
Approval of the Agenda	08/31/2020	Brenda Baca called for a motion to approve the agenda. Julian Munoz motioned. Melissa Trujeque seconded. -Brenda Baca called for a vote. GC approved unanimously by a vote of 4-0; 0 opposed; 0 abstained
Approval of Minutes	07/27/2020	Brenda Baca called for a motion to approve the 07/27 minutes. Julian Munoz motioned. Melissa Trujeque seconded. -Brenda Baca called for a vote. GC approved unanimously by a vote of 4-0; 0 opposed; 0 abstained
Consent Agenda		
Approval of BARs	<i>*Finance Team met prior to Regular GC meeting to review both the BARs and Budget Reports</i> BARs for consideration: 0003-I 0004-T - Justification: \$282,973- To increase budget to match projected Ad Valorem revenue. - Justification: To budget county tax collection costs for Ad Valorem revenue.	Brenda Baca called for a motion to approve BARs 0003-I & 0004-T. Julian Munoz motioned. Melissa Trujeque seconded. -Brenda Baca called for a vote. GC approved unanimously by a vote of 4-0; 0 opposed; 0 abstained
Special Issues (Discussion/Action)		
Budget Report Updates	<i>*Finance Team met prior to Regular GC meeting to review both the BARs and Budget Reports</i> <u>Hunt</u>: Overall, we don't have too much activity because it is the very first month of the year. Revenues, we haven't received anything and a lot of these are reimbursements; once we have expenditures, we will be seeing revenues come in for the year. Going down to our Expenditure Report, this is as of 08/25/20 and not 7/31/20 because I did want to show you all of the budgets of the teacher contracts and everything else included, to give you a more UpToDate view. But overall, we do have proper budget compliance in every function. Here is the Bank Account Register Activity Report we did have a slight negative cashflow with \$476,173.10 being dispersed and \$430,167.81 in revenue. We have over \$2.646 million in the bank and \$3,759.86 in outstanding checks. Our Balance Sheet shows how that \$2.46 million is laid out and majority of it is in within our Operational, our Food Services Fund, and our HB33 and SB9 Funds which are crucial as we go into this Lease to Purchase. Our Dashboard compares our expenditures from year to year, we did have a lot more expenditures this last year as shown and that is purely because last year we operated that K-5 Plus Program in the summer and this year we didn't because of COVID, so we had a lot of reduced expenditures and not nearly as much staffing needed in July.	
One-Time Property Tax Payment to ELS for Tax Years 18 and 19	<u>Jones</u>: The last fiscal year, the council came together, decided, and approved the one-time payment for outstanding property taxes. Keep in mind it was from previous tax years and this was something that was outstanding that at the time we wanted to address because we always knew that we were going to pursue financing of our current facility. So now that we have Raza Development Fund that is interested in assisting us in the property acquisition it is imperative that we get this paid off so that we can move forward with the Lease to Purchase Agreement Submission and eventually the closing of the transaction. The amount was already approved in a previous meeting.	Brenda Baca called for a motion to make a one-time property tax payment to the foundation for Tax Years 18 and 19 to be determined the exact amount after Chris Jones talks to the county assessor. Julian Munoz motioned. Melissa Trujeque seconded. -Brenda Baca called for a vote. GC approved unanimously by a vote of 4-0; 0 opposed; 0 abstained

Approval of Marketing Contract for Julia Olivas	a. Disclosure of relationship to Head Administrator <u>Baca:</u> Mrs. Olivas reached out to me back in June about her contract. She does all of our marketing and she has been doing the promotion on all of our social media accounts. She brings in a bunch of different aspects of promotion for our school. She reaches out to different entities for us and has brought in a lot of kids coming to our school. <u>Jones:</u> I wanted to remind the members of the council that she is in fact my sister-in-law. She came about because she has a lot of experience with this type of work. We were paying an individual \$3,000 per month to do the same scope of work and the quality of his services were such that we were not satisfied and decided to discontinue. So, with Mrs. Olivas, we have found that our enrollment increased, our social media accounts have been satisfactory to date, and she does assist with some of the website development. She has been a big part of brand awareness considering we just revamped and changed our name. She does actually report directly to the board president and does not report to me personally. In today's meeting is our new assistant principal Mr. David Bryant and I wanted to introduce him. I will also require that Mrs. Olivas report directly to Mr. Bryant and then Ms. Baca who signs off on her invoices. The advantage is that it is cost saving to the school; the total fee is \$1,000 per month. We would like to increase her pay by \$200 per month to make up for the time lost in July and August; she was still providing services during those months for free.	Brenda Baca called for a motion to approve the marketing contract for Julia Olivas for \$1,200 with the rewritten contract to be signed by the board president. Julian Munoz motioned. Melissa Trujeque seconded. -Brenda Baca called for a vote. GC approved unanimously by a vote of 4-0; 0 opposed; 0 abstained
