

Region IX Education Cooperative
Coordinating Council
Regular Meeting
September 21, 2016
9:00am

Region IX Education Cooperative Coordinating Council conducted a regular monthly meeting on Wednesday September 21, 2016 at the Ruidoso Municipal School District Board Room building located at 200 Horton Circle, Ruidoso, New Mexico at 9:00am

Board Members

Chairman Lightfoot, Vice-Chair Vigil, Mr. Wootton, Mr. Dempsey, Mr. Martin, and Dr. Bickert.

Chairman Lightfoot called the meeting to order at 9:10 am

Pledge/Moment of Silence

A Quorum of the Council was determined with all seven members present.

Mr. Lightfoot asked for a motion to approve the order and content of the agenda.

Dr. Bickert made a motion to approve the content of the agenda with the ability to float items as approved. Mr. Dempsey seconded the motion. All were in favor and the motion carried.

Mr. Lightfoot asked for a motion for approval of the minutes from August 25, 2016.

A motion was made to approve by Vice-Chair Vigil and was seconded by Mr. Wootton. All were in favor and the motion carried.

Mr. Lightfoot asked for a motion to approve the previous month's checks.

A motion was made to approve by Dr. Bickert and was seconded by Mr. Espinoza. All were in favor and the motion carried.

Discussion Items-

Executive Director's Report

Dr. Torres asked Mrs. Freed to speak about the Medicaid changes. Mrs. Freed announces that the districts should expect to see significant changes on October 1, 2016 to the fee for service cost settlement report that will be done at the end of this

fiscal year. These changes will affect the way administrative claiming is done. Approximately 61 percent of reimbursement is administration claiming, a significant amount that are gathered from the random moment time studies. Sent to related service providers providing services and the staff that perform the administrative duties, individuals that provide those services in the schools to the students. Children's medicaid service is concerned that reimbursement rates will increase. For direct service providers rates are changing. Direct Service is going from 3,050.00 to 2,860.00, and administrative personnel is going from 2,900.00 to 453.00 Understand the moments of sampling are going down and reimbursement maybe going down as well. Related service providers need to make sure they get there case notes in so reimbursements are in place and timely. Special Education directors have login to SSG for monitoring related service providers. Reimbursements can be applied for at end of year when when the End Of Year report is complete. settlement fee. Won't know this until we get this back. Samples go from 7 days to 3 business days. Evelyn is notified of who will be sampled and will be sending emails to the appropriate individuals that same day. It is imperative that those people respond in a timely manner. We, Region 9, has to have an 85% compliance. If one district is out of compliance it could reflect non-compliance on the whole organization, and that affects all the districts. If we are out of compliance we will not receive reimbursement.

Mr. Espinoza asked for clarification on how schools will be notified. They will be notified via email from Fairbanks, then Evelyn follows up that email when she notices there has not been any timely responses. Mrs. Vigil asked that she be included in those emails.

Mr. Espinoza asked for someone to call him asap and he will make sure Carrizozo is compliant. But he wants a phone call or text. A district can be pulled out of the pool if they are keeping the REC from being compliant. Dahn continued to explain that if a district was not compliant that they could be pulled out of the cost pool for reimbursement. Brenda asked if there was a possibility that a school district might owe money? Which Dahn replied there could be a possibility based on the cost settlement report. Once it is completed and if Region 9 was reimbursed more than allowed on the cost settlement report, we could owe money. There was optimism that this would not be the case due to the reductions in reimbursements.

Ms. Stirman from SBHC discusses 2 items

1. Region 9 is trying to coordinate training among the districts. Professional development from United Health Care. First Aid Mental Health is an 8 hr training. She would be sending an email to key personnel in each district. Training to be held either October or November, with a small fee 30-50 dollars per to cover costs of food. Please respond with your interest so she can know how to plan for it.

2. Suggestion to superintendents, currently doing signs of suicide in district and the content is not up to speed. SBHC staff has found Jason's foundation and have provided you with informational handouts. A link can also be found on the SBHC report. Cost is free. Has a strong curriculum and can include teachers to use in their classrooms. April is currently working with Cody Patterson from Ruidoso schools to assess the possible effectiveness and to decide if it is appropriate. Chairman Lightfoot asked for any other discussion. None was entertained.

