

Albuquerque Bilingual Academy
ABA GC Meeting Minutes for Virtual Meeting
Date: June 29, 2020

Board Members Present	Brenda Baca, Melissa Trujeque, Doris Cole, Julian Munoz, Jose Garcia	
Absent		
Others in Attendance	Chris Jones, Danielle Miranda, Kyle Hunt, Patty Matthews, Chris Glendening	
QUORUM	<u> X </u> YES NO	
Meeting called to order	Brenda Baca called the meeting to order at 5:31 pm & Roll Call by Melissa Trujeque	
Item	Discussion	Action/Recommendation
Approval of the Agenda	06/29/2020	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 5-0; 0 opposed; 0 abstained
Approval of Minutes	05/26/2020	Brenda Baca called for a motion to approve the 05/26 minutes. Julian Munoz motioned. Melissa Trujeque seconded. -Brenda Baca called for a vote. GC approved unanimously by a vote of 5-0; 0 opposed; 0 abstained
Consent Agenda		
Approval of BARs- preapproval during May 2020 meeting – maintenance	BARs for consideration: 0000-31-I 0000-32-I 0000-33-I 0000-34-I - Justification: \$3,883- To increase budget to match rental income. - Justification: \$742- To increase budget to match indirect costs booked in other programs. - Justification: \$627- To increase carryover in Activity Fund to match audit. Page 20 - Justification: \$1,225- to budget revenues received in activity fund.	Brenda Baca called for a motion to approve BARs 0031-I, 0032-I, 0033-I, & 0034-I. Melissa Trujeque motioned. Jose Garcia seconded. -Brenda Baca called for a vote. GC approved unanimously by a vote of 5-0; 0 opposed; 0 abstained
Special Issues (Discussion/Action)		
Budget Report Updates	<u>Hunt:</u> These are our budget Reports as of May 31st . Overall we've been receiving everything as expected and there haven't been any other issues. We did complete the Title III RFR, so we will be receiving money in there as well. Moving down to our Expenditure Reports, with it being May pretty much all of these are finalized. The encumbrances for any staffing and benefits, those are pretty close and those usually represent a full contract and there are some that represent hourly wages. But most of the encumbrances for our staffing are pretty final and they will materialize with a few exceptions being the K-5 Plus Program because it was discontinued for the summer. Overall, we do have proper budget authority in almost all of the functions and once those encumbrances become relieved then the budget will become positive again. The Operational Fund is only showing \$280,000 available positive, we did budget higher than that in FY21 Budget. But \$200,000 of these encumbrances are mainly related in POs and a lot of them will be fully materializing and our actual available balance will be much closer to our initial budget. As you can see, we pretty much utilized all of our other funds to the exact amounts that we could. We have proper budget compliance and did fairly well for the year. Here is our Bank Account Register Activity Report, we did have positive cash flow by a pretty significant amount, and we did receive in \$552,537.03 and only dispersed \$388,835.77. We did end the month with \$2.4 million in the bank with only \$8,130.17 in outstanding checks. On the Dashboard, shows our year to year differences and overall, very much the same. I have addressed that there were some changes in the state initiatives which kind of accounts for the differences between the Operational 1000 spending and the 27000 spending.	
FY20 Audit Updates	<u>Jones:</u> I just wanted to make the council aware that our next FY audit is coming up and the field work is scheduled to begin this summer. We will need to make sure our audit committee chair, Mr. Munoz, is directly involved in this entire process including the entrance and exit interviews but we will also need another member. We need to make sure we have the audit committee intact; I will work on recruiting some additional members. Diana and I will work with Kyle to get the records he needs. <u>Hunt:</u> I have technically begun sending listings and reports to CLA which is our auditors this year. Our tentative dates are the week of July 6th or the week of July 13th , but I haven't heard back on which date we were assigned. I also haven't seen them move on any of the reports I uploaded to the share file, so I am assuming it's going to be the week of July 13th . That is going to be a preliminary analysis and then the bulk of it will come in August and September.	
Education Plan Updates	<u>Jones:</u> I just wanted to make everyone aware that within NM Dash all of the required elements of the educational plan were submitted. We are working with PED on the revisions as they're requested. We have submitted everything on our end, so we are compliant. This is a new thing	

	for us, this educational plan was never apart of what we did before. We made our own plans and those things were included in our applications, but we really never had to articulate to the PED how they align with the PED goal areas which of course are aligned with the lawsuit Yazzie Martinez. But everything is in and I want to thank Kyle for his help.	