Approval of School-wide K-5 Plus Implementation	<u>Jones:</u> I wanted to give you a bit background on what is happening with K-5 Plus Implementation, during special session in June, it was decided that it was a requirement for school to either participate in extended learning time programs which adds 10 calendar days to the school year or implement a school wide k-5 plus. K-5 Plus usually consists of 25 additional days that are added at the end of the school year; there has to be a break between the traditional school year and K-5 Plus implementation. For this school year, we can either add 15 additional days to the school calendar for a total of 195 days as opposed to 180 days; if we choose this route, the Secretary of Education would waive the ten days of the 25-day requirement. Or we can add 25 days to the calendar; the difficulty with the additional 25-day calendar is that our school year already ends on June 4th. So, adding 25 additional days doesn't seem like it would be in our best interest because it would extend too far out into June. It would put us into a situation where we probably couldn't even satisfy the full 25 days. This must be satisfied before June 30th so there wouldn't be a break. Payments for these programs will come through our SEG payments on a monthly basis, so Mr. Hunt and I are going to work with PED to obtain additional information on how payments work to figure out the total funding amount that we would receive and of course to start securing this funding early on. I would like to make a recommendation to the council that we add the 15 days that are required. This is not optional at this time; this is something that all schools are expected to do to address the learning loss from COVID and the pandemic that we've gone through with our students. Apart of this will require the council, at a later agenda item, to approve a new calendar. This calendar will be submitted to the PED and will reference the days we plan to be in session for K-5 Plus and ultimately allow us to receive funding earlier on so we can start to budget and develop teacher contracts.	Brenda Baca called for a motion to approve the additional 15 days as recommended by the Executive Director of the school. Julian Munoz motioned. Melissa Trujeque seconded. -Brenda Baca called for a vote. GC approved unanimously by a vote of 4-0; 0 opposed; 0 abstained
Approval of Calendar	<u>Jones:</u> I want to share the school calendar; we've made a few revisions since the last time we reviewed the calendar and I wanted to share those at this time. The first change is that our school year began on the 19th initially which was approved by the council, however one of the things that we noted was that our staff and students were actually engaged in this process of online learning well before the 19th. On the 14th we started with training and orientation for students and their families. Our students were engaged with teachers on the 14th and they received training and had the opportunity to learn how to access their resources. So, we wanted to give ourselves credit, similar to APS, for these orientation days that are allowable by PED instead of being very stringent with our calendar which we did initially. So, we have the 14th as our start date; our staff did actually return on the 5th and they had a lot of training from Mr. Bryant and me. Our last day will be June 22nd which includes our K-5 Plus Implementation. That is ultimately the entire calendar and I want to share with you something else very quickly and that is excel calendar that is required by the PED. Ms. Miranda, I want to thank her of course for always assisting with all of our calendars and scheduling; it's a hard job and she is always willing to help. What we have here is our instructional calendar and we have all the same dates noted. If you have any questions, I will stand for those at this time.	Brenda Baca called for a motion to approve the adjusted Calendar as presented by the Executive Director for submission to the PED and it would act and serve as the final calendar for 20-21 school year. Julian Munoz motioned. Melissa Trujeque seconded. -Brenda Baca called for a vote. GC approved unanimously by a vote of 4-0; 0 opposed; 0 abstained
Approval of ABA Annual Resolution	<u>Jones:</u> We just have to again come together and decide as a council when we would like to meet. Our annual resolution will outline our open meetings and within the resolution we wanted to refresh that and add it to the website. This gives us an opportunity to decide which days of the week and which specific days of the month are going to be most beneficial for all of you convenience wise, so we can continue to meet on a monthly basis without interruption. Let me share with you the resolution, so we can have a visual. <u>Munoz:</u> I'm ok with the date, time, and finance meeting staying the same. I have no issues. I don't know if any other council members had any input on that? <u>Baca:</u> I have no issues either. Melissa or Ms. Cole?	Brenda Baca called for a motion to approve the Annual Resolution with no changes with the exception of updating it for this school year. Julian Munoz motioned. Melissa Trujeque seconded. -Brenda Baca called for a vote. GC approved unanimously by a vote of 4-0; 0 opposed; 0 abstained

	<u>Trujeque:</u> I do not either. <u>Jones:</u> What you're looking at now is the actual resolution. Of course, we would need to change the wording up top as we're in a new school year. Something very important for us to understand is that what we've decided in the final resolution from last year was to meet at 5:30pm on the last Monday of each month which we have continued to do since last year and seems to be working well for everyone. I appreciate everyone's participation up until this point. If we don't have any objections, then I would again request that you approve a resolution calling for the same exact schedule of open meetings.	
