

**LOS LUNAS SCHOOLS BOARD OF EDUCATION  
SPECIAL MEETING  
NOVEMBER 14, 2023**

**1. CALL TO ORDER**

Ms. Garcia called the Los Lunas Schools Board of Education special meeting to order at 5:00 pm and welcomed those who were participating in the board meeting in person and those who were watching the board meeting via livestream on YouTube. She asked that anyone addressing the Board to use the microphone at the podium and to be sure to identify themselves for the record. Ms. Garcia added that, as a reminder, the link to the meeting was on the District's webpage, under the Board of Education page. She stated that the streaming would run through the end of the meeting. In the event there was a disruption in the audio portion, she would pause the meeting until it was reestablished.

**LLS BOE Members Present:**

Tina Garcia, President

P. David Vickers, Vice President

Bruce Bennett, Secretary

Bryan C. Smith, Member

Eloy Giron, Member

**Administrators Present:**

Dr. Ryan Kettler, Superintendent

Susan Chavez, Chief Student Services Officer

Andrew Saiz, Chief Personnel Officer

Sandy Traczyk, Chief Finance Officer

Michelle Romero, Dir. of Purchasing

**Others Present:**

Roxie De Santiago, Esq. Walsh/Gallegos

Felina Martinez, Valencia County News Bulletin

Approximately 15 additional individuals were in attendance

A range of 11-17 individuals watched via live streaming.

2. **ANNOUNCEMENT OF MEETING**

Ms. Garcia asked Dr. Kettler to announce the meeting. Dr. Kettler reported the meeting had been announced in accordance with the LLS Open Meetings Resolution, and, was a legally constituted meeting of the Los Lunas Schools Board of Education.

3. **PLEDGE OF ALLEGIANCE**

Community Member, Dr. David Gardner, was asked to lead the audience in the Pledge.

4. **APPROVAL OF AGENDA**

Ms. Garcia asked Dr. Kettler if there were any changes or deletions to the agenda. There being none, and no changes requested from the board members, Ms. Garcia called for a motion.

**Mr. Smith moved, and Mr. Bennett seconded, to approve the agenda as presented.**

Ms. Garcia asked if there was any discussion.

There being none, **Ms. Garcia called for a vote with the following results: Eloy Giron – yes; P. David Vickers – yes; Bruce Bennett – yes; Bryan C. Smith – yes; and Tina Garcia – yes. The motion to approve the agenda passed: 5/0.**

5. **PUBLIC COMMENT**

*(In Accordance with Board Policy B-2150 Public Address to the Board)*

Ms. Garcia asked if there were any requests for public comment. Dr. Kettler responded that they had received four requests to address the Board that evening.

Ms. Garcia stated that those who had requested to address the board that night were Ms. Heather Rindels, David Gardner, John Brenna, and Renae Garcia. She would give them each five minutes to speak. She asked them to come to the podium to use the microphone and to identify themselves for the record. She noted that the five-minute timer would be on the screen.

5. **PUBLIC COMMENT**

*(In Accordance with Board Policy B-2150 Public Address to the Board) (Continued)*

Heather Rindels

Ms. Rindels stated she was offering public comment regarding Policies A-0350 and A-0400.

She said that for the public's benefit. A-0350 states: **Neither a public body nor a person or entity**

**acting on behalf of or in the scope of a public body shall discriminate against or interfere with a person's rights or ability to access or provide reproductive or gender affirming healthcare within a recognized medical standard of care.**

In addition, A-0400 states: **The New Mexico Human Right Act provides that a governmental entity) which includes local school boards) may not refuse or otherwise limit or place conditions on services provided to a person because of gender or gender identity (among other listed conditions).**

As a parent, Ms. Rindels stated that she would like to know how those policies were being interpreted. Did the word 'person' refer to students and adults? Did they mean that if a boy felt like a girl, he would be able to go to the girls' restroom or locker room? Or play on the girls' soccer team? They already had menstrual product dispensers in at least one male restroom at each school site, so that had to mean that they were expecting girls to use the boys restroom because they all knew that boys did not menstruate. The District could not even monitor all the stuff that happened in the restrooms as it was! Did that mean that students and staff were going to be required to use whatever pronouns a 'person' wanted them to use on any given day because of the lie that gender was fluid? How could they expect teachers to actually teach while having to deal with all of that? In regard to reproductive healthcare, were they going to start handing out condoms and birth control because a person 'felt' like they wanted to have sex? If a female student found herself pregnant and wanted an abortion, was the district required to help her with those resources without notifying her parents? Where was the language that included parental rights?

**5. PUBLIC COMMENT**  
***(In Accordance with Board Policy B-2150 Public Address to the Board) (Continued)***

Heather Rindels (Cont.)

In her opinion, the school district was no place to be addressing those issues, and just because something was legal, didn't mean it was ethical. Those laws introduced by the State of New Mexico were all based on an emotional response to a big social experiment with not one shred of medical evidence to back it up. In addition, their First Amendment right protected them from compelled speech. Those decisions were between children and their parents. The school was not a medical institution, but an educational one. Furthermore, their children did not belong to the State or School District.