Action Items

Approval of Executive Director Policies

Discussion around statement from Walsh-Gallegos' recommendations. Vice Chair Vigil asked for comparables from other regional cooperatives. Mr. Wootton replied that upon investigation of two other RECs, he found that they are experiencing policy change as well as they are finding the same challenges, that they are not run like schools. He also expressed to the board that the executive director position is not like a superintendent position and that he doesn't know why we are seeking Walsh-Gallegos' input as it was the council's job to decide what they wanted. Chairman Lightfoot explains that the reason they sought the attorney input for a starting point. Mr. Dempsey agreed that feels like it is a starting point. Dr. Torres states she asked for what the board asked and that was to have the board have the discretion to put qualifications in the job description and out of the policy. Dr. Torres received the doc from the attorney on Monday and gave to Chairman Lightfoot to review. Chairman Lightfoot states he thinks it is based on legal parameters. Dr. Bickert states he feels like it is a level 3 licensure qualification. Person needs to be financial, administration, education leadership, leadership. Region 9 is a large organization, it oversees millions of dollars, up to 70 employees, and has programs such as Head Start, that is directly over students. It should require at the minimum the process of the educational leadership the a licensure requires.

Mr. Dempsey refers to associate director of Region 5, Maria Jaramillo, who doesn't hold a level 3 license. Dr. Bickert states maybe it isn't necessary for the director to have the level 3 license, but rather the associate director hold one.

Chairman Lightfoot states that in the past Sandy Gladden trained Cathy Jones for the executive director position but when Cathy Jones retired she didn't prepare anyone for that succession. When Mr. Wootton resigned, there was not a process in place to fill that position until a new director could be implemented. He expresses that this was his idea behind creating an associate position. Dr. Bickert also restates having the associate with a level 3B license and that he is willing to go there. Dr. Bickert suggested that maybe they could implement that the new director not necessarily hold licensure but either/or possess experience as associate director. Chairman Lightfoot states he feels

like he used to feel like the executive director needed licensure but now feels that the business in an REC is so different than that of a school and that he would feel like a person with the experience in all departments at an REC would be a better fit.

Dr. Bickert is bringing up if something goes really bad - should the person in charge have an administrative license and background with the knowledge of school law who has the ability to go thru the process and legal, or someone who does not. Vice-Chair Vigil says Region 9 runs like a business and this person needs to know personnel management or this could run into a big problem. Lightfoot states his experience was that he was hired on a waiver and had a mentor and went through litigation for 2 years. He had to start taking classes. Finding the right person that is willing to lean on legal rather than someone who thinks they know the law and act inappropriately is important. Legal will look at cases from the perspective of all sides, not just school. Chairman Lightfoot states he didn't have proper credentials when he started, but went on and obtained the licenses he needed. Dr. Bickert states if he hadn't have gotten the license he wouldn't be still in place. Vice-Chair Vigil says statement that is out says "may" and Mr. Espinoza says "may" doesn't require credentials where "shall" is solid. Vice-Chair Vigil and Mr. Wootton say "shall" means must. Dr. Bickert says theoretically someone with a school business license and knows about human resource and finance but never had correct school credentials would qualify with the correct knowledge and experience. Mr. Espinoza says Aztec groomed him to be an administrator. Lightfoot states that in his case regulatory authority allowed him to work as he obtained his license. In this situation Public Education doesn't require or regulate any particular requirements except the business manager. Wootton states we should go after the right person to run the organization that fits the need and represents our schools. He doesn't feel that a Level 3 is necessary. As previous executive director it didn't help him. The position takes someone flexible and knowledgeable about our organization and can communicate effectively and provides services. He doesn't feel the council needs to be caught up on Public Education license. Vigil says qualifications don't need to be in policy. Chairman Lightfoot states that he once thought applicants need to have district experience and that Mr. Wootton's success changed his mind. He feels the person needs to have the right characteristics, personality and ethics to operate in the letter of the law and put REC9 in jeopardy. Mr. Dempsey states starting with legal is a good point and that we look at what Walsh-Gallegos' recommended and start there.

Chairman Lightfoot asks about whether other districts have a policy in their respective boards. Chairman Lightfoot says it's important that Coordinating Council sets wording in the policy to refer to job description. Mr. Dempsey and Mr. Espinoza ask for copy from Dr. Torres - she sent. Mr. Espinoza asked Vice-Chair Vigil where she was having trouble with the existing policy. Council took time to review the copy of the documents. Vice-Chair Vigil says it still says "shall". Dr. Torres says with the opening it states

“preferred” qualification but not “required” and maybe attorney was trying to give flexibility. Mr. Dempsey state's current statement means Coordinating Council could hire a person with no licensure. Mr. Lightfoot points out that the policy reads “specialized” training but doesn’t define that. It could mean that a person with associate training could take over the position. Mr. Dempsey states there is a business side to this position and that Mr. Wootton was a good example that a business side is necessary. That the budget side doesn’t show from a principal until they have been a superintendent. He interprets the policy gives flexibility to choose how they decide to hire. Council could look at pool and see what is available and decide by the skill sets that the applicants have. Mr. Lightfoot states they could put a rubric together to score applicants per the qualities they are looking for at that time. Mr. Dempsey states based on surrounding skills of staff in organization could determine rubric.