Review of Board Bylaws	<u>Jones:</u> What you're looking at now is our restated bylaws, thank you to Ms. Matthews who is our attorney, for assisting with the revamping of everything that our council did when we were under pressure to make some significant changes. We have a lot of different components to the bylaws, from the training that's required to the powers of the director. I would like to review and go through some of these areas to see if someone has any input or revisions. In particular, I would like to see number 7- which gives me the ability to make decisions when it comes to contracts and other expenditures, right now we have authority that is delegated to me up to the amount not exceeding \$49,000. If you recall with big curriculum purchases those are always brought before you. However, this is one thing I wanted to review and ensure that I still have the authority to make these decisions without having to bring the council together, especially in the event that we have to make a quick decision when it comes to turnaround of major purchases. The next one I wanted to review, which was brought up by Raza Development Fund, what there board is looking for in the future is the recruitment process when it comes to the school board looking for expertise in the area of non-profit, in particular fundraising. That was one of their concerns regarding what would we do when we acquired the facility and how we would undergo the buildout process. That was just a recommendation they made, it really does not have any impact on their decision to work with us or this underwriting process that we are undergoing or the LPA approval. That is something we've always thought as well; we need to really work on getting a good composition and we have a good group of people now. In the future, if we are to add an additional member, they are asking us as our partners to consider this person who has non-profit experience as well as fundraising experience. Of course, we have to vote annually on roles, and I would like to bring that up again next month to review where we are sitting when it comes to our officers and make some changes, as necessary. Everything is pretty much the same; we have disclosures, resignations, officers, and committees. I did want to address the audit committee; our audit is underway now and it seems like they're making really good progress and our audit committee is going to need to come together very soon to discuss the findings, the financial improvement plan, and then to continue the work towards satisfying that financial improvement plan. Next month, we'll come together and review the progress that each committee is making as well as the needs of the committees and the composition as well. I believe because you've already had a chance to review all of this, it is pretty standard when it comes to what we've done. Last but not least, I wanted to review Conflict of Interest. We have an annual disclosure statement which is next on the agenda, instead of waiting for that I will let you know it is a requirement within our bylaws that we have to disclose any relationships that we have with direct or indirect interest in ABA transactions. What that means is do we have any relationships to our contractors, vendors, or employees. Such as today when I disclosed our marketing contractor's relationship to myself as the Head Administrator; we're all required to do this on an annual basis. I have the form which will be emailed to you through Adobe sign; please sign it and it will be sent back to me automatically. I believe that is pretty much it; we have to adopt this, and we can change all the wording of course. The adoption date can be today if everyone approves of these bylaws. I don't see a reason to make a recommendation for any significant changes; I think everything is going pretty well right now and we've done a lot of good work to make pretty drastic changes to the school and I appreciate your time.	Brenda Baca called for a motion to approve the Board Bylaws as presented. Julian Munoz motioned. Melissa Trujeque seconded. -Brenda Baca called for a vote. GC approved unanimously by a vote of 4-0; 0 opposed; 0 abstained
Annual Conflict of Interest Disclosures	<u>Jones:</u> I will email this to you; it is the same thing that has been signed before. As you remember, it is asking you for your relationship to any of contractors, vendors, or employees. This is something that Patty added here in the middle if you can see it, any family member and it gives the definition. So, in the case of someone like Ms. Cole, Patty, would this require that she disclose this information as well? She has a relationship to our 5th grade teacher, which is how I recruited her, fortunately. <u>Matthews:</u> It depends on the relationship. So, for example, if it is her granddaughter or a cousin then no, she does not. With that said, I think folks should be transparent and say "although it is not prohibited, my granddaughter works for the school" or something. It is very specifically best level; you don't have to go outside of that. <u>Jones:</u> That's great. He was an employee prior to her joining the board anyhow. Thank you for that clarification Patty. Ok, I will be emailing you this through Adobe sign; please look out for it in your email. If you have any more questions, please free to email me and if I can't answer it, I will get the answer from Ms. Patty.	

Approval of Student Policies and Handbook Changes	a. Dress code (masks) b. Daily screening requirements c. Attendance d. Discipline matrix e. Technology check out f. Technology usage on campus <u>Jones:</u> I can just give you a verbal very quickly. <u>Munoz:</u> I only have questions on the Dress Code (masks) and the Discipline Matrix. As far as the masks, is there going to be any discipline for the kids and teachers that don't wear masks? I couldn't understand if that was incorporated into the Discipline Matrix or not. <u>Jones:</u> Yeah and there actually is and that's the connection between the masks and dress code and the disciplinary matrix. I'm glad you asked that question. Really that is one of the changes as a result of COVID. Dress Code will require students to wear a mask on a daily basis and if they do not have a mask, one will be provided to them free of charge by the school. We have purchased, I believe right now, 6,000 masks through CARES Act Funding. We do have those available for students; however, it is