In those policies they were not addressing physical disabilities; they were addressing “FEELINGS” which could be deceitful. Kids felt like they wanted Cocoa Pebbles for every meal... Alcoholics felt like they wanted needed another drink. Drug addicts feel like they wanted another high. Serial killers felt like they needed another kill. Mass murderers felt like they needed to shoot up a school.

Where did they draw the line? They could not have an environment conducive to learning while perpetuating confusion and chaos.

Ms. Rindels stated that if they truly cared about kids, they were going to tell them the truth instead of what they wanted to hear. They could refer adults and students to resources that could give them the care that they sought but those issues should not be handled in the classroom or on public school campuses. Her hope was that this Board would carefully consider the ramifications those policies would have on our district and would take a stand for truth and not cave to the narrative of the day. She then thanked them for their time.

Ms. Rindels submitted her comments to be included in the board minute book.

**5. PUBLIC COMMENT**  
***(In Accordance with Board Policy B-2150 Public Address to the Board) (Cont.)***

David R. Gardner, PhD

Dr. Gardner identified himself and stated that he had gotten to know a number of them over the last couple of months. He was there to talk about the policy entitled “Nondiscrimination related to reproductive or Gender Affirming Health Care.

He stated that it was just read so he would not read it yet again. He was there to ask them to amend the policy to include parental notification. Being an engineer, he liked solutions, so he brought one. He offered a proposed amendment that he hoped would work: *“A student’s, parent or guardian shall be notified when any reproductive or gender-affirming health care services are provided to their student.”*

Dr. Gardner stated that they, as a Board, had long recognized the importance of the involvement of parents and guardians in the education of their children. In fact, the Board had actively encouraged that involvement. Their emphasis was expressed throughout the Los Lunas School District Policy Manual. It started in Section A, the District Mission and Belief Statement. An entire section of the

policy manual, School/Community Relations, dealt extensively with parental involvement in the schools. Section J, Student Policies, included many situations requiring the notification or approval of a parent or guardian regarding their student. For example, participation in interscholastic sports or the administration of medications by a school.

The Board was to be commended for their strong emphasis on parental involvement. The emphasis coincided with legal precedent. There was a long-standing and settled presumption that parents acted in the best interest of their children. For nearly a century, the US Supreme Court had consistently recognized the traditional role of parents in the care and upbringing of their children. There was a particular example in Wisconsin where the Supreme Court emphasized that those rules had established beyond debate as an enduring American tradition. Sadly, in some cases, parents did not fulfill their role very well, but this didn't negate the legal presumption.

**5. PUBLIC COMMENT**

***(In Accordance with Board Policy B-2150 Public Address to the Board) (Cont.)***

David R. Gardner, PhD

He said the proposed policy prohibited interference with a parent's right to access certain types of care. Did notifying a parent or parent or guardian negate those rights? The legal presumption was that parents acted in the best interest of their children. Shouldn't they do the same?

There was no conflict between the policy as proposed and including parental notification. He asked them to do so today.

Dr. Gardner thanked them and submitted his comments to be included in the board minute book.

John Brenna, Jr.

Mr. Brenna introduced himself. He added that he lived in the village of Los Lunas. He wished them all a good evening, and thanked them for the opportunity.

He said his speech was in reference to policy HB 7 and HB 207. He said he stood before them as father and a grandfather. The issue was not a partisan issue by any means. The situation affected the health and safety of our children. Any policy that removed the ability of parents to interact with their children in making life-changing decisions was misguided and inherently dangerous, and the Republican Party of Valencia County disagreed with any policy that created that situation.

They fully supported the school board in any endeavor that supported our children's health and safety and allowed parents to be involved with any issues, including transgender and abortion situations, which were brought to the school's attention.

They were opposed to those which forced children of different sexes to share restrooms, locker rooms and shower facilities.

Mr. Brenna thanked the board members for their consideration. He thanked them for all they did, and said he appreciated it.

## **5. PUBLIC COMMENT**

*(In Accordance with Board Policy B-2150 Public Address to the Board) (Cont.)*

Renee Garcia

Ms. Garcia thanked the board members for the opportunity to speak about the previous agenda items. She said she had a kindergartner who had a lot of years in the Los Lunas Public School System and it was her desire for him to be able to come to her with any questions about anything. She very much hoped that the school system that they had in place, one that he would be attending for the next 12 years, was that any questions he went to see teachers, librarians, or anyone else would talk to his parents about any questions that he might have growing up. There was a lot going on in this world, and to not have that parental involvement, she thought, would be devastating to her child and to the other children in her community.

Ms. Garcia said they were not setting the children up for success. They were definitely setting them up for failure if they were not involving the whole family unit. It was her hope that with this gender affirming care that, yes, they were abiding by the law and taking care of our students to the best of the school board's ability, but that they were also involving the people who loved these children and were doing their best to raise them to be good citizens of this awesome, wonderful county that she herself had grown up.

She stated that also, her fear was for the other topic, which was to have a combined COED restroom where they would have physically separate genders using a single restroom. The issues that would cause would present themselves. Kids were not always so nice and in a locker room where there was a lack of adult involvement in the acts that may happen to a child that were not of the same physical

sex. It might not be her child that perpetrated the act, but he would be witness to it and be traumatized by it. That was not something she wished on him or any other child in our community or anywhere.