Mr Espinosa questions a semicolon for “shall have” vs “preferred”, does it translate to or does it mean required and asks Dr. Bickert if that is his understanding. Chairman Lightfoot states specialized training within that specific wording is not defined. Mr. Espinoza states instead of “shall” it should say “prefers”. Discussion is that “shall” is defined as being required and “preferred” allows for flexibility. Mr. Dempsey asks if this is this a policy that we want or not. Mr. Espinoza says yes, they want the flexibility. Mr. Espinoza states we have a “preferred” qualification and they “shall” have (specialized training) qualifications.

Chairman Lightfoot asks if they are lifting from another REC and it worries him, Vice Chair states exactly. Chairman Lightfoot asks if we approve is and or tear it apart . Vice Chair Vigil would like the entire policy to determine the answer. She feels it is necessary to understand the whole policy and where this part would fit. Chairman Lightfoot states that is sounds like the council is not ready to take action and Mr. Espinoza is the recommendation at this point? Chairman Lightfoot wants it shared to Coordinating Council so that the council could make edits with time to consider it in their offices. Mr. Espinoza asked if we subscribe to school board association for their policy. Mr. Dempsey states it doesn’t fit for the REC. Mr. Espinoza says he sends his modifications to the association for recommendations, and gets a good answers really fast. Dr. Bickert states other than the Arizona reference on the header and footer it's good. Chairman Lightfoot says he got a statement from attorney because REC's are not alike at all. Chairman Lightfoot says statute is minimal and that it is the council's responsibility to hire an executive director . In the past the council didn't know what there role was in hiring an executive director. Vice Chair Vigil states the council should be the hiring committee.

Chairman Lightfoot states certain items are aligned between the REC and schools. Mr. Wootton agreed that they are, especially the fiscal and HR departments. Mr. Dempsey states they should focus on their role as the council. Mr. Wootton states that the REC

receives a minimal amount of money from the state to operate so the PED has left open the door for flexibility. He doesn't want to tie the council's hands by requiring licenses when it doesn't serve the best interest of the REC. Mr. Dempsey says it's hard to find good administrators in schools right now, let alone and REC, and it's not getting better. Chairman Lightfoot says the statute stipulates or administration code says coordinating council hires the executive director that there is very little language pertaining to coordinating council role. Mr. Dempsey asks Mr. Wootton if he is comfortable about the first sentence Mr. Wootton states he likes "preferred" as it gives some flexibility to hire the person they want. He does have the same question about "shall have", that we should get to the semicolon and cut it off. Mr. Wootton asked if "may have" would be a good replacement of "shall have".

Mr. Wootton suggests removing "shall" and using "may have". He is insistent that the REC doesn't necessary need a structured principal or superintendent to be the director of the REC, that other qualifications may be necessary to run the organization. Need a person that can work with the great REC team that is in place, and continue a good hiring model and run the organization the best it can with the resources in place at the time. Mr. Dempsey wants clarification on the "shall" have may have and agree to look at the whole policy to see how it fits into the entire picture.

Mr. Dempsey asks about the appointment piece in the statement from attorney. Mr. Dempsey says appointment piece would allow the flexibility to appoint in a temporary situation. Chairman Lightfoot wants Dr. Torres to do more homework and see where it fits in the policy and to get clarification on the "shall" and "may" so they can distinguish between these two things. Chairman Lightfoot says the council is not at a point to make a decision and would entertain a motion to table.

Bryan Dooley stated that the lawyer said they were not held to posting a position for hire and could appoint how they wanted. Chairman Lightfoot agree with the exception that they were held by their own policy, and that they would have to act within those guidelines.

Vice-Chair Vigil moves to table executive director policy for this time, and place on the agenda of the November meeting. Mr. Espinoza seconded. All were in favor. The motion passed.

Dr. Torres says she will insert the part in the policy and share so they can have discussion prior to the next meeting. Chairman Lightfoot apologizes to REC9 members for the delay, but they didn't want to move hastily but rather take the time so they do the right thing with confidence.

Vice-Chair Vigil asked if they could go back to the discussion item CPR and First Aid. She is wondering why it was on the agenda. Bryan Dooley explained that it had been on a previous agenda from Sean Wootton because of the mandate for CPR and First

Aid for all Freshman. Dr. Bickert said it was the cohort of the group that they all have hands on training. Chairman Lightfoot states that the administrative code had yet to be drafted so he was wondering how it would be defined. In a memo the definition was still pending. It was specified about the training and who could provide it. Mr. Espinoza stated that REC 9 online training would meet the qualifications. There was discussion about whether a dummy was mandated or not. Accutrain could be used. The council shared what their individual plans were to implement in order to meet the requirements. Vice-Chair asked if anyone had done project Heart Start. There was some discussion on its effectiveness. Mr. Espinoza asked if using Accutrain would be appropriate. Bryan Dooley said with enough licenses it would be possible. Mr. Wootton said technology would be the best to implement. Mr. Espinoza said that they could use the grade from Accutrain to reflect the completion. There was discussion on the EOC for that. Mr. Lightfoot asked if there was any more discussion on the CPR and First Aid item. Vice-Chair thanked the council.

