

LAS VEGAS CITY SCHOOLS
"BOARD OF EDUCATION"
Special Board Meeting

February 28, 2020

A Special Board Meeting of the Las Vegas City Schools Board of Education was held at the Administrative Building Board Room located at 901 Douglas Avenue, in Las Vegas, New Mexico at 2:00 p.m. on the 28th day of February 2020.

A quorum was present; the meeting was called to order by Board President Duran. The meeting began with the Pledge of Allegiance. Those present were as follows:

ROLL CALL: Board President Duran called for roll call:

Board Member Lucero – Present
Board Member Armijo – Present
Board Secretary Romero – Present
Board Vice President Lujan – Present
Board President Duran – Present

RECORDER: Marsha G. Archuleta

ALSO PRESENT: L. Larryssa Archuleta, Superintendent

Carl Armijo	Larry Archuleta	Manuel Archuleta Jr.	Nico Fulgenzi
Lauren Fulgenzi	Ashley Cde Baca	Earlene Cde Baca	Angela Irene Wolff
LM Cde Baca	Natalie Garcia	Dawn Cde Baca	David Mason
Mark Dominguez	Stacy Fulgenzi	H. Chico Gallegos	Karen Archuleta
Natalie Marrujo	Cailyn Marrujo	Christine Vigil Duran	Mari Hillis
Aggie Romero	Ovidio Romero	James Barron	Liz DeVries
Diane Moore	Patricia Mendoza	Brock Aragon	Eileen Sedillo

APPROVAL OF AGENDA:

Board President Duran asked to review the agenda and make any adjustments that may be required. ***Motion by Board Vice President Lujan to approve the agenda as presented. Motion seconded by Board Secretary Romero. Motion passed unanimously.**

EXECUTIVE SESSION:

Board President Duran stated that the purpose of the meeting was for a personnel hearing and asked for a motion to close the meeting for limited personnel matters. ***Motion by Board Secretary Romero to close the meeting for the personnel hearing. Motion seconded by Board Member Armijo. Motion passed unanimously. The Board convened into executive session to meet with Patricia Ives, Legal Counsel at 2:02 pm.**

Herman Chico Gallegos asked to address the board regarding the public nature request of his client Stacy Fulgenzi to have an open meeting. He stated that the agenda didn't indicate that the hearing was open to the public and his client's name was not listed on the agenda. Concerned that the agenda wasn't clear and could be viewed as invalid and he perceived it as a violation of the Open Meetings Act. Board Vice President Lujan stated that because it is a hearing there is confidentiality between the employee and the hearing. Standard protocol is that the request to have an open meeting is done at the meeting and then the Board will vote on the request. Stated that the agenda identifying the special meeting date and time

was posted in a timely manner. If the request is made and granted to have an open meeting then the individuals in the board room are welcome to stay.

Board President Duran stated that the Board of Education would like to delegate to its legal counsel Patricia Ives, the authority to preside over the evidentiary portion of the hearing and the authority to assist the board in resolving any legal issues which may arise during the hearing including any prehearing motions or disputes, objections to evidence or other legal questions or issues that either party needs addressed. ***Motion by Board Secretary Romero that the board delegate its legal counsel Patricia Ives the authority to preside over the evidentiary portion of the hearing and the authority to assist the board in resolving any legal issues that may arise during the hearing including any prehearing motions or disputes, objections to evidence or other legal questions or issues that either party needs addressed. Motion seconded by Board Member Armijo. Motion passed unanimously.**

EXECUTIVE SESSION:

Patricia Ives advised Mr. Gallegos that during a previous telephone conversation that they had he was advised that he could request the meeting remain open to the public the day of the meeting. Again, she advised him he could request the opportunity to have the hearing remain open to the public. Mr. Gallegos stated he respectfully disagreed with the process and wanted that on the record. Mr. Gallegos requested the hearing remain open to the public. Board President Duran entertained a motion regarding the request by Mr. Gallegos. ***Motion by Board Vice President Lujan to honor the request for the hearing to remain open to the public. Motion seconded by Board Member Armijo. Motion passed unanimously.**

