

League of Women Voters of Greater Las Cruces
Education Study Committee

Meeting with School Board, Las Cruces Public Schools

March 3, 2011, 4 p.m., LCPS Administration Bldg, Conf. Room, Las Cruces

School Board Members: Dr. Connie Phillips, President, and Dr. Bonnie Votaw, Member

This meeting with school board members Dr. Phillips and Drs. Votaw was guided by a set of five questions with subsets of questions for questions #3 and #4. These questions were designed by the League's Education Study Committee and are found immediately following the notes of this meeting.

Legal Responsibilities of School Board Members: The meeting opened with a discussion of the **responsibility of school boards** in New Mexico. The public and secondary schools system (including local school district boards) is governed by the NM State public School Code, which is Chapter 22 of the NM Statutes Annotated, 1978 compilation [abbreviated NMSA 1978]. The state requires that each school district have an elected school board made up of either five or seven members depending upon the size of the district and certain other choices. The Las Cruces Public Schools (LCPS) district has a five member board. Members of a school board must be residents of the school district and can be elected either "at large" or from a single member district, depending upon the size of the district. Board members from school districts with more than 16,000 population must be elected from single member election districts, which is the case for LCPS [22-5-1, 22-5-3, 22-5-1.1 NMSA 1978]. All board members are elected for four-year staggered terms in elections held every two years [1-22 NMSA 1978].

Members serve as volunteers with no compensation, but are entitled to per diem for in-state or out-of-state travel while performing official duties as board members. Also, reimbursement for mileage is allowable at a rate determine by local board policy and in accordance with the Per Diem and Mileage Act (10-8-1 et seq., NMSA 1978). If a vacancy occurs, the vacancy can be filled by a majority vote of the remaining members of the School Board for someone to complete the term of office. If a decision is not reached in 45 days by the remaining school board members, the State Board of Education will appoint a qualified person to fill the vacancy [22-5-9 NMSA 1978]. The appointed member stands for election at the next scheduled election date. The Board members take an oath of office to obey the NM Consitution. The elected Board members choose from among themselves a president, vice president and secretary. The NM School Board Association provides training for elected members. These sessions are offered three or four times per year for one and one-half days [22-5-9 NMSA 1978].

The NM State Statutes list 14 duties and powers of local school boards (see attachment #3 of this report for the complete listing). The responsibilities emphasized by Dr. Phillips and Dr. Votaw are developing policy, hiring and firing of a superintendent, carrying out fiduciary responsibilities related to procurement, and other fiscal responsibilities. The financial responsibilities include authorizing an audit firm certified in public school finance (e.g., Griego of Albuquerque). A local school audit committee, composed of a school administrator, two school board members and two members of the community, is organized and oversees this function (one community member must be a parent). The School Board approves the final annual budget each year and is the governing body held responsible if any legal issues arise relative to the budget, which means the members must pay close attention to all fiduciary matters. The NM School Board Association offers training for school board members about financial audits.

Additional Responsibilities: Board members ensure that the school district complies with state and federal laws. Attachment #2 is the LCPS Policy, BDB, Board Officers and Duties that gives details. The School Board at present meets once a month on the third Tuesday of the month. Work sessions are held on the first Tuesday of the month. Executive sessions are held when personnel, legal, and property discussions are needed. The president, in consultation with the superintendent and board members, prepares the agenda and presides over the meeting. Annually, the Board and Superintendent arrive at goals for the Superintendent for which the board holds the superintendent accountable in terms of outcomes. The board also sets goals for its own performance and evaluation. Additionally board members set priorities for the school district and for the legislation that is going to be the focus of attention in an upcoming legislative session.

Parents often come to the school board with issues related to the district or speak to school board members when they are visiting schools within the district. The position has ceremonial aspects to it as well, such as presiding at school or district wide events for the unveiling of new programs or the recognition of student and community partner accomplishments.

Major Concerns of the School Board Members: One of the concerns of the members of the School Board is **curriculum and instruction**. The School Board focuses on student success in the classroom by ensuring that students have a safe place to learn and the tools necessary to achieve an education. These tools include good teachers, adequate materials, clear curriculum, and the Common Core Standards (see end note). The State of New Mexico determines the curriculum taught in the classroom; however, the teachers have some flexibility in the material presented in the classroom related to a given mandated topic. Administrators and school board members meet to discuss priorities and ensure that the priorities match.

A second area of concern is **student testing and assessment of progress**. Members of the school board receive reports on test results and discuss the latest information with the superintendent. School board members hear complaints about teachers feeling pressure to “teach to the test,” and the test results on federal and state mandated tests don’t arrive in time to help the teachers diagnose the current instructional needs of students. MAP (Measurement of Academic Progress) tests give immediate feedback to students and teachers. The MAP tests are offered in the early fall, December, and the spring of the school year (three times during the year). Administration of the tests is a legislative law that ties student testing to performance growth so that specific mid-course adjustments can be made in the instructional plans for students.