a requirement that students wear masks throughout the school day. With that in mind, students that fail to comply will actually be reprimanded and there will be a disciplinary action that can result in students being sent home from school. One of the requirements is that we have what's called a COVID Quarantine Room; we will have students that have symptoms in this quarantine room. We will have a separate room or space for students failing to comply with dress code requirements. Ultimately, that causes students to put others in jeopardy of falling ill if they're spreading around this disease. We wanted to incorporate that into the disciplinary matrix and it will be included in the dress code section, where we will give clear consequences to students in a progressive manner for not wearing their mask. Ultimately, that could include learning online until we can come to some sort of a resolution; students would not lose access to learning. If it's violated on a habitual basis, students would most likely go through some formal process or a hearing with the school, so we can decide the best course of action to keep everyone safe. That is just one of the challenges that we would have to work through with Patty and with our administration because we cannot fall out of compliance for the safety of everyone, including our staff, that is really important. Daily Screening Requirements: We're working with a system right now for parents to self-report and to assist us with the monitoring of any symptoms. Basically, it's a check for parents to say every morning before I drop my student off for school, I'm screening my student and looking for symptoms, and verifying that they are prepared for school with proper dress code. Mr. Bryant and Ms. Diaz our Director of Operations have been investigating and vetting these systems; I think they found one and I can provide you with additional information. However, the daily screening are going to happen on campus anyhow. Apart of the process is when you come to school, you have to undergo a screening that includes a temperature check. We will ask students to report to a specific room if they are experiencing symptoms where we will hold students until they can come and pick them up. We want to make sure that this is added to our Re-entry policies, so that students and parents understand that it isn't an option to not pick up their student after being notified that they have symptoms, it isn't an option to comply with some of the pre-check in and pre-screening requirements, and that we have to work together to ensure that all of our students stay safe. Attendance: The new requirement of course, they've changed the statue. I would like to at this point and time, table the attendance policy recommendation because I need to work the CSD to get some ideas as to what other schools are doing. Discipline Matrix: We did review that one and how we plan to include dress code and masks because that is a requirement. I will present those to you next month so you can see the final changes. Technology check out: We're going through a technology check out process, that requires parents to be responsible for our devices as it is an investment from the school. We have some online forms in place that parents are completing to get a device. The policy is asking parents to replace damaged devices. There is some liability and some responsibility on behalf of parents; we're giving them hotspots for internet and ChromeBooks to use. If the deceives are not returned or damaged significantly, we need to figure out a way, as a board, to make up for those lost funds. Patty, have you heard of what other schools are doing and is there any sort of process we can put into place to truly hold parents responsible for damaged or lost devices? <u>Matthews:</u> You know Chris I think that opens a can of worms. I think you can put it in there. As far as a process, I think you're looking a potential misdemeanor small claims action, but I think it opens that can or worms of equity and availability of program. We might want to check with NMPSIA; I seem to recall that there may be an available at a very low cost an insurance policy. Either the school looks to insuring those and or require the parent to purchase. The question you asked me was can we require parent to pay for them and what are the enforcement mechanisms. The answer is yeah you can certainly ask them to pay for it but the mechanisms will be similar to a small claims kind of breach of contract agreement and as you can imagine that would be a major headache. So, I am wondering if that might be available that we could find out from NMPSIA or	Brenda Baca called for a motion to table this item until next meeting. Julian Munoz motioned. Melissa Trujeque seconded. -Brenda Baca called for a vote. GC approved unanimously by a vote of 4-0; 0 opposed; 0 abstained
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	some other kind. For example, Connections Academy and perhaps another one of the virtual schools has a similar coverage. <u>Jones:</u> I will research that Patty, thank you. I will check with NMPSIA. I remember at Connections Academy we did have an insurance when I was one of the administrators. I think a lot of the time they set aside funds as they knew there would be some losses they would take. I'll check that out, right now this is just a procedure, so we don't have a true policy. For members of the board, I can come back to you next month after doing some research and hopefully we can put something in place that helps parents, students, staff, and administration understand those safeguards for our equipment because we've made a really sizable investment in all of these devices. It's really important that we figure out how to not totally be at a loss for all of these funds and also working with Kyle to figure out from an audit standpoint what's our responsibility as a school because these are things that we needed to inventory and have; part of the audit process is claiming these losses. <u>Matthews:</u> There has got to be an insurance company out there that offers such coverage for schools and if not, there will be one soon given the press for virtual education. <u>Jones:</u> I will do some research and come back to you in the September meeting. So, we can table this item until next month and I can come back to you with more definitive information and hopefully we can make a decision at that point.	