Approval- All REC 9 PD Day

At 10:21 Bickert stepped out. Chairman Lightfoot said that Dr. Bickert had asked about the date of January 8, 2018 for the designated professional development day but that he had stepped out. Dahn Freed clarified that there was not a common date for all schools until that specified date. Chairman Lightfoot asks are we ready to approve the January 8, 2018 date and move forward. Mr. Espinoza ask for clarification about what day that date fell on. At 10:24 Chairman Lightfoot steps out . Mr. Espinoza explained that usually the first day back from break is a professional development day with the kids returning the next day. Mr. Wootton and Mr. Espinoza asks about the days and calendars from other districts. Dr. Bickert stepped back into the meeting at 10:25. Mr. Espinoza says Carrizozo can make the date work. Vice-Chair Vigil wants clarification of why January was chosen. Mr. Wootton answered that January was selected because everyone had issues with August due to different start dates of all the schools. Chairman Lightfoot stepped back into the meeting at 10.26. Vice-Chair Vigil says it used to be in February. Mr. Espinoza and Vice-Chair Vigil discuss their calendars and available days. Vice-Chair Vigil says January 8, 2018 will work for Tularosa. Parents won't be too happy but she can make it work. Mr. Wootton asks Mr. Espinoza if it would work and he says yes. Chairman Lightfoot asks for a motion to adopt January 8, 2018 as all staff professional development day. Mr. Wootton makes a motion to approve Mr. Espinoza second. Dr. Bickert abstains due to collective bargaining agreement. No other opposed. It passes.

Approval of Budget Adjustments (BAR)

There was no discussion concerning the Budget Adjustment.

Vice-Chair Vigil motioned to approve the budget adjustments. Dr. Bickert seconded the motion. All were in favor. Motion passed.

Approval of the 16-17 Salary Schedules

Chairman Lightfoot asks about the change. Bryan Dooley answered that a penny to every cell was the only change. Mr. Dempsey states it was a dollar increment. Bryan Dooley apologized, that it was a dollar. Dr. Bickert moved to approve. Mr. Dempsey seconded the motion. All approved. The motion carried.

Approval Procurement Card

Vice-Chair Vigil asked if Region 9 had a card, and why were we approving it again? Dr. Torres explained that Region 9 does have a procurement card and that there were changes in the policy. She wants clarification that all directors have authority to use it for needs within their department. Dr. Torres explains that the card is necessary for some purchases that happen in the special projects department when the staff is onsite. Gina Corliss clarified that for projects there is always a purchase order in place before the use of the card. Dahn Freed explained that there are often many things associated with professional development such as registrations, travel and reservations that make it necessary for the use of a card. Carmen Spann developed the policy with how it was worded in procurement. Mr. Espinoza states he is just establishing the process for Carrizozo now. Chairman Lightfoot states there are special audit confines to a P-Card. There was then some discussion by Coordinating Council members stating their respective districts processes, and the pros and cons. Chairman Lightfoot asks for a motion to accept, Mr. Espinoza makes a motion to approve the REC 9 process. Mr. Dempsey seconds. All were in favor. The motion carried.

Approval- Human Resources- Hires and Resignations, Retirements

Chairman Lightfoot asks for discussion and there was none.

Mr. Wootton made a motion to approve. Dr. Bickert seconded the motion. All were in favor. The motion passed.

New Hires

Blanca Gutierrez- Head Start/Early Head Start Administrative Assistant

Marriah Ventura- Quality Assurance Coordinator

Victoria Gandarilla- Youth Career Development Specialist- Otero County

Maurice Oglesby- Youth Career Development Specialist- Lincoln County

Breanna Davis- Youth Career Development Specialist- Curry County

Resignations

Dolores Herrera - resignation
Iva Gutierrez - retire

Items for Next Meeting Wednesday, October 19, 2016.

Vice-Chair Vigil wants to know if ok to forward requests to Chairman Lightfoot. He said that would be fine.

Teacher Summative Report - Mr. Espinoza wondered if there was a person from Region 9 to answer his questions.

Brian Dooley stated that the REC9 auditors suggested any discussion outside of suggestions for the next meeting should take place after the meeting had been adjourned as any discussion was in violation of the Open Meetings Act.

Dr. Bickert made a motion to approve. Vice-Chair Vigil seconded the motion. All were in favor. The motion carried.

Adjourned at 10:42 am.

Individuals in need of special accommodations, please contact Region 9 at 575.257.2368