A third concern is **teacher professional development**. The district has established a Professional Development Center that is staffed with experts in pedagogy and specific curriculum areas. Professional learning teams are organized in all schools by grade level. The team members come together once a week to discuss how well the students are doing and ways to better deliver differentiated instruction. Differentiated instruction accommodates different levels of student skills and development. Teacher subject matter experts who travel to schools and one professional development expert assigned full time to each school building provide professional training on a myriad of subjects or issues that teachers may be experiencing in the classroom, including ways to improve student performance. The current teacher contract requires that the 183rd day of the contract is identified as a professional development day. The tiered salary program encourages advanced training beyond the basic bachelor’s degree in education. Local school board members sometimes act as liaisons with the NM Public Education Department (PED) and offer advice about professional development of teachers. However, this is more often done by the superintendent.

Finally **funding issues** are a great concern, a re-occurring theme raised during interviews with others in the school district. In the recent past, between 150-200 teachers have retired from the

school district, and positions have not been filled to accommodate budget cuts through attrition rather than lay-offs. Federal stimulus money has enabled teachers to remain in positions during the past year, but this money will be discontinued soon. Class size is a concern as teaching staff reductions occur and student growth continues.

Teachers have not received a salary increase in three years, and it appears there will be no salary increase this year. Additionally, teachers have been asked to pay more from their salary into their retirement fund. Class size is a concern as teaching staff reductions occur and student growth continues.

At the middle and high school level, the superintendent and principals are working on a class scheduling system that will increase the number of classes taught by each teacher.

This proposed system would save teaching positions in the district while increasing course offerings and decreasing the number of students in many classes. It is estimated that 200 teaching positions and \$3.5 million would be saved.

[Source: LCPS web site, frequently asked Q&A regarding proposed scheduling, 3/26/2011]

Teachers have not received a salary increase in three years, and it appears there will be no salary increase this year. Additionally, the state legislature is asking teachers to pay more from their salary into their retirement fund, an additional 1.75%, which amounts to a reduction in take-home-pay. The LCPS administration anticipates a total cut of \$11 million dollars to the school district, which will result in the 183rd day of school for professional development and two instructional days for the students being cut, which creates additional salary cuts for teachers.

Perceptions or misperceptions of the school district: The issue of public perceptions of the school district is complex. People tend to believe what they want to in spite of the facts. Both Dr. Votaw and Dr. Phillips agreed that facts support that students who want to learn are learning, and there are good teachers in the system, a theme we heard repeated in interviews with other groups. An on-going need is to continually improve the district's public relations so that the public has a better understanding of the diversity represented in the classroom among the students and the environments in which they live. As stated earlier, the district has a 60% poverty level and a number of students are non-English speakers. Having stability in the superintendent's position has helped the district pull together in working on some of the tough challenges.

A final question about the help the district receives from the community particularly the business community, provided the following information about the outcomes of the work of the School Advisory Committee:

- Community members can more easily volunteer as tutors in the school system.
- The School Advisory Committee (SAC) brings volunteers from the business community.
- The Bridge of Southern New Mexico is a program created through an education committee initiative of the Greater Las Cruces Chamber of Commerce (Regional Education Initiative [REI]).

The Bridge is now a 501(c)3 non-profit organization that "bridges the gap" between students and the needs of the local workforce. The vision is for all students to graduate with skills to compete in an international workforce. Two goals are (1) to achieve the highest high school graduation rate in New Mexico by 2016, and (2) optimize career and technical education opportunities for students to satisfy the needs of business in Doña Ana County.

[Source: Website: The Bridge of Southern New Mexico, 3/26/2011]

- **Early College High School**

It opened in July 2010 and is an effort to increase student retention and graduation rates. It is a collaborative effort among Las Cruces Public Schools, New Mexico State University and Doña Ana Community College and a physical campus for the program will eventually be located on the

NMSU Campus. It is a dual credit program that will give students a high school diploma and a two-year associate's degree or credits toward a four-year college degree.

[News Release, Las Cruces Public Schools, "Early College High School Groundbreaking Is September 17," September 16, 2010.]

- Early Childhood Education Program funded by Toyota seeks to meet the educational needs of Hispanic and other immigrant families.

The program works to improve the language and literacy skills of the family and to connect parents to their children's education and their children's schools. Las Cruces Public Schools joined the Toyota Family Literacy Program (TFLP) in 2008 and received a \$600,000 Toyota Family Literacy grant in 2009. The grant program has allowed the district to establish six regional parent centers at elementary schools, one district parent center and 23 school sites to serve children and families.

[Source: Website: www.lcps.k12.nm.us and the Toyota Family Literacy Program, 3/26/2011]

- AVANCE

It is a parenting and early childhood education program that provides education and family support services to predominantly Hispanic families in low-income, at-risk communities. It is dedicated to promoting school readiness and supporting family engagement ... children, parents, teachers ... and the general public. Derived from the Spanish word meaning "to advance."

[Source: Website: AVANCE, 3/26/2011]

- Children's Reading Foundation of Doña Ana County (established on May 13, 2011)

A county-wide initiative that addresses a single objective: encouraging parents, family members and others to read to children every day for at least 20-minutes. The effort is being advanced by State Senator Steve Fischmann, School Board Member Maria Flores, and Terry Miller. The Reading Foundation is proposed as a self-sustaining non-profit 501(c)3 organization operating as a public-private partnership with grants and private donations. Currently, it is affiliated with a local non-profit organization, the Institute for Community Engagement (IFCE).