Approval of Employee Policies and Handbook Changes	a. Emergency leave b. Teleworking c. Dress code d. Background checks <u>Jones:</u> We're going to get into the Re-entry Plan Updates and it is an action item where we're going to ask the council to make a big decision about when students will re-enter in person. But first of all, I wanted to explain that the Emergency Leave handbook and policy change is something that Patty has assisted us in better understanding. These policies directly impact what will happen when staff and students return. One of these is Emergency Leave; we have a situation now where some staff really want to come back as you would imagine, and we have a few staff members that do not because of safety concerns or other reasons. So, the Emergency Leave policy, this is a policy that is allowing for staff to provide documentation, make a request for this emergency leave, and to basically allow them to stay out and teach virtually for a longer period of time; however, there are some conditions associated with this policy. There are a lot of considerations that Patty has explained. We have a CDC list; we have a group of conditions of health-related issues that could in fact almost exempt staff from coming back. <u>Matthews:</u> Chris, you're kind of conflating two things and that's not accurate actually. If you want me to try and help you there. First of all, the only thing right now that is making folks believe that they can tele-work is the Secretary of Education's and the Governor's essentially directive for people to stay home. So, these two acts the Emergency Paid Sick Leave Act and the Extended Family Medical Leave Act which are both in that same policy. The first one, on the Emergency Paid Sick Leave Act, this policy should actually already be in place because it went into effect on April 20th, so if we don't do anything else tonight, we need to approve this one. The act itself is a federal law and its related to the CARES Act and says If and therefore for a COVID related reason that you see in the policy an employee has to be out, then that individual is entitled up to 80 hours or additional leave. So, it depends on how many average hours they worked per week. So, this is additional leave, this isn't their own leave. That's what this all calls for and you're required to provide that leave. This whole policy will expire, unless Congress extends, at the end of December. It's a very short termed policy but it can be very impactful. One of the things to remember for Chris's purposes is if you can have these folks tele-work, then they would not be entitled to that extra pay, they wouldn't be allowed to take sick leave at all. They are working but they are working from home. They could be working from home for a couple of reasons, that they're caring for someone and or they are not sick. There's also an odd piece of the CARES Act which is the Extended Family Medical Leave and although you do not provide for family medical leave because your employees are not eligible you still are required to provide the extended family leave. And that is very specifically for, look at #5 right there, the employee is caring for his/her child because the school that they attend has been closed due to COVID related precautions. This could be an instance during the Hybrid where you have an employee coming to school for 2 days a week, but his kiddo is out because his school is out those 2 days. So anyways, Chris and I will figure this out but that's the concept that if you have a child who is at home and you have to provide care for them because their school is closed due to COVID, they have up to 12 weeks of this leave. Now again, if they can tele-work, they wouldn't need the leave and we'll deal with that on a case by case basis. It's a fairly long and complicated policy but we need to get it in place because it is the law and we're a little behind here. Now there is no, if I ask to be tele-work, I get to do that just because I ask. Each request will require an analysis of whether or not it falls under this kind of leave, under the American with Disabilities Act, or doesn't at all and then what do we do with that employee. If you have questions, I'm happy to answer them. <u>Jones:</u> So, there is a lot of work ahead. The whole re-entry is definitely worthy of close consideration when it comes to everything happening around COVID. There is a lot of	Brenda Baca called for a motion to approve the Employee Policies and Handbook changes as presented by the Executive Director. Julian Munoz motioned. Melissa Trujeque seconded. -Brenda Baca called for a vote. GC approved unanimously by a vote of 4-0; 0 opposed; 0 abstained

	implications for the school. When you start to read through these policies more closely, you can see that there are many intricacies and a lot to understand. There is going to be individual cases were going to have to process with our legal representation in Patty. There is a balance that we have to achieve because as a person operating a school, you have to have a few essential ingredients. You have to have staff in place, you have to have students, programs, and if either of those ingredients are missing then we have run into a real challenge that is not beneficial for anyone. I know all schools are dealing with this right now, there is a teacher shortage after retirement. There is a lot to consider as we make a decision tonight about the re-entry. Dress Code for staff is also required. One of the new changes to dress codes now is that face masks are required. Shields as a standalone PPE object are not allowed. We had a number of teachers including us as an administration purchase face shield. Without being able to see teachers mouths it is going to make it really challenging for students to learn to read especially kinder and 1st grade. The face shields alone are not allowable according to the Secretary and the Department of Health and so they would have to be worn in conjunction with a face mask. The reason this is on the agenda is because what the PED states is that we must work with teachers who have a preexisting condition that does not allow them to wear face masks; these are individual cases that we will have to review. However, if teachers do not have an underlying condition and fail to comply with this requirement they could face up to according to PED and the Department of Health termination. It's really important that we add this to the employee policy because it's the expectation to wear proper face coverings now that we are considering re-entering in person. Background Checks: Patty can probably better explain this, but I will summarize by saying the school is required, and catch me if I'm wrong Patty, with background checks with staff we can reimburse them for those background checks but required to reimburse them. <u>Matthews:</u> You can pay for an applicant's background check and you must pay for them. You can pay for them for your contractors and volunteers. <u>Jones:</u> Thank you Ms. Patty. So, what we wanted to do was get this one in as well, so we can start the actual reimbursement process. We have a lot of staff members who have undergone the background process. <u>Matthews:</u> Are you doing that retroactively or are you going forward? <u>Jones:</u> I would like to Patty, based on your advice, may we do it retroactively? <u>Matthews:</u> No, you can only go forward. I think the statute was passed in 2019, we can look at that. From that you can but you couldn't go prior to that. <u>Jones:</u> Right, just from then. So, for those individuals who took it since it was passed, I would like to ensure that they are reimbursed. So that is it. But that is something I am interested in because we have many staff members having to pay for these background checks and again it will be valid for one background check. We have staff that even after being instructed on where to send their background check, they still make a mistake in sending it to APS or someone else. So Patty just very quickly are we ok with saying "because you made a personal mistake in your background check and had to repeat the background check, we will pay for one". How should we approach that Patty? May we pay for two if they made an error or can we stick to the one that is required? <u>Matthews:</u> I would make clear when you're telling people that you're offering them a job contingent on, make sure that you send it to this school and not to APS. And if you're provided them with that clear written guidance, then I would say that they would have to pay for their own mistake. But I'm kind of harsh about those things. If you hold on a second, I can pull the statute, I don't know if it says a background check. If you're worried about getting an audit finding, we can run through that. I think that's up to you all, it depends on how many times that happens. <u>Jones:</u> I would say it happens one out of every four background checks for example. That is with instruction; it seems to happen pretty often unfortunately, even with the documentation. <u>Matthews:</u> Well, that is up to the school. If you want to go to the next item onto the re-entry plan, I will take a look at the statute and see if there is any reason you couldn't. <u>Jones:</u> Ok, that sounds good.	