Approval of FY21 Contracts	a. Herrera Coaches – transportation <u>Jones:</u> This is just a Fleet Service Contract from Herrera Coaches; it is the company we used in the past. Unfortunately, we are tied to them because of the whole system that the state uses in purchasing school buses and they charge us a lease for using our own buses. I did receive the contract and it is above my threshold, so I did want to seek formal approval from the board. The most important part for the board to look at is the Compensation part. I want to point out that the entire amount for this contract is \$110,153 and yes, we do receive that award amount from the state. This amount includes two buses, four stops in the morning, and four stops in the afternoon for each bus. <u>Munoz:</u> Why do you have to stay with them? I don't feel comfortable voting for it, but I guess we have to because you won't have transportation. <u>Matthews:</u> The contract is from year to year and there is a way to get out of it. Particularly because Chris has raised issues that he is not happy with them, they are overcharging him, and they are forcing him to pay certain amount of money. I think it is worth looking at to figure out if the amount of money they are charging him is appropriate. We don't even know if you're going to need a bus. Do you even know if you're going to need a bus? Are your routes going to need to change because of COVID? There is a provision in this thing for you to terminate and why. <u>Jones:</u> We have expressed to Antonio that we have been very dissatisfied with our relationship; that is something we've documented over time. The issue that was posed before when I wanted to terminate the contract is that Antonio explained all the things that I would have to do on our own. We would have to have a hearing and I would need your representation because he made it seem like I was solely responsible for convincing them to sell the bus to APS and then APS would have to buy them. I think it is something worth pursuing. My concern now is that there is going to be new restrictions with social distancing. We will have to have 1 student per seat and if that is the case, we are cutting our ridership by 2/3 and be able to serve less students without flexibility in routes. It isn't as bad as making these huge payments for no reason because for 2-3 months we had no service. But I do want to share with you and board the response from Secretary Stewart because that very question was posed about anti donation. We were forced to continue to pay all of our contractors even if the service wasn't being rendered at the time. I will send that to you, and you can see his response and from the PED's attorney as well. <u>Munoz:</u> I think at this point we will give you your approval Chris, but we will add a condition for legal review that way it keeps your options open. <u>Jones:</u> The contract is due, and I will have to submit to the state. They are saying in order to have budget authority by July 1, everything needs to be submitted and approved at this point and time. Without that, there is a chance we may or may not have transportation services. I think yes, we should have legal review and should have further discussion. <u>Matthews:</u> If we have to have a contract in place by July 1, there is just no way; that is the day after tomorrow. You are not going to be able to renegotiate this contract by then. I want to be very clear that I am not asserting that anyone has done anything fraudulent, it is just a system that is not transparent. My larger concern is that now we are signing a contract, we've been told to sign a contract for services to be paid that will not be rendered and we know they won't be rendered or at least they won't be rendered in the way that they were intended to be rendered on the original contract. You've been forced to do that apparently by advice of the Department of Education. It is not appropriate to have to continue to pay particularly when you're having to pay more than you know you could go to the competitor which APS and get it for maybe half the price. That seems completely inappropriate to me. We can chat tomorrow really quickly Chris, it won't make much difference one way or another. But we should talk about how you hold them more accountable if you're having to pay this much money. For example, on salary and benefits, if you're going to pay that you need to have actual receipts. That is what we did with another contract, that is what Antonio told us to do, was to make sure that we got evidence that they were actually paying. Which is ridiculous for the schools to have to do but if they can't cough up evidence that they are actually paying salary and benefits to these people they you ought to not to pay that at least that portion of the contract.	Brenda Baca called for a motion to approve the Herrera Coaches – transportation Contract conditioned that if needed, Chris can seek legal review if possible. Julian Munoz motioned. Melissa Trujeque seconded. -Brenda Baca called for a vote. GC approved unanimously by a vote of 5-0; 0 opposed; 0 abstained
ABA Re-entry Plan Updates	<u>Jones:</u> Last week, through the media I learned of the re-entry plan that was developed by the PED and a small task force. It was shared with the media prior to being shared with administrators and charter school leaders, so we really had no input. What it is calling for is a hybrid model of education that is to be consisted throughout the state. The Hybrid model calls for Group A of students to come Monday & Tuesday and closed on Wednesday for deep cleaning and group B of students would come Thursday & Friday. We would be at 50% of capacity in classrooms; in our case, that can be anywhere from 8-10 students. We are already in somewhat of a bind considering that we have on average of about 22-24 students per classroom. It's based on square footage and floor space; it's not based on enrollment size or classroom	