Her hope was that they could find a resolution to take care of the individuals hurting physically, mentally, and emotionally and had questions about themselves and their development. She prayed that they could take care of them in a special way while still taking care of our children who needed to be cuddled just as much, and to be protected going forward, while they were navigating this crisis of identity. She thanked the Board for their time.

**6. PRESENTATION REGARDING NEW WEBSITE: Susan D. Chavez and Sidney Olivas**

Ms. Garcia stated that took them to Item #6. and a presentation regarding the new web site. She invited Ms. Chavez and Ms. Olivas up to talk about the web site.

Ms. Chavez thanked the board members and Dr. Kettler for the opportunity to talk to them about the District's new website that would be launched on Friday. She thanked Sidney, the District Media Specialist and Mike Good, Director of Network Operations for all the work they had done, as well as, Michelle and Heather for all their contracting work.

She explained that it had been a rigorous, yearlong endeavor that included weekly meetings to determine the best way to tell the District's story. They wanted to showcase our students and staff, showcase the Jaguar, Tiger, and Centurion nations, and ensure that the web site was user friendly.

They then projected the web site on the screen and showed the board members and audience a preview of the new website, inclusive of the how to navigate through the various links, features such as the calendar, translation piece, as well as, many other features that had been customized for our District.

Discussion ensued during which the board members were given information on some of the background and upcoming pieces to be included on the web site, including inclusion of alumni, and using students as the web site continued to be developed.

Ms. Chavez explained that they began this phase in June, and because they were on a short timeline, and all the things that they had to take into consideration, inclusive of meeting ADA requirements, it was hard to get students involved, but they would become involved once it was released to the school sites.

The board members individually commended Ms. Chavez, Ms. Olivas, Mr. Good and all who helped with the new web site for all their hard work that would result in one of the best websites, not only in the state, but nationally. The web site was beautiful and one that could win competitions.

Ms. Garcia stated that the item was for information purposes only; no action was needed or warranted.

Ms. Garcia stated that took them to Item #7. There were two policies that had not been finalized at the previous meeting so that member Smith could give input. She noted that still remaining from the September 12<sup>th</sup> and October 10<sup>th</sup> meetings were the following policies under #7.

**7. DISCUSSION AND ACTION TO AMEND POLICIES  
(As Discussed at the Sept. 12, & Oct. 10, 2023 Board Meeting)**

**A. Section E. Support Services**

**i. E-3900 / Copyright Compliance**

Ms. Garcia stated that at the last policy meeting Policy E-3900, was held until this meeting so that Member Smith could give input.

Ms. De Santiago noted that she had changed the notation in the policy to reflect that it was a registered trademark not a copyright, and discussed the differences between the two. She noted that Los Lunas Schools was granted the trademark status in June 2019.

Discussion ensued regarding the policy, the trademark, during which Mr. Smith said he didn't understand why they had gotten a trademark, and noted that as it had to be renewed every five to six years, so at that time the Board could decide if it was necessary.

**Mr. Vickers moved, and Mr. Bennett seconded, to approve Item # 7. A. i. Approval of Section E. Support Services / E-3900 / Copyright Compliance 3900 as discussed and amended.**



Ms. Garcia asked if there was any discussion. There being none, **Ms. Garcia called for a vote with the following results: Eloy Giron – yes; P. David Vickers – yes; Bruce Bennett – yes; Bryan C. Smith – yes; and Tina Garcia – yes. The motion to approve Policy E-3900 as amended, passed: 5/0.**

**7. DISCUSSION AND ACTION TO AMEND POLICIES  
(As Discussed at the Sept. 12, & Oct. 10, 2023 Board Meeting) (Continued)**

**A. Section E. Support Services**

**ii. E-4250 / Use of Technology in Office Services**

Dr. Kettler said that there had been no adjustments or changes to the policy since the last meeting on October 10. If this policy is approved with the current language, the district will need to purchase software for removing text messages from District issued phones in order to comply with IPRA requests as the only way to do so would be to take screen shots. He noted that the length of time which phones were set to store text messages would be established by himself through regulation.

Discussion ensued, with input from legal counsel, on the retention and retrieval of text messages and emails, inclusive of software that might be purchased, protocols, and timeframes, that fell under the Superintendent. If the new Board felt more information was needed, that was something they could look at.

**Mr. Smith moved, and Mr. Giron seconded, to approve Policy E 4250 as discussed and amended.**

Ms. Garcia asked if there was any discussion. There being none, **Ms. Garcia called for a vote with the following results: Eloy Giron – yes; P. David Vickers – yes; Bruce Bennett – yes; Bryan C. Smith – yes; and Tina Garcia – yes. The motion to approve Policy E 4250 as discussed and amended passed: 5/0.**

**7. DISCUSSION AND ACTION TO AMEND POLICIES  
(As Discussed at the Sept. 12, & Oct. 10, 2023 Board Meeting) (Continued)**

**B. Section G. Personnel**

Dr. Kettler stated that there were no additional recommendations from public comment or from staff on this policy. Counsel had corrected language in this policy to ensure no employee group was excluded from the policy, which was discussed at the last policy meeting.