ABA Re-entry Plan Updates	<u>Jones:</u> This is a pretty hot topic of course. You've heard in the news APS stance on return to school for in person instruction; it actually was made rather prematurely considering the Secretary just released the memo about it being a local decision. So they actually voted on it in a board meeting that took place prior to the Governor coming out with her most recent release on her stance on school re-entry as well as the PED's and Secretary of Education's guidance. I think that cause of confusion for staff, parents, and of course students. APS made the decision to have students return in January; they felt it was in the best interest of their district to have students return in January for continuity of this online learning piece that really is just getting off of the ground right now. It feels like we're still orienting parents and ourselves in what these processes look like. We're still providing technology, still teaching people a lot on the use of this technology. Right now, there are a lot of hindrances that are preventing us from successfully educating our students but at the same time we've put in a great amount of time and effort in getting this process rolling along. Our staff has done a tremendous job in adapting and adjusting to the changes of becoming online learning teachers. I was one of the administrators at NM Connections Academy for a short period of time and I can tell you that online learning is difficult; I can tell you that it is very involved. There it was a corporation of course it is a Pearson owned entity, so we had a lot of resources that now as a head administrator coming into this situation of	Brenda Baca called for a motion to approve to re-entry plan for November but giving the Executive Director the option to integrate students as he sees fit into the classroom. Julian Munoz motioned. Melissa Trujeque seconded. -Brenda Baca called for a vote. GC approved unanimously by a vote of 4-0; 0 opposed; 0 abstained

	online learning I don't have at my disposal. Most importantly I don't have full commitment from staff or students or parents. And really, I say that not to slight anyone it is because no one signed up for this. So, people being discontent with this model of learning and being frustrated that is natural. We have folks that went to school years, that did an exceptional job providing in-person instruction and now its like someone has come in and totally turned their world upside down. So, with that in mind, I want to re-present our plan for Re-entry. I would like you to consider this question and I will preface what I am going to share with you with this one question "When do you as a council feel it'll be safe for students to return for in-person Hybrid instruction?" We've had several reiterations that have been submitted to PED and they've accepted the final reiteration that was submitted and that version of the plan I will go over the major components. But in the back of your minds, I want you to think is it in the best interest of ABA to have students return. <u>Trujeque:</u> Have you gotten any feedback from your teachers about how they feel about coming back? <u>Jones:</u> I did put out several surveys at the very beginning of the school year; we actually received a good response from families and teachers. I don't have any formal survey data with the exception of opinions that were informal but I will tell you right now based on my informal discussions it looks like we have about 85% of teachers that want to return and of course 15% that do not. One of the considerations is do we have enough staff. If we have those handful of teachers that are not quite yet prepared to return, then of course we get into the next phase which is to look at their individual circumstance, to have them request through formal processes the ability to tele-work as Patty mentioned, and then the decision needs to be made with the assistance of legal representation. Then from an Operational Standpoint, how do we even make this work substitutes and what does it mean for someone who is tele-working. Many schools are returning when it comes to charter schools. I think the board needs to understand that there are repercussions for returning and for not returning. For example, APS that has already chosen to not return until January, it's been reported that they are losing a significant number of students because families are looking to transfer their kids to schools that are returning. We also have those situations that we could lose staff if you are asking people to come back too soon. The same thing holds true for students; we could potentially lose students as well. However, we are offering the opportunity for parents to do fully online learning for the duration of the school year. It is a very challenging decision and fortunately we have a governance council because that is one on my own that making a decision that impactful is something that just doesn't sit well with me. First thing I would like to share with you is a memo that was released from the Secretary of Education and this came out on August 28th after our last secretary's phone call; this is about eligibility for return. It's talking about prioritizing health and safety for all stakeholders, really focusing on maximizing in-person instruction. PED is pretty adamant that students need to return as soon as possible but at the same time they're also emphasizing that science should be the number one driver in our decision. With the updated requirements, they want to make sure that it's a safe return because ultimately for students to do well everyone has to feel a sense of security. This really does talk about how the PED made the determination about the map they shared and which districts can open. If you look at Bernalillo county, it shows we're in green which means any school that resides in Bernalillo county at this point and time, based on data, has the green light to return but ultimately it is a local board decision. Looking at the rest of the memo, it is pretty clear that if we're going to open, we have to be prepared and we need to have the PPE in place. We were asked to utilize funding for 2 multilayer cloth masks for teachers and students, medical masks, and face shields for every staff member. The PED is saying that they can assist us with these products if needed, so we already reported to the PED where we're sitting with our PPE. They've made it known that they will come out and inspect our sites to ultimately see if we are