	sizes. So, you have to identify the max capacity based on the 6 ft social distancing requirement and so that is where we are with that. These plans also require that teachers and educators have to coordinate their own COVID testing bi-weekly. They are also required to wear masks throughout the entire school day along with the students. We at this point are trying to get a lot of questions answered by the PED but many of those questions have not been answered. The days the students are not at school, they will be at home learning online. The new requirement is for teachers to teach both in-person and online; they would have to prepare both sets of curriculum and lesson plans and prepare for implementation. The concerning and larger issue here is teachers. One of the problematic pieces to this challenging plan that was just offered to the general public is that we have a lot of teachers with underlying issues. They said if a teacher has an underlying health condition there's going to be a certain form or some documentation that can be provided by their physician that can exempt them from coming into the workplace. This means that we will be paying for substitute teachers while also paying for the teacher to teach online from home; this will happen simultaneously. Also, there's daily screenings for staff and students. During screenings, any teacher that has a temperature of 100.4 or above will be sent home. Those things are problematic and challenging because if students are expected to come and we have to send a teacher home in the morning, that means that those students would be left unsupervised. We right now are in a very tough situation due to some of the logistical challenges that surround re-entry. Not only masks for students on a full day basis, we have a hard time with student's cleanliness, we have a hard time with student's touching one another. The expectation for kinder and 1st grade students to wear a mask for 6.5 hours a day without touching one another or losing their masks, those things for us seems a little unrealistic. It also seems unrealistic for me to require teachers to wear masks for 8 hours a day. We cannot just call on a substitute to come in fill in for a teacher that was sent home 5 minutes ago because their temperature was too high. We also, budget wise would not be able to sustain a model in which we would have 7-8 staff members at home because underlying conditions that they had or members of their household had and also be able to pay substitutes simultaneously. The other concerns brought up were illness and if teachers were to contract COVID and require treatment, who would be held responsible for making those payments. They said that further guidance would be release by NMPSIA and NMPSIA may or may not be able to cover the costs of treatments due to contracting COVID-19. Extended periods of time on leave due to illness or to family illness if that disease is transmitted from school to home is a concern of mine. Most concerning for me is care for teachers. We already know that their raises were taken away. It's hard for me to have a discussion with staff about them being required to return back to the classroom and kind of serve in a sense of martyrdom. I know for a fact we're in this profession and this profession is something that we chose. But I think the difference here is our teachers are being talked about and treated as if they are childcare workers in a afterschool program when in fact they are credentialed individuals who have gone to school and earned degrees, taken assessments and have earned the right to become teachers. So we have a shortage in NM and isn't that I don't want to return and it isn't that teachers don't want to return. The logistics behind employing enough teachers to educate our students in a hybrid model for me is the larger concern. Not to mention, we're going to have variances and fluctuations in enrollment because students will be moving from school to school based exactly on what parents are looking for or what they perceive to be happening. So, we're going have issues with enrollment. The PED has not given us any information about a safe harbor when it comes to enrollment, ensuring that our funding is secure and that we aren't going to end up in the red and face some negative repercussions in the future. I'm skeptical of the plan. I am very concerned about implementation of the hybrid model for the sake of teachers and the long term for budget and finance is questionable as well. Considering we have a lot more to do and we have to pay a lot more and as we know funding is being cut, not as much as we predicted but it still has been cut. I wanted to share that with you and that is just my own narrative and my own perception of what is happening. The plan is available online and I can email it to you as well. I want to share with you our staff re-entry because our school depends on staff and the teachers. If they are comfortable coming back, then we can have a school year. What APS is facing right now is teachers saying they'll take the year off without pay, others are retiring, and leaving the professions because it is a scary thing. I feel like PED and the Governor are talking about how dangerous this is but then also saying let's send your kids back into an enclosed room and allow them to fend for themselves and then we'll shut schools down later if have to. So, I am struggling with it and I am going to do my very best that is for sure. But I wanted to let you know where we sit when it comes to re-entry and that's going to depend on how parents fell and how staff feels. So, I want to begin by sharing with the staff re-entry survey; we only have 11 responses because it was just sent out today. But I wanted to give you an idea of what that looks like in where our staff is coming from. On the question if staff wants to come back not if they will come back: we have 54% of staff who prefer to teach online- that tells me that they are skeptical about returning for their own health. We have 45% of staff who want to come back. We had a lot of different concerns that were voiced, and they include: the safety of family at home, testing, concerns about students and masks, social distancing. Let me make it very clear that I am not a huge advocate of 100% online learning; I was one of the principals at NM	
