



GOVERNING COUNCIL

Regular Meeting of the SAMS Academy Governing Council on

Thursday, June 15th, 2017

BOARD MEMBERS PRESENT

Larry Kennedy, Roland Dewing, Farrah Nickerson, Tiffany Roth and LyDawn Blount

BOARD MEMBERS ABSENT

None

ALSO IN ATTENDANCE

Kirk Hartom, Coreen Carrillo, Ronda Joyce, Carol Jester, Joseph Lucero and Sharon Huber

PUBLIC

Mylena Madrid, Laurie Hall, and Mike Madrid

These minutes were approved on 7-20-17

By a vote of 4 yes 0 no 1 absent 0 abstained

Larry Kennedy President

Sharon Huber Secretary

I. Call to Order

Larry called to order the Regular Meeting of the Governing Council for the Southwest Aeronautics, Mathematics and Science Academy on **June 15th, 2017 at 7:30 AM in the conference room at SAMS Academy, 4100 Aerospace Parkway Northwest, Albuquerque, New Mexico 87120.**

A. Roll Call

Larry asked for Tasha to call roll. Tasha called Larry Kennedy, Roland Dewing, LyDawn Blount (via phone), Farrah Nickerson, and Tiffany Roth.

B. Pledge of Allegiance

Larry led the Pledge of Allegiance. Thank you, Larry.

C. Adoption of Agenda

Larry asked for a motion to approve the agenda. Farrah made a motion to approve the agenda. LyDawn seconded the motion. Larry called for a voice vote to approve the agenda, all board members present approved. Next, he called for any opposition and upon hearing, none the motion carried unanimously.

D. Review/Approval of Minutes from the May 18th, 2017 Special Meeting

Larry called for a motion to approve the minutes. Farrah made a motion to approve the minutes from the May 18th, 2017 meeting and Roland seconded the motion. Larry called for a voice vote to approve the minutes, all board members present approved. Next, he called for any opposition and upon hearing none, the motion carried unanimously.

II. Closed Session

A. Limited Personnel Matter, head administrator contract, pursuant to NMSA 1978, Section 10-15-1(H)(2) or matters subject to the attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant pursuant to NMSA 1978, Section 10-15-1(H)(7).

Larry made a motion to go into closed session to discuss a Limited Personnel Matter, head administrator contract, pursuant to NMSA 1978, Section 10-15-1(H)(2) and/or matters subject to the attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant pursuant to NMSA 1978, Section 10-15-1(H)(7). Farrah seconded the motion. Larry asked Tasha to call roll. Tasha called Larry Kennedy, Roland Dewing, Farrah Nickerson, LyDawn Blount and Tiffany Roth.

The Board went into Closed Session at 7:32am.

III. Open Session

Larry moved that SAMS Governing Council move back into Open Session and only matters on the Closed Session Agenda were discussed. Farrah seconded the motion. Larry asked Tasha to call roll. Tasha called Larry Kennedy, Roland Dewing, Farrah Nickerson, LyDawn Blount and Tiffany Roth.

The Board resumed Open Session at 9:55 am.

A. Discussion/Action on matters discussed in Closed Session

Larry asked for a motion to renew the Head Administrator's contract. LyDawn made a motion to

renew the Head Administrator's contract. **Tiffany** seconded the motion. **Larry** called for a voice vote, all board members present approved. Next, he called for any opposition and upon hearing none, the motion carried unanimously.

IV. Ongoing Business Matters

A. Governing Council Member Recruitment

Larry thanked Roland for doing his part in bringing a prospective member. It is an ongoing thing.

B. Aviation Program Update

Daren delivered his report.

The Diamond is down for its' 100-hour inspection. They are taking advantage of the Diamond being down to work on groundwork.

Mr. Liebig is certified for the Cessna only at this time.

For May 2017, the Hobbs numbers of flight for the: Cessna N739HK was 9.9 hours, 42.4 hours in the Diamond N806ER, a lot of hours in the SAMS Redbird MCX AATD "Simulator" in the SSLC Redbird MCX AATD "Simulator" due to a lot of bad weather in May.