Patricia Ives, Legal Counsel, stated the Board of Education of Las Vegas City Schools is meeting in a quasi-judicial capacity to hear proceedings in the discharge of Stacy L. Fulgenzi, a certified employee of the school district that now requested that the hearing be held before the public in open session. Presentation by the district administration to establish just cause for the discharge of Stacy L. Fulgenzi will occur first. The following procedures followed: Presentation by Ms. Fulgenzi that just cause does not exist for the discharge. A total of six (6) hours was allocated for the hearing with each party having three (3) hours for its presentation. The district administration could utilize part of its time for rebuttal. Each party had an opportunity to cross examine, question and/or clarify statements made by the opposing party. Each party could present a brief opening statement of no more than ten (10) minutes. Questions by the Board could be presented at any time. The administration could offer evidence it deemed relevant. At the end of the presentations, each party could present a brief closing statement of no more of the ten (10) minutes. The opening and closing statements are part of the allocated three (3) hours. In accordance with statute an official record of the hearing is being made. Each party will have an opportunity to request a complete copy of the transcript at the district's expense pursuant to statute. At the conclusion of the proceeding, the Board may dismiss all parties and deliberate upon the presentations. The Board shall advise both parties of the decision within the 20 day time limit set by statute. Ms. Ives stated that the deliberations of the Board will take place behind closed doors.

The presentations began at 2:34 pm.

The Board will take action to go into Executive Session pursuant to NMSA 1978 §§10-15-1 H (2) and (3) for a personnel hearing and Board deliberations associated with personnel hearing. ***Motion by Board Secretary Romero to convene to Executive Session pursuant to NMSA 1978 §10-15-1 H (3) for Board deliberations associated with personnel hearing. Motion seconded by Board Member Armijo.**

ROLL CALL: Board President Duran called for roll call:

Board Member Lucero – Yes
Board Member Armijo – Yes

Board Secretary Romero – Yes
Board Vice President Lujan – Yes
Board President Duran – Yes

Board entered to executive session to deliberate at 6:52 pm.

Motion by Board Secretary Romero to reconvene to regular session from Executive Session. Motion seconded by Board Armijo.

ROLL CALL: Board President Duran called for roll call:

Board Member Lucero – Yes
Board Member Armijo – Yes
Board Secretary Romero – Yes
Board Vice President Lujan – Yes
Board President Duran – Yes

Board reconvened to regular session from Executive Session at 7:23 pm.

Board President Duran stated that the Board of Education convened into Executive Session pursuant to NMSA 1978 §§10-15-1 H (2) and (3) for a personnel hearing and Board deliberations associated with personnel hearing and no action was taken.

ACTION ITEM:

The Board may take action regarding the personnel hearing for tenured, certified employee. ***Motion by Board Secretary Romero to uphold the termination of the tenured, certified employee. Motion seconded by Board Member Armijo.**

ROLL CALL: Board President Duran called for roll call:

Board Member Lucero – Yes
Board Member Armijo – Yes
Board Secretary Romero – Yes
Board Vice President Lujan – No
Board President Duran – Yes

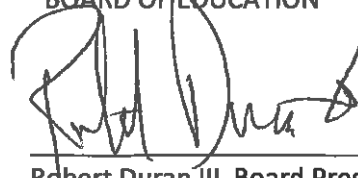
Motion passed by majority with Board Vice President Lujan opposing.

ADJOURNMENT:

***Motion by Board Vice President Lujan to adjourn. Motion seconded by Board Member Lucero. Motion passed unanimously to adjourn at 7:25 pm.**

****Denotes Action Required***

LAS VEGAS CITY SCHOOLS
"BOARD OF EDUCATION"

A handwritten signature in black ink, appearing to read "Robt Duran III", written over a horizontal line.

Robert Duran III, Board President

A handwritten signature in black ink, appearing to read "Dennis E. Romero", written over a horizontal line.

Dennis E. Romero, Board Secretary

APPROVED: March 19, 2020