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	Connections Academy which is a successful online program. But for me personally, I would not want my own daughters enrolled in a 100% online school. It isn't about my preference, it's more about the logistics, funding, and the safety and wellbeing of families, students, and staff that has been most concerning about this re-entry plan. On the question about teachers being tested: we have 27% of teachers saying they are not willing to get tested- right now the average for testing is hours long and if they can't get tested then they are unable to come on campus until those results are provided which puts us in another situation. On the question about wearing a mask: we have most staff members saying they will wear a mask. The concern from staff that was presented is that students will not be able to clearly understand you with a mask on. There are masks that we can provide that have a clear film so you can see the mouth movement when teaching. But PPE is going to be an issue when purchasing these things as well as shields. One of the bigger pictures that I am going to share with you now is how parents feel. The majority of parents weren't huge fans of the continuous learning that occurred after closure in March. When asked about preference for the 20-21 SY, 42% of parents prefer online learning and 34.8% of parents don't feel safe sending their students back to school. When you look at that out of an enrollment of 400 students, you already see where we could be in a predicament when it comes to enrollment and funding. PED says in order for student to count, they have to be present during the face-to-face days and there has to be a method for tracking attendance. We're trying to get that question answered as far as if there is flexibility of students not coming back to school and learning online solely. The initial response from PED was no but we're still awaiting that final written response. We have only 44% of families that will require technology, so we've purchased Chromebooks that can be checked out to families. We have 16.9% of families saying that they will need internet service, so Ms. Baca and I have worked with T-Mobile. We're proposing a contract with them to purchase 100 hotspots; we will have a monthly service fee of \$2,000 for those hotspots and that will provide internet for those families and staff members if needed. We have 20% of families saying that they are going to require transportation for the in-person learning. We then have 46% of families that have more than one kid at our school and would need for their schedules to be the same. That's going to be somewhat of a scheduling nightmare for Ms. Miranda; we're going to have to coordinate a team to see how we make something like this work. In summary, I am excited to get all kids back in school when it's safe and when the logistics and funding issues have subsided. I really am excited to see the kids; I want to get back to a normal life. But I don't think we are fully prepared as a school and a state to return to school in any capacity because the simple idea of students keeping a mask on for 6.5 hours/day for me is unfathomable. We're going to do the best we can. Ultimately, my decision for our model is going to be based on the comfort level of families and our staff. I haven't put together a concrete plan yet because I am awaiting these responses and as soon as these surveys close then I can start to really put into concrete terms what our school year will look like. Of course, we're going to have to await to see what the trend is with COVID.	
ABA Charter Renewal Updates	<u>Jones:</u> I just wanted to give you a quick update and let everyone know that a week ago they had a PEC meeting. At that time, they did fully approve our new charter contract and so we have a fully executed charter contract. I need to forward to Ms. Patty this contract copy that was sent to me this morning by Ms. Karen Warner from the Options for Children Department; the email did indicate that we need to take a look at it and I'll send it to the entire board as well. But most importantly, she asked that we get it reviewed by our legal representation which is Patty to ensure that there aren't things that are missing or certain items that we don't agree with. So ill get that sent over but congratulations to all of you guys and to our staff and families, we did get a five-year term-a full term, so we climbed out of the fire and ashes. We still do have a lot of work to do ahead of us and a lot of good and positive work for the sake of our families. Congratulations to you guys, I want to thank you all for all of our help; we couldn't have gotten this far without you guys and without your leadership. Thank you for your support. I'm excited we have a new life, now we just have to get passed these challenging times.	
Closed Session	<u>Baca:</u> I invite Chris Jones, Patty Matthews, and Chris Glendening to the closed session. Time: 6:39pm	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; NMSA 1978 § 10-15-1 (H)(2) for the Purpose of Discussing Confidential Personnel Matter Re: Head Administrator Contract. Julian Munoz motioned. Melissa Trujeque seconded. -Brenda Baca called for a vote. GC approved unanimously by a vote of 5-0; 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> : Mr. Jones salary will be adjusted to \$112,000 at a .80 FTE with potential for bonus at 80 th day.	GC approved what was discussed in closed session is approved. GC approved unanimously by a vote of 5-0; 0 opposed; 0 abstained
Head Administrator Updates	N/A	
Public Comment	N/A	
Announcement of Next GC Meeting	Next GC meeting: <u>Monday, July 27, 2020; 5:30 pm</u>	Brenda Baca asked for a motion to adjourn. Julian Munoz motioned. Melissa Trujeque seconded.
Adjourn	Meeting was adjourned at 7:35pm	-Brenda Baca called for a vote. GC approved unanimously by a vote of 5-0; 0 opposed; 0 abstained