**SAN DIEGO RIVERSIDE CHARTER SCHOOL**

**PO Box 99/504 Mission Road**

**Jemez Pueblo, New Mexico 87024**

**Phone: 575.834.7419**

Minutes of the ZOOM ONLINE

**GOVERNING COUNCIL MEETING**

Thursday, September 24th, 2020

6:00 PM Online ZOOM Meeting

**I. Call Meeting to Order**

The meeting was called to order by Ms. Creel at 6:13 PM.

**II. Roll Call and Quorum Verification**

**Members Present: Members Not Present:**

Susan Bacca

Margie Creel

Audrey Madalena

Cornell Magdalena

Bobbie Shendo

**Guests: Minutes:** John Rodarte

John Rodarte, Principal

Valerie Shaw

Whitney Galindo

Patricia Pecos

Wilma Gachupin

Roll call was taken and quorum verified. Council members present were provided copies of all meeting documents prior to the meeting.

**III. Opening Activities**

**A. Approval of September 24, 2020 Agenda (Discussion/Action)**

Ms. Creel asked for a motion to approve the Agenda. Ms. Bacca made a motion to approve the Agenda to strike Items IV. A-C from the Agenda since there would be no Finance Committee Report for the meeting. Motion was seconded by Ms. Shendo. No further discussion transpired. The motion carried unanimously.

**B. Approval of Meeting Minutes of September 10, 2020 (Discussion/Action)**

Ms. Creel asked for a motion to approve the Minutes. Ms. Bacca made a motion to approve the agenda seconded by Ms. Shendo. No further discussion transpired. The motion carried unanimously.

**C. Approval of School Attendance Policy (Discussion/Action)**

Copies of the policy were provided Council Members prior to the meeting. Mr. Rodarte explained the policy is a consistent with all updated attendance expectations of NMPED and Attendance for Success Act. Policy includes school support provided families and students of excessively absent students. SDRC staff instrumental in developing definitions of absences, tardies, and truancy necessary for the completion of the policy over the duration of two Staff Meetings. Template for policy was provided by MatthewsFox law firm and tailored specifically for SDRC.

Ms. Creel asked for a motion to approve the policy. Mr. Magdalena made a motion to approve the policy seconded by Ms. Madalena. No further discussion transpired. The motion carried unanimously.

**D. COVID Reentry Guidelines Policy (Discussion/Action)**

Copies of the policy were provided Council Members prior to the meeting. Mr. Rodarte explained the policy is a consistent with all updated COVID safety requirements and expectations as provided by CDC, NMDOH, and NMPED. Policy may need periodic revision as changes in COVID safety and procedures develop. Template for policy was provided by MatthewsFox law firm and tailored specifically for use by SDRC via a series of Staff Meeting which developed the definitions needed for Hybrid and Remote Learning.

Ms. Creel asked for a motion to approve the policy. Ms. Bacca made a motion to approve the policy seconded by Mr. Magdalena. No further discussion transpired. The motion carried unanimously.

**E. Staff Attendance Policy (Discussion/Action)**

At the last meeting, Mr. Magdalena requested the policy include the expected starting hours of each employee according to school instructional delivery model (Remote Learning, Hybrid, Regular Open Schedule) along with proper notification for Sick Leave be included in the policy prior to its approval. Mr. Rodarte explained Mr. Magdalena’s request is covered in the language of job descriptions, contracts, and memorandums of employment for individual school employees and that other policies cover Leave. Mr. Rodarte requested the board reconsider the policy as written for approval.

Ms. Creel asked for a motion to approve the policy as originally presented at the last meeting without revision. Ms. Madalena made a motion to approve the agenda seconded by Ms. Bacca. No further discussion transpired. The motion carried unanimously.

**F. Use of 8th Grade Monies plus outstanding NAYE monies still owed (Discussion/Action)**

No updates were available since the last meeting transpired. No further discussion took place. No motions were made. No action was taken.

**G. W. K. Kellogg Grant MOU (Discussion/Action)**

Mr. Rodarte provided an update regarding a meeting taking place on September 18th, 2020 concerning the unsigned MOU with JPDOE for the 2020-21 W. K. Kellogg Grant extension for Language Immersion K-2. Present at the meeting were Kevin Shendo, Director of Jemez Pueblo Department of Education, Teran Villa, and Jeremiah Powless (both JPDOE officials), John Rodarte, Bobbie Shendo, and Valerie Shaw. JPDOE members and Mr. Rodarte met in person in the computer lab while Ms. Shendo and Ms. Shaw participated via ZOOM. Ms Shaw hosted.