prepared to have students and staff return. Any questions on the memo in particular? <u>Munoz:</u> Nothing on the Memo, but kind of what Melissa was saying. At this point, this is my opinion not the council's opinion, you're the expert as far as when you're going to be opening and closing the school. At the same time, you said you talked to the teachers and taken into account their feedback, I'm going trust you when you want to open and when you feel it is safe when the data looks like its in your favor to open up the school. <u>Jones:</u> Yeah, so I will share with you just some basic information. We called for an October 5th re-entry date. That date was our way to provide just additional days, weeks, and months to figure out how all of this virus was trending, what are the spread rates, and was it safe to return. We of course monitor the data, we're looking at public health and their reports, we're in the secretary's calls. I have some pretty significant concerns of my own which even the data as it is being released. You know you start to look at spread rate and the number of cases announced on a daily basis, but you also look at the testing protocols. And asymptomatic individuals are no longer being tested, you can imagine that there are a lot of hidden cases because when everyone and anyone was allowed to test for their own well-being the numbers were much higher. So now it seems like counties are doing better but, in my opinion, we really don't know that because we have a lot of asymptomatic people walking around. So, to be honest with you October 5th seems to be a good re-entry date. However, as I mentioned I personally as the Executive Director don't trust the data and I have some major concerns with re-entry at this time. We have flu season that is coming up and we don't know how flu season is going to unfold this year; as a non-public	
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	health expert, I'm pretty confused about the flu season. Really, we don't need to go through all of this, there is a lot of information in here. What it comes down to for me is this, do I trust that all staff will return, and the answer is no. Most importantly, do I trust that I, as the Head Administrator, can work with my Assistant Principal, members of our administrative team, and key staff members who help in a leadership capacity can ensure that staff, students, families, and all constituents are safe in our building and the answer to that is no. I don't trust that we are prepared for that right now. I think there is a lot that we still need to learn when it comes to contact tracing and protocols. I think there is a lack of clarity from PED regarding all of these guidance documents and what is a requirement and what isn't a requirement. So, I have some major concerns with a quick re-entry. Now the other side of that is this, I am the Head Administrator of the school, I am receiving a lot of complaints from families; I am experiencing firsthand how even staff struggle with technology. We have some staff members that struggle to use Gmail; we have staff members that are really just novice when it comes to the use of educational technology and if our staff doesn't know it then are students are going to benefit from the instruction. Even with extensive training or one-on-one support, we have a lot of uncomfortable staff members. Our students are not doing very well; I think we have some pocket of students especially those from affluent backgrounds and homes that do very well. I'll give you an example, my own kids are doing very well in this setting because we understand Google and educational software; I understand Chromebooks and I get it. But our families, in my opinion, are not equipped for this online learning. So we have the safety and well-being of our families and then we have the ultimate long-term consequences of what time away from in-person instruction will do. So with that in mind, my recommendation is this to the council, and ultimately it is up to you: I would like to wait and extend our re-entry date until November. I would like to push back our re-entry date not during this meeting but I would like to continue to monitor the data surrounding COVID and also monitor school's implementation of re-entry and in-person instruction such as MAS and other private schools. I want to see how their schools are responding to these positive cases and the protocols their using. I would like to reach out to colleagues that are re-opening and see if I can reach a comfort level that allows me as the Head Administrator to say "yeah, it's green light time; let's bring the kids back." No one wants these kids back more than I do; I mean honestly, I love to be at work. I love structure and I think our kids need it. We are really struggling in the online learning platform; however, it isn't going to help us to bring kids back right now if we're going to have to close in two days. I think it's really disruptive. So, my recommendation to the council is that we keep the October 5th with expectation to return later, I would say a November re-entry date would be more realistic. The reason I say that is because we don't know what flu season is going to look like. If we extend it until November, it gives us the opportunity to look at flu season for what it is, to look at COVID and the spread rate, and then make a determination as to should we go ahead finish out the semester online and then come back in January. The reality is COVID isn't going anywhere and when we return in January, if that's the decision the council makes, we're going to run into the same problems. From what I read, normalcy will not come back until November 2021 and that is when things will get back to what we know to be normal when it comes to schooling and dining in public. So, we're going to battle this all along, so let's extend this online learning and give our students and staff an opportunity to learn it a little further to see if we can really hone in on the problems of practice we're having. Then we'll make a determination on a monthly basis when we'll return but right now, I'm thinking November is a more realistic date. <u>Trujeque</u>: I can definitely try to keep you updated as far as how it goes with MAS. I kind of have a different opinion of that but I guess we can all talk about that. My daughter is going back to school next week. I have two children who do two different things on a daily basis; honestly, my son does fine online, and my daughter doesn't. to me, I would rather