He stated the following were recommendations from public and staff input, which might be considered by the Board:

G-0650, Staff Ethics                      Add at the top of the policy “It is the policy of the Los Lunas School Board that the district’s employees be committed to the highest standards of ethical behavior. Specifically, the following Statement of Ethics for School employees.”

G-0750, Staff Conduct                      Add at the top of the policy “It is the policy of the Los Lunas School Board that the district’s staff be committed to the highest standards of ethical conduct. Specifically, the following Statement of Standards of Professional Conduct.”

G-0750    Add at the top of the policy “It is the policy of the Los Lunas School Board that the district’s staff be committed to the highest standards of ethical conduct. Specifically, the following Statement of Standards of Professional Conduct.”

When asked, Dr. Kettler said that he had no issue adding them to the policy.

Ms. De Santiago stated that she had three other changes to suggest because she went back and checked to make sure no repeal section of law was included. There were three, and she suggested they remove them as follows: 2210A 33 and Policy G 1400 referred to 2210834 and that section was repealed in the last one is in Section G 2600 and that referred to Section 50-4-2, and that entire domestic abuse act had been replaced by a complete new act, which was now 50-4A-1, and they would replace that with the correct section.

**7. DISCUSSION AND ACTION TO AMEND POLICIES  
(As Discussed at the Sept. 12, & Oct. 10, 2023 Board Meeting) (Continued)**

**B. Section G. Personnel (Continued)**

**Mr. Giron moved, and Mr. Smith seconded, to approve Section G with the amendments as discussed to include the suggested revisions and the repealed sections.**

Ms. Garcia asked if there was any discussion. There being none, **Ms. Garcia called for a vote with the following results: Eloy Giron – yes; P. David Vickers – yes; Bruce Bennett – yes; Bryan C. Smith – yes; and Tina Garcia – yes. The motion to approve Section G as amended passed: 5/0.**

**8. DISCUSSION AND ACTION TO AMEND POLICIES  
(As Discussed at the Oct. 10, 2023 Board Meeting)**

- A. NMSBA Policy Advisory Updates from 22-23 Legislative Session**
- i. Section A. Foundations and Basic Commitments**
    - a. Policy Service Advisory 233 (NEW) A-0350 / ACB Nondiscrimination Related to Reproductive or Gender Affirming Health Care**

Dr. Kettler stated that the advisory updates were originally proposed language from the policy service creating a new policy based on House Bill 7 which passed the Legislature in 2023 and was signed by the Governor. In speaking with Joe Guillen, the Board really had three options:

1. Adopt the new policy as written by the policy service.
2. Adopt the new policy with revisions. There were two (2) options currently with revisions.
3. Take no action on this policy. Should no action be taken, there will be no new policy added to our policy manual. According to Joe Guillen, approximately 10 school districts using the policy service have elected to not adopt this new policy at this time. Should this policy not be adopted and added to the policy manual, LLS is still bound by the current law.

**8. DISCUSSION AND ACTION TO AMEND POLICIES  
(As Discussed at the Oct. 10, 2023 Board Meeting) (Continued)**

Mr. Smith led a brief discussion during which he asked if they could do one motion for Section A. Counsel explained that because of the way it was listed on the agenda, that it would require separate action.

- A. NMSBA Policy Advisory Updates from 22-23 Legislative Session**
- i. Section A. Foundations and Basic Commitments**
    - a. Policy Service Advisory 233 (NEW) A-0350 / ACB Nondiscrimination Related to Reproductive or Gender Affirming Health Care**

Dr. Kettler reported that there had been considerable public comment on the potential new policies. Comments ranged from “no” to “School authority overreach” to “parents’ rights must come first” and “I am opposed to schools failing to notify parents of significant life issues”. He understood the concerns brought before them.

Extensive discussion ensued regarding the proposed advisories, during which Dr Kettler and Ms. De Santiago explained that the District did not have health centers at their sites, but that students would not be treated differently if they were receiving such care. It was noted that regardless if they added the advisories or not , the District was bound to follow the law, and that would be to not discriminate.

**Mr. Smith moved, and Mr. Giron seconded, to NOT approve the addition of Item #8 A. i. a. NMSBA Policy Advisory Updates from 22-23 Legislative Session Foundations and Basic Commitments - Policy Service Advisory 233 (NEW) A-0350 / ACB Nondiscrimination Related to Reproductive or Gender Affirming Health Care to the policy handbook.**

Ms. Garcia asked if there was any discussion.

There being none, **Ms. Garcia called for a vote with the following results: Eloy Giron – yes; P. David Vickers – yes; Bruce Bennett – yes; Bryan C. Smith – yes; and Tina Garcia – yes. The motion to NOT add Advisory 233 to the handbook passed: 5/0.**

**8. DISCUSSION AND ACTION TO AMEND POLICIES (As Discussed at the Oct. 10, 2023 Board Meeting)**

- A. NMSBA Policy Advisory Updates from 22-23 Legislative Session (Continued**
- i. Section A. Foundations and Basic Commitments**
  - b. Policy Service Advisory 234 (NEW) A-0400 / ACBB Human Rights Act Protection Gender or Gender Identity**

Discussion ensued, with input from legal counsel, on the proposed item regarding NMSBA Advisory 234. The matter was in the Supreme Court at this time. Discussion ensued during which the board members regarding the advisory and whether it would be better to wait until the Supreme Court had made a decision before passing it, at which time it could be brought back before the Board if they so chose to do so.