[Source: Introductory document prepared by organizing committee, State Senator Steve Fischmann, School Board Member Maria Flores, and Terry Miller, January 27, 2011]

End Note:

Common Core Standards Defined: These are standards for academic performance in a variety of subject areas that were developed as a joint project of the Council of Chief State School Officers (CCSSO) and the National Governors Association Center for Best Practices. Forty-one states plus the U.S. Virgin Islands and the District of Columbia have now adopted the standards and are in the process of developing tests for measuring the accomplishment of the standards. New Mexico is one of the states that has adopted the standards.

[For more information go to <http://www.corestandards.org/>]



League of Women Voters of Greater Las Cruces

**Education Study Committee
Meeting with School Board
March 3, 2011, 1-3 p.m., LCPS Administration Bldg., Conf. Room**

Questions

1. What are the legal responsibilities of school board members?
2. What are the additional duties for which the president of the board is expected to take responsibility?
3. What are the greatest concerns of LCPS School Board Members related to
 - a. Curriculum and instruction as it pertains to student success
 - b. Student testing assessments to meet Race to the Top criteria
 - c. Professional development of teachers
 - d. Successful student test outcomes tied to teacher performance evaluations
 - e. Funding issues that impact overall student and teacher performance.
4. Given that it appears that NM funding for schools will be reduced,
 - a. What instructional areas or aspects of the LCPS educational delivery system do you think will likely be cut?
 - b. How badly do you think such cuts will affect the quality of the school system?
5. What are your concerns about the public perceptions or misperceptions of the school district and what do you most want the public to know about the Las Cruces Public School system?

POLICY BDB

Board of Education Las Cruces Public

Related Entries: BDA
Responsible Office: Board of Education

BOARD OFFICERS AND DUTIES

I. PURPOSE

The Board of Education is committed to the election, by its members, of a Board president, vice president and secretary and to the functioning of those officers in compliance with the provisions of this policy.

II. POSITION

A. The Board shall elect from its membership a president, a vice president and a secretary.

B. The duties of the president, vice president and secretary will be as follows:

1. President

- a. To direct the development of agendas.
- b. To preside at meetings.
- c. To appoint committees except in case of formal action by the Board to the contrary.
- d. To call special meetings of the Board.
- e. To sign all contracts and such other documents as may be proper and applicable to his/her position.
- f. To perform other duties that properly pertain to the office or those duties that may be delegated to him/her by the Board.

2. Vice President

The vice president shall perform the duties of the president in the absence of the president.

3. Secretary

1. To prepare, sign, or co-sign all legal documents, contracts or checks as become the responsibility of his/her position.
2. To perform such other duties as may be prescribed by law and policy of the Board.

III. REVIEW

This policy shall be reviewed on an ongoing basis in accordance with the Board of Education policy review process.

History: Formerly Policy 120

Legal Reference:



Board of Education, President

Oct. 21, 2008

Date Approved

SECTION E. - Powers and Duties

A local school board shall have the following powers or duties:

- A. subject to the regulations of the department, develop educational policies for the school district.
- B. employ a superintendent of schools for the school district and fix his salary.
- C. review and approve the school budget.
- D. acquire, lease and dispose of property.
- E. have capacity to sue and be sued.
- F. acquire property by eminent domain as pursuant to the procedures provided in the Eminent Domain Code.
- G. issue general obligation bonds of the school district.
- H. provide for the repair of and maintain all property belonging to the school district.
- I. for good cause and upon order of the district court, subpoena witnesses and documents in connection with a hearing concerning any powers or duties of the local school board.
- J. except for expenditures for salaries, contract for the expenditure of money according to the provisions of the Procurement Code.
- K. adopt rules pertaining to the administration of all powers or duties of the local school board.
- L. accept or reject any charitable gift, grant, devise, or bequest. The particular gift, grant, devise, or bequest accepted shall be considered an asset of the district or the public school to which it is given, and
- M. offer and, upon compliance with the conditions of such offer, to pay rewards for information leading to the arrest and conviction, or other appropriate disciplinary disposition by the courts or juvenile authorities, of offenders in case of theft, defacement, or destruction of local school district property. All such rewards shall be paid from school district funds in accordance with rules promulgated by the department; and
- N. give prior approval for any educational program in a public school in the school district that is to be conducted, sponsored, carried on or caused to be carried on by a private organization or agency.

This list covers only the basic powers and duties of local school boards as specified in Article V of the Public School Code [NMSA 1978]. Numerous other provisions of state and federal laws and regulations set out further requirements that local boards must adhere to, but the foregoing provides a basic introduction.

A member of a board of education is a public officer, but has no power or authority individually. The law vests the power in the board and not in the members thereof, either singularly or otherwise, and these powers must be exercised by the board, at a regular or special board meeting, with action duly recorded in its minutes.

Almost all school board business is required by law to be conducted in meetings open to the public which have been properly advertised. There are some exceptions under the *New Mexico Open Meetings Act*,