He conducted the last three solo exams. Two solo stage checks. There has been one solo cross-country flight.

They did receive the FAA registration card. AOPA have asked Daren not only to present, but to be a keynote speaker.

The new instructors, Mr. Wolfe and Mr. Liebig, helped out in the MCX's.

There are two students that should be ready for their check ride at the end of the month. He is focusing on kids that want to go be a professional pilot. There are five looking to get their certificate. The total number teaching is 12 flying. There are 112 kids in the program. The end of July is their last day to fly. The kids will have to reapply for the program, and the ones that get priority are the ones that declare this will be their career. This is what dual enrollment is hinting towards kids picking a major.

Farah asked about Mr. Wolfe's services in the future. She was answered that he will volunteer intermitted. If there is any foresight of when he will be needed, there is possibility to look into hiring him as a sub.

Farah asked what the board can do to help. She was answered that there really needs to be an effort looking into philanthropic subsidies. Daren does not have time to head hunt.

C. Parent Member for Audit Committee

Larry repeated that we still in need of a parent for the audit committee. It is only once a month during the audit, the required meeting is the entrance and exit, but he is going to push that this audit committee meet monthly. This was a suggestion by PED. The meetings are September until December 2017.

D. Governing Council Bylaws

Larry mentioned draft last month was amended to include the changes the board brought forward. The final copy was ready for approval.

Larry asked for a motion to approve the amended bylaws of the Governing Council of SAMS Academy. Tiffany made a motion to approve the bylaws with the corrections. Farrah seconded the motion. Larry asked for a voice vote to approve, and those present did so. He asked for any

opposed and showing none opposed, the motion carried.

V. New Business Matters

A. IDEA-B Application

Coreen needs the approval for the application of IDEA-B, which helps students with Special Needs.

Larry asked for a motion to approve the IDEA-B application. Roland made a motion to approve IDEA-B application. Farrah seconded the motion. Larry asked for a voice vote to approve, and those present did so. He asked for any opposed and showing none opposed, the motion carried.

B. Summer/Fall Board Calendar

Larry noted that the only deviation for the third Thursday would be in July where it will be moved to the fourth Thursday as Kirk will be out of the country. There was discussion as to whether it could be kept on the third Thursday without Kirk's presence. The board decided that the next board meeting will be held on July 20th.

C. Summer Board Activities (GC Policies, Staff Handbook, Strategic Plan, Accountability Manual, GC Self-Assessment)

Larry wanted to help of the board attorney to make sure that the summer board activities to help the board make sure everything is setup correctly.

D. Leave Exchange Policy Amendments

Larry brought to the board's attention last month the leave exchange policy needed to be amended, the changes were made and were ready for approval.

Larry asked for a motion to approve the Leave Exchange Policy. Farrah made a motion to approve the Leave Exchange Policy. Tiffany seconded the motion. Larry asked for a voice vote to approve, and those present did so. He asked for any opposed and showing none opposed, the motion carried.

E. Alternative Demonstration of Competency

Kirk reported that the approval process for the ADC will lie with the board. Kirk provided the board the ADC for SAMS. Farrah noted a typo and requested that it be fixed.

Larry asked for a motion to approve the ADC with the correction to the last paragraph and the space between S and A in SAMS. Roland made a motion to approve with that alteration. Farrah seconded the motion. Larry asked for a voice vote to approve, and those present did so. He asked for any opposed and showing none opposed, the motion carried.

F. Temporary Contract Between PEC and SAMS

Larry announced that PED has requested that we do a temporary contract in lieu of meeting the June 30th deadline for finalizing our performance contract and our performance frameworks given that they are not ready to do that yet. PEC is looking at making some revisions to their templates. What they are asking is to enter into an agreement with them for a temporary contract until such time we negotiate a performance contract them. There are two contracts that the PEC will be looking at. The board needs to approve both contracts if PEC does not accept one.

Larry asked for a motion to approve both of the Temporary Contracts between PEC and SAMS. Roland made a motion to approve both contracts. Tiffany seconded the motion. Larry asked for a voice vote to approve, and those present did so. He asked for any opposed and showing none

opposed, the motion carried.