**Mr. Smith moved, and Mr. Giron seconded, to NOT approve the addition of Item #8**

**A. i. b. NMSBA Policy Advisory Updates from 22-23 Legislative Session - Foundations and Basic Commitments - Policy Service Advisory 234 (NEW) A-0400 / ACBB Human Rights Act Protection Gender or Gender Identity the policy to be included in the policy handbook.**

There being none, **Ms. Garcia called for a vote with the following results: Eloy Giron – yes; P. David Vickers – yes; Bruce Bennett – no; Bryan C. Smith – yes; and Tina Garcia – no. The motion to NOT add the Advisory 234 to district policy book passed: 3/2.**

**8. DISCUSSION AND ACTION TO AMEND POLICIES (As Discussed at the Oct. 10, 2023 Board Meeting)**

**A. NMSBA Policy Advisory Updates from 22-23 Legislative Session (Continued)**

**ii. Section B. School Board Governance and Operations**

**a. Policy Service Advisory 235 (New) B-0025 / B School Board Elections/Holiday**

Dr. Kettler reported that Policy B-0025, School Board Elections School Holiday was the original proposed language from the policy service creating a new policy based on House Bill 4. It made numerous updates and changes to the Election Code, including making every general and regular local election a school holiday. Should the policy not be adopted and added to the policy manual, LLS was still bound by the current law and they would not have school on election day.

**Mr. Smith moved, and Mr. Bennett seconded, to approve Item 8. A. ii. a. NMSBA Policy Service - Policy Service Advisory 235 (New) B-0025 / B School Board Elections/Holiday as presented.**

Ms. Garcia asked if there was any discussion. There being none, **Ms. Garcia called for a vote with the following results: Eloy Giron – yes; P. David Vickers – yes; Bruce Bennett – yes; Bryan C. Smith – yes; and Tina Garcia – yes. The motion to approve NMSBA Advisory 235 passed: 5/0.**

**8. DISCUSSION AND ACTION TO AMEND POLICIES (As Discussed at the Oct. 10, 2023**

**Board Meeting)**

**A. NMSBA Policy Advisory Updates from 22-23 Legislative Session (Continued)**

**iii. Section E. Support Services**

**a. Policy Service Advisory 236 (Amended) E-3100 / EF Food Services**

Dr. Kettler stated that this was the originally proposed language from the policy service amending existing policy based on Senate Bill 4. It changed the name of the original act to the Healthy Hunger-Free Students' Bill Of Rights Act and amended the act to ensure free, healthy school meals for all students and prescribes duties of school districts and public education department.

A brief discussion ensued, with input from legal counsel, regarding the advisory.

**Mr. Bennett moved, and Mr. Smith seconded, to approve Item 8. A. iii. a. NMSBA Policy Service Policy Service Advisory 236 (Amended) E-3100 / EF Food Services as presented.**

Ms. Garcia asked if there was any discussion. There being none, **Ms. Garcia called for a vote with the following results: Eloy Giron – yes; P. David Vickers – yes; Bruce Bennett – yes; Bryan C. Smith – yes; and Tina Garcia – yes. The motion to approve Advisory 236 passed: 5/0.**

**8. DISCUSSION AND ACTION TO AMEND POLICIES  
(As Discussed at the Oct. 10, 2023 Board Meeting) (Continued)**

**A. NMSBA Policy Advisory Updates from 22-23 Legislative Session (Continued)**

**iv. Section J. Students**

**a. Policy Service Advisory 237 (Amended) J-1050 / JFB Open Enrollment**

Dr. Kettler reported that this was the originally proposed language from the policy service amending existing policy based on Senate Bill 120. It clarified provisions for military families who anticipated moving to any attendance area, and allowed a student to enroll in schools in that attendance area prior to establishing a residence. This language had been added to Section J, Students. He said he was in full support of the Board approving it.

A brief discussion ensued regarding the advisory during which they expressed their full support of approving it.

**Mr. Bennett moved, and Mr. Vickers seconded, to approve Item #8 A. iv. a. NMSBA Policy Advisory Updates from 22-23 Legislative Session - Section J. Students - Policy Service Advisory 237 (Amended) J-1050 / JFB Open Enrollment as presented.**

Ms. Garcia asked if there was any discussion. There being none, **Ms. Garcia called for a vote with the following results: Eloy Giron – yes; P. David Vickers – yes; Bruce Bennett – yes; Bryan C. Smith – yes; and Tina Garcia – yes. The motion to approve Advisory 237 passed: 5/0.**

**8. DISCUSSION AND ACTION TO AMEND POLICIES (As Discussed at the Oct. 10, 2023 Board Meeting) (Continued)**

**B. Section H. Negotiations**

Dr. Kettler stated that pending any additional language additions or changes, the policy was ready to be voted on by the Board. A brief discussion ensued, with input from legal counsel, regarding the bargaining unit, NEA as the only bargaining unit in the District, and proposed terminology.