Mr. Rodarte provided copies of Governing Council and SDRC questions, concerns, and considerations for negotiating new terms for the MOU, including the undefined scope of work for SDRC and its Towa Language Education Assistant employees, no mention in the MOU of language assessment taking place at SDRC with any of its students, notification to parents of Towa language assessment of SDRC students, inherent conflicts of interest in the Towa Language Assessment process and test integrity issues, reporting Assessment results, and aligning SDRC reporting periods to JPDOE with SDRC grading calendar.

Mr. Shendo expressed that the MOU is a culminating document already capturing the agreements established by SDRC and other community stakeholders collectively for the past four years. Other than updating salaries for Education Assistants to match years of employment and mandatory raises, Mr. Shendo was not willing to make any other adjustments to the MOU. He expressed his expectation that SDRC honor the MOU as written out of respect for all prior work and collaboration put into the effort to establish the MOU among the community stakeholders.

Mr. Shendo also expressed that it should be understood by parents enrolling their students at a charter school with a Towa language and culture focus that their students will be assessed regulary throughout the year in the Towa language.

Mr. Rodarte made a commitment to JPDOE to honor the MOU as written.

Mr. Rodarte asked Mr. Shendo if he was prepared to do the same and honor the MOU as written. When pointed out that the MOU has no language assessment process, procedure, structure, or position identified or defined for the administration of language assessment, Mr. Shendo was unwilling to accept that the MOU does not obligate SDRC in any way in Towa Language Assessment.

Mr. Shendo pointed out that JPDOE received Towa Language Assessments from SDRC for all students K-8 for the 2019-20 school year up until the onset of the COVID-19 pandemic. Mr. Rodarte asked how and why SDRC staff conducted this work when it was not outlined in the MOU, nor expected of SDRC employees to complete, and is well beyond the K-2 scope of the MOU, unless SDRC staff were in communication with Mr. Shendo and taking his directions. Mr. Villa came to Mr. Shendo’s defense claiming Mr. Shendo would never do such a thing. Mr. Shendo did not answer the question.

Mr. Shendo stated the SDRC Principal, as their supervisor, should direct Towa language speaking employees to administer the Towa Language Assessment school wide or allow Towa Language speaking employees of SDRC to decide for themselves whether to administer the Towa Language Assessment school wide as opposed to SDRC’s commitment to honor the MOU as written.

Mr. Rodarte stated he would meet with and offer the option to the three SDRC employees directly funded by the W. K. Kellogg Foundation via the MOU. Mr. Rodarte firmly asserted he would obligate no employee of SDRC to conduct any work not defined in the MOU.

Thereafter, conversation between Mr. Rodarte and JPDOE officials shifted to matters concerning the Pueblo’s declaration of SDRC as a “work station.”

The meeting concluded with SDRC providing lunch and SDRC printed facemasks to JPDOE officials.

**H. Governor’s Memo declaring SDRC as Work Station (Discussion/Action)**

A discussion took place regarding the Pueblo’s declaration of SDRC as a “work station.” The declaration renders SDRC buildings as facilities open to the general public for internet access, including students from other schools and adults. SDRC would not control entrance to buildings or screen people as they enter. Mr. Rodarte communicated to Mr. Shendo at the meeting on September 18th, 2020 that the Pueblo’s declaration of SDRC as a “work station” is completely inconsistent with the SDRC Remote Learning Model presented to and approved by the Jemez Governors and NMPED, and that any use of SDRC buildings used as “work stations” is unsafe and could adversely affect SDRC employee health, safety, and delivery of instructional services to students. Mr. Magdalena observed no consultation with SDRC took place with the Governors before the declaration was issued. Ms. Bacca suggested a meeting with the Governors.

No further discussion took place. No motions were made. No action was taken.

**IV. Finance Committee Report** – Items IV. A-C. was struck from the Agenda during the approval of the amended agenda under Item III. A.

**V. Consideration for Approval to Adjourn to Closed Session Pursuant to the Open Meetings Act NMSA 1978 (§ 10-15-1 (H)(2) (Limited to Principal Contract and Limited Personnel Matters)**

No motion to move into Closed Session took place.

**VI. Reconvene to Open Meeting**

Since no motion to move into Closed Session took place, no motion to move out of Closed Session took place.

**VII. Statement of Closure**

Since no Closed Session took place, no Statement of Closure was made.

**VIII. Public Comment**

**A. Public Comment**

Ms. Bacca asked the Governance Council to consider scheduling a Working Session to discuss issues concerning the Council, a review of the By-Laws, and to establish goals.

**IX. Announcements**

Ms. Creel stated a fire was started near the Library involving SDRC students. Ms. Creel requested to have the Viscale speak to each class.

**XI. Meeting Adjournment**

Ms. Creel called for a motion to adjourn the meeting. Mr. Magdalena moved to adjourn the meeting. The motion was seconded by Ms. Madalena. No further discussion transpired. The motion carried unanimously. The meeting adjourned at 7:57 PM.