her be in school in-person but I'm her parent and that is my own opinion. <u>Jones</u>: Absolutely. I agree with you and actually believe that there should be some balance achieved. We have some staff that are eager to return as well and that is the sad part for me. Being kind of caught in the middle as the Head Administrator is a lonely place, I'll tell you that much. I'll tell you that I would like to offer in-person for some students. I think it is about time some students come back; we have staff members that are ready and they want to come back as well because they know that is the most effective way for teaching and learning to take place. I will survey the staff again and I will work with Mr. Bryant in obtaining that information to see where they lie right now and what is there comfort level. The reason I proposed to extend the re-entry date is because I feel our students and staff are learning our systems, they aren't yet perfected, but I feel they are making strides in people understanding. That would allow us more time, so if I bring staff back now and their teaching ½ online and ½ in person its really going to bog them down with a lot of extra. I think we'll be a jack of all trades and expert of none to be honest with you. That is a challenging situation. However, I have staff that are ready to come back and I can work with those staff members as well as Mr. Bryant and present o you a plan in the interim to be considered say for next month in how do we bring back some students. I will keep you up to date in any developments and any staff members that are willing to make that extra effort; Because I know our kids need it. Members of the council, I stand for questions. I know this is a complex	
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	situation and I hate that you have to be in the middle of it as well. But it's important that we make this decision together. <u>Munoz:</u> So, you're recommending November for the students and teachers to go back to the classroom, if the data and spread rate is in decline. You said how many teachers wanted to do that vs the teachers that do not want to do that? <u>Jones:</u> At the beginning of this process, we had 50/50 at one point but it ended up being 60/40; we had 60% of staff wanting to come back and 40% not. I will tell you that apart of the 40% that did not have come to me and completely reversed their decision because they understand how difficult it is for students to learn online and how difficult it is for them. I do need to get that data for you and for myself to make a really thoughtful decision. I just don't feel think that right now is the time to bring our students back until we have some things in place and can look at the data a little further. However, I do believe there are students that need to come back immediately in a 5 to 1 setting and I also believe that would help us better pressure test our own systems, even the check-in and screening process. So whether that be special education, early childhood levels, and at-risk students. Depending on teacher availability, I would like to implement some level of programming for students that really need it. Mr. Bryant has done a great job organizing Rio Grande Educational Collaborative to provide daily supervision of students. When we do re-enter or even sooner, for those parents that work, they will have a place to take their kids and it will be something that resembles a school day. At this time, my recommendation is that we a) pushback our formal re-entry date until November or b) keep it is October 5th but continue to discuss the possibilities of re-entry for in-person learning as we review the data on a monthly basis. <u>Munoz:</u> So, at this point though even if we do vote for a November re-entry, you're still going to keep it open for integrating certain students back into the classroom, correct? <u>Jones:</u> And that is going to be dependent on staff availability and willingness. You know really it is up to Administration to make the decision as to when people come back. I don't want to fight the battle with staff that is reluctant to come back; I understand their concerns, I understand having a family at home, I get all of that. However, as administration we need to look at the benefit of all stakeholders involved and so I do believe a 5 to 1 for certain students or grade levels would be beneficial. I would like to implement something like that. We will work individually with staff members that were asking to return to provide some of this instruction. As Patty mentioned, there is a lot to it, and she will be there to support us. Mr. Bryant, myself, Diana, and of key members of our leadership team will come together and make that decision as to who do we bring back, who needs it the most, and then we will approach it with staff members and share that will the council at that time.	
Closed Session	<u>Baca:</u> I invite Chris Jones, Patty Matthews, and Kyle Hunt to the closed session. Time: 7:21pm	Brenda Baca called for a motion for ABA's Board of Education to convene in Executive Session Pursuant to the Open Meetings Act: NMSA 1978 § 10-15-1 (H)(8) for the Purpose of Discussing the Sale or Lease of Property; Meeting with the public body's attorney pertaining to threatened or pending litigation in which the public body is or may become a participant (10-15-1 (H)(7)). Julian Munoz motioned. Melissa Trujeque seconded. -Brenda Baca called for a vote. GC approved unanimously by a vote of 4-0; 0 opposed; 0 abstained
Reconvene to Open Session	<u>Baca:</u> Roll Call- states that all members agree that the matters discussed in the Executive Session were only limited to those specified in the agenda.	Reconvene to Open Session
Action as Necessary from Closed Session (Discussion/Action)	<u>Baca:</u> The board moves to give Chris Jones, Head Administrator, the authority to negotiate and execute an amendment to the existing lease with Earlier Learning Solutions Foundation, Inc. and to negotiate a lease payment not to exceed \$50,000/month.	GC approved what was discussed in closed session is approved. GC approved unanimously by a vote of 4-0; 0 opposed; 0 abstained
Head Administrator Updates	N/A	
Public Comment	N/A	
Announcement of Next GC Meeting	Next GC meeting: <u>Monday, September 28, 2020; 5:30 pm</u>	Brenda Baca asked for a motion to adjourn. Julian Munoz motioned. Melissa Trujeque seconded. -Brenda Baca called for a vote. GC approved unanimously by a vote of 4-0; 0 opposed; 0 abstained
Adjourn	Meeting was adjourned	