**Mr. Smith moved, and Mr. Giron seconded, to approve Item 8. B. APPROVAL TO AMEND POLICIES - Section H. Negotiations as amended.**

Ms. Garcia asked if there was any discussion. There being none, **Ms. Garcia called for a vote with the following results: Eloy Giron – yes; P. David Vickers – yes; Bruce Bennett – yes; Bryan C. Smith – yes; and Tina Garcia – yes. The motion to approve Item 8 B. as amended passed: 5/0.**

**C. Section I. Instructional Program**

Dr. Kettler gave an overview of the notable changes for the Board to be aware of which included:

I-0250 School Calendar - Change “calendars” to “calendar” and “are” to “is”. Student calendar only

I-0900 Curriculum Development -1st paragraph, last sentence remove “All curriculum changes shall be approved by the Board.”

I-1050 Curriculum Adoption - Remove “will be” and replace with “are”, remove “Board”

replace with “Superintendent”, remove “as well as”, add “are also subject to Superintendent approval”, add “who will be responsible for sharing such proposals with the Board” remove “making recommendations to the Board on such matters.”

**8. DISCUSSION AND ACTION TO AMEND POLICIES**  
**(As Discussed at the Oct. 10, 2023 Board Meeting) (Continued)**

**C. Section I. Instructional Program**

I-1250 Only change from previous meeting is the addition of “funded” to the 2<sup>nd</sup> paragraph.

I-6400 Use of Technology Resources in Instruction Sent to Mike Good for review and revision

I-6600 Add “electronic fingerprints”, remove “If a background check conducted from these criteria fails to return all necessary information, a background check using fingerprints may be conducted”, remove “will” replace with “may”, add “consistent with the volunteer duties.”

I-6800 Remove “School District Report Card” replace with “current NM Public Education Department Rating System”

I-7100 1st bullet remove “first courses completed for high school credit” replace with “first semester of the ninth (9th) grade; 3rd bullet add “will include all courses completed for high school credit.”

I-7150 2nd paragraph remove “and such determination may be subject to Board approval.”

**Mr. Smith moved, and Mr. Bennett seconded, to approve Item #8 C. APPROVAL TO AMEND POLICIES Section I. instructional Program in its entirety inclusive of the recommended changes.**

Ms. Garcia asked if there was any discussion. There being none, **Ms. Garcia called for a vote with the following results: Eloy Giron – yes; P. David Vickers – yes; Bruce Bennett – yes; Bryan C. Smith – yes; and Tina Garcia – yes. The motion to approve Item # 8. C. Section I Instructional Program in its entirety passed: 5/0.**

**8. DISCUSSION AND ACTION TO AMEND POLICIES**  
**(As Discussed at the Oct. 10, 2023 Board Meeting) (Continued)**

**D. Section L. Education Agency Relations**



Dr. Kettler announced that unless the Board had recommendations, Section L was ready to be put to a vote.

**Mr. Giron moved, and Mr. Vickers seconded, to approve Item 8. D. APPROVAL TO AMEND POLICIES - Section L. Education Agency Relations as presented.**

Ms. Garcia asked if there was any discussion. There being none, **Ms. Garcia called for a vote with the following results: Eloy Giron – yes; P. David Vickers – yes; Bruce Bennett – yes; Bryan C. Smith – yes; and Tina Garcia – yes. The motion to approve Section L. Education Agency Relations passed: 5/0.**

**9. DISCUSSION AND ACTION TO AMEND POLICIES**

**A. Section J. Students**

Dr. Kettler gave an overall on suggested modifications to Section J as follows:

J-0150 Equal Education Opportunities - 1st paragraph, remove “classroom instruction” and replace with “educational opportunities”

J-0500 Student Attendance - 2nd paragraph, add “who has not received a high school diploma or its equivalent and who has not reached the person’s twenty-second birthday on the first day of the school year.”

4th paragraph, remove “child of school age” and replace with “school-aged person.”  
Other language rearranged for clarity.  
Remove indicated legal references.

**9. DISCUSSION AND ACTION TO AMEND POLICIES**

**A. Section J. Students**

J-0540 Student Attendance (Supplemental for Remote Learning) Remove indicated legal reference.

J-0750 Admission of Resident Students - Add to 2nd paragraph “The district may request additional evidence of residency including a parent or legal guardians driver’s license, business mail, or vehicle registration in order to validate enrollment.”

J-1000 Admission of Homeless Students - First sentence under Liaison for Homeless Students remove “Chief Executive Officer” and replace with “Superintendent.”

J-1050 Open Enrollment - Approved prior

J-1400 Assignment of Students to Classes and grade levels - 2nd paragraph, last sentence

remove “Per 6.19.9 NMAC, a K-3 student whose parents have requested acceleration, will be given consideration for grade level and class based on guidelines in the accompanying regulation.”

Remove indicated legal reference.

- J-1500 Assignment of At-Risk Students to Classes and Programs - 1st paragraph, remove “Chapter 22, Article 13, Section 33” replace with 22-13-33” add indicated legal reference
- J-1550 Student Absences and Excuses - Update indicated legal reference.
- J-1650 Truancy/Chronic Absence - Update indicated legal reference.
- J-1900 Release Time for Religious Instruction - 1st sentence, remove “near” add “off of”.
- J-1950 Exclusions and Exemptions from School Attendance - Add “School administrators are authorized to excuse students from school for necessary and justifiable reasons as determined from the circumstances surrounding the cause of the absence. For students with Chronic Health Conditions, the District may use a combination of Remote Learning and/or Distance Learning or a combination of Distance Learning and school attendance” 2nd paragraph, remove “for meeting the requirements of this policy” add “to ensure Students have the greatest opportunity for appropriate instruction and participation in educational opportunities”, update legal reference and cross references.

## **9. DISCUSSION AND ACTION TO AMEND POLICIES (Continued)**

### **A. Section J. Students (Cont.)**

- J-2300 Student Conduct - 2nd paragraph, add “or via remote instruction and/or distance learning under the supervision of the District”
- J-2350 Student Dress - Add “and will not impose discipline, discriminate or treat students differently based on a student’s race or culture or because of the student’s use of protective hairstyles or cultural headdresses. The District will not impose restriction on student dress”
- J-2400 Care of School Property by Students - 1st paragraph add “and of the materials they are issued in support of their education” and “School property means the physical buildings as well as all instructional materials, technology, library materials or any other items assigned to students by the District”
- J-2550 Student Harassment/Bullying/Cyberbullying Prevention - Update indicated legal reference.
- J-2750 Student Publications - 2nd paragraph add “or designee”, last paragraph add “for

approval prior to distribution”

J-3200 Pregnant/Parenting Students - 1st bullet remove “Ten (10) days of excused” replace with “Excused”, 2nd bullet remove “Four (4) days per semester of excused absences, in addition to the number of allowed absences for all students (see cross referenced policies below)” replace with “Excused absences”

update indicated legal references and cross references.

J-3600 Student Concerns, Complaints and Grievances - Update indicated legal reference.

J-3850 Limited Open/Closed Forum - 1st paragraph, 3rd bullet remove “non- participatory” replace with “Employee attendance does not mean the employee is the sponsor or in any other way responsible for the content of the meeting.”

J-4350 Interscholastic Sports - Update indicated legal reference.

J-4550 Extracurricular Activity Eligibility - 2nd paragraph remove “individual” replace with “employee”

## **9. DISCUSSION AND ACTION TO AMEND POLICIES (Continued)**

### **A. Section J. Students (Cont.)**

J-4600 Student Discipline - 1st paragraph, remove “of policies...public hearings before the Board shall be held during the...these” replace with “student discipline”, remove “in the high school attendance areas within each district or on a district-wide basis for those districts that have no high school”

Fill in blank with District Website address.

J-4650 Corporal Punishment - Add Los Lunas School District No. 1

J-4850 Student Suspension/Expulsion - Refer to policy for changes.

J-4890 Removal of Students from School-Sponsored Activities - 1st paragraph add “student or”, 4th paragraph remove “hearing” add “conference”

J-5000 Student Insurance Programs - Add “Students may also provide evidence of private insurance that provides acceptable coverage in lieu of District administered student health benefits insurance.”

J-5100 Student Health Services and Requirements - Community recommendation to add “The procedures shall include involvement of a student’s parent or guardian in any medical procedure, immunization or medication administration, screening, or counseling (including the provision of medical information) in a timely manner, except in a medical emergency and then with

notification as soon as practical but within 24 hours. Failure to do so shall be considered serious and may result in severe disciplinary action in accord with policies on discipline of professional and support staff” to end of policy.

J-5150 Physical Examinations of Students - Community recommendation to add  
“When such a physical examination is required, the student’s parent or guardian shall first be notified to coordinate it” to end of the 1st paragraph.

Update indicated legal references.

J-5185 School-Based Health Clinic - Remove 4th sentence “Administration of medication is limited to Class "C" Pharmacy License. [16.19.10.11A (1)(c) Class "C" clinic drug permit for clinics where dangerous drugs are administered to patients of the clinic.]”  
Removed school based health clinic - LLS doesn’t have a school -based health clinic

## **9. DISCUSSION AND ACTION TO AMEND POLICIES (Continued)**

### **A. Section J. Students (Cont.)**

J-5250 Communicable/Infectious Diseases Community recommendation to add  
“Such records will be protected by the District in accordance with applicable policy and law” to end of 2nd paragraph.

J-5550 School Counselors and Psychologists - Community recommendation to add “guardian, and...shall be obtained before any psychological services are rendered”  
remove “must be obtained” to end of 1st paragraph.

J-6400 Student Safety - Community recommendation to add “In the event that restraint or seclusion techniques are used, the student’s parent or guardian will be notified as soon as practical afterwards, but within two hours of their use” to end of 3rd paragraph.

Extension discussion ensued regarding the policies, inclusive of suggestion revisions. Topics included in the discussion and clarification regarding protected headgear, technology wording updates, dress codes, accreditation, reiterated the fact that LLS did not have a health clinic, and adherence. Clarification was given that the policies had been posted for feedback with no new suggestions.

Further discussion ensued regarding whether to table part of the policies or to approve them. If needed, the board policies could be brought back in the future as needed.

**Mr. Vickers moved, and Mr. Giron seconded, to approve Item # 9. A. ACTION TO AMEND POLICIES Section J. Students with the recommended amendments as presented.**

Ms. Garcia asked if there was any discussion. There being none, **Ms. Garcia called for a vote with the following results: Eloy Giron – yes; P. David Vickers – yes; Bruce Bennett – yes; Bryan C. Smith – yes; and Tina Garcia – yes. The motion to approve Item #9 A. the passed: 5/0.**

**9. DISCUSSION AND ACTION TO AMEND POLICIES**

**B. Section K. School-Community Relations**

Dr. Kettler provided the following information regarding Section K:

K-0900 Public Information and Communications - 2nd paragraph, add “matters including”, remove “and matters” and “are to be approved prior to release. Matters that pertain to an individual school are to be approved by the principal prior to release. Matters that pertain to the District”

K-1100 Use of Students in Public Information Program - Request counsel evaluate whether or not this policy is necessary to keep in policy as this is something not done in LLS.

K-1150 Media Relations - 2nd paragraph, remove “Board” and replace with “Superintendent”.

After 2nd paragraph add “The Superintendent will provide the Board with an advance copy of press releases when possible.”

K-1350 Public Concerns and Complaints – Remove 1st paragraph.

Add “To maintain a strong direct relationship between school staff and community, Board members will inquire if the constituent has attempted to address the issue at the closest level to the issue. If the constituent has not, the Board member will refer the constituent to the appropriate level to address concerns. If the constituent has exhausted direct communication, the Board member will direct the constituent to the Superintendent.

The Superintendent or designee will handle constituent concerns in a timely manner.”

Original 2nd paragraph, remove “The” and replace with “School.”

Remove 3rd paragraph.

K-2200 Public Solicitations in Schools - 1st paragraph, remove “except for materials approved by the Superintendent for use in the classroom.”

K-2250 Advertising in Schools - 2nd paragraph, remove “Board” and replace

with “Superintendent.”

Remove 3rd paragraph

**9. DISCUSSION AND ACTION TO AMEND POLICIES (Continued)**

**B. Section K. School-Community Relations (Cont.)**

K-2600 Relations with Booster Organizations - Request counsel examine this specific policy and evaluate the accuracy of the 3rd paragraph that requires funds raised by Booster Clubs to be equitably distributed among all sports and activities.

Discussion regarding the section ensued during which Dr. Kettler expanded on the comments he had made regarding the policies, inclusive of needing information from legal counsel.

Ms. DeSantiago stated that she had not had an opportunity to review Section K as she had concentrated on Section L. She apologized and said she had thought the Board would review the section this time with approval to come at the next meeting.

Further discussion ensued regarding whether to approve the policies or allow time for legal counsel to review them, then add them to the next agenda, that being November 28<sup>th</sup> meeting. It was decided to add the Section K to the next board meeting to allow counsel time to review the section.

Ms. Garcia stated that no action was taken on Item #9 B. DISCUSSION AND ACTION TO AMEND POLICIES - Section K. School-Community Relations

**10. NEW BUSINESS: Board Member Requests for Topics for Upcoming Board Work Sessions and/or Board Meetings**

A brief discussion ensued during which the following items were discussed:

- Section K would be added for discussion and approval at the meeting of November 28<sup>th</sup> Meeting
- Mr. Smith stated that he would not be in attendance at the November 28<sup>th</sup> meeting as he would be out of the country.
- Dr. Kettler announced that he would not be at the November 28<sup>th</sup> Board Meeting. In his absence, Chief Student Services Officer, Susan Chavez would run the meeting.

## 11. ANNOUNCEMENT OF MEETINGS

Ms. Garcia stated that took them to Item # 11. ANNOUNCEMENT OF MEETINGS. She added that, as allowed by the NM Open Meetings Act and the District's Open Meetings Resolution, on occasion, a quorum of the board members would attend the same function, including those held at school sites, as well as, sports functions, conferences, workshops, and trainings, including site activities and ceremonies. Ms. Garcia state that board members would refrain from discussing and/or acting on LLS Board issues in those settings. In addition, only official meetings were published, and if other meetings were scheduled, they would be announced in accordance with the Open Meetings Act. Ms. Garcia then announced the following meetings:

- November 28, 2023 Regular Board Meeting 6:00 pm CO Board Room
- Nov. 30 – Dec. 2, 2023 NMSBA Annual Convention Embassy Suites Hotel 1000 Woodward Place NE Albuquerque, NM 87102 (*Quorum in Attendance*)

## 12. ADJOURNMENT

Ms. Garcia stated that brought them to Item #12. ADJOURNMENT. She then called for a motion to adjourn the meeting. She asked the board members to remain after the board meeting in case they were any documents that needed to be signed.

**Mr. Smith moved, and Mr. Bennett seconded, to adjourn the meeting. There being no discussion, Ms. Garcia called for a vote with the following results: Bruce Bennett – yes; Eloy Giron – yes; Bryan C. Smith – yes; P. David Vickers – yes; and Tina Garcia – yes. Motion to adjourn the meeting passed: 5/0.**

The meeting was adjourned at 7:30 pm.

**Approved this 19<sup>th</sup> day of December 2023.**

**Tina Garcia, Board President**

**Bruce Bennett, Board Secretary**

ksw