G. Transportation Contract

Larry declared that this is the contract with APS for transportation. It is in the amount of \$112,514.76 for the year. This is three busses and day and two busses on Friday.

Larry asked for a motion to accept the Transportation Contract. Farrah made a motion that we approve the Transportation Contract. Tiffany seconded the motion. Larry asked for a voice vote to approve, and those present did so. He asked for any opposed and showing none opposed, the motion carried.

VI. Administrative Report

A. IT Report

Carol delivered the report. She mentioned that the vendor was very cooperative in pushing back the date until PED approved. The work will be started on Tuesday. It should be done by the end of July.

B. Data Team Report

Kirk announced that there is a teacher leader group that worked with an organization called Education for the Future, specializing in data analysis. There were surveys sent out and he presented the results of those surveys. This data can be used for all aspects of the school.

C. Positive Behavior Interventions and Supports (PBIS) Reports

Kirk commissioned Dr. Linda Ware, a professor of disabilities studies, to take a look at a PBIS program what it might look like in our schools. She paid three visits this year, did a little bit of staff development at the beginning of the year. It's about inclusive education. How does everyone fit into the public school environment and what more we can do to enhance that. She produced several reports of her finding, which were given to the board for consideration. The decision to use her in the future or if the school is ready to move forward with PBIS will be addressed on an ongoing basis.

D. Back-to-School Differentiated Instruction Training

Kirk announced that August 1st and 2nd, the training will commence. There was good feedback last year, when it was done. Last year, there was focus on ELL. The presenter this year will be Suzanne Johart.

E. Staffing Report

Kirk reported that 90% of the staff have signed their contracts for next year. By next month, we should be 100% staffed. Larry asked how many that would be. Coreen estimated 25. Larry asked for a definite number before next meeting.

F. Portable Buildings

There is no need for portables at this location.

G. Charter Leadership Conference June 21-22

Larry announced that this is a conference that the PED has put together that is free. This will be credited to hours for this school year.

VII. Finance Report

A. Business Office Operations Update

Ronda delivered the report:

- Through the month of May 2017 revenues came in at 90.07% of budgeted.
- Expenditures are at 81.07% to budget.
- Negative functions are pending BAR approval from PED.
- The bank activity expenditures exceeded revenue by \$10,535.26
- \$38,162.80 in outstanding items as of May 2017.
- Trial balance will need to revert the startup balance of \$4,588.10 once the public education department catches up on and tells us to do so.
- SAMS is in a healthy cash position.

B. Voucher Approvals

Larry asked if there were any questions regarding the check register. There was a huge check to Cooperative Education Services. \$46,000 was edgenuity, which is what the students use, the curriculum. Three other invoices were software renewals for next year.

Larry asked for a motion to approve the check register. Farrah made a motion to approve the check register. Tiffany seconded the motion. Larry asked for a voice vote to approve, and those present did so. He asked for any opposed and showing none opposed, the motion carried.

C. Budget Adjustment Requests

BAR 1617-0027-I is to increase budget per cash carryover for IDEA-B for \$53,000.

Larry asked for a motion to approve BAR 544-000-1617-0027-I. Tiffany made a motion to approve Budget Adjustment Request 544-000-1617-0027-I. Farrah seconded the motion. Larry called for an affirmative voice vote. Next, he called for any opposition and upon hearing none, the motion carried unanimously.

D. Fixed Asset Inventory Status

Ronda conveyed that through Weiner Co. for inventory over \$5,000. There will not be an issue having a report prior to June 30th, 2017.

E. Permanent Cash Transfers

There are no cash transfers at this time.

F. Inventory Disposal

There is no inventory disposal at this time.

G. Addition to Internal Controls, Accounts Payable Policy

Ronda announced the Accounts Payable Policy will have to be postponed to next month's meeting.

H. Addition to Staff Handbook #23, Records and Certification

Ronda reported that based on the T&E Audit we needed to add some items to our policy in order to qualify certain items as experience for the teachers. What we've added is if an Employee has worked 90 or more days for an instructional position prior to working with us and 150+ days for non-instructional positions, it will be considered one year of prior experience. College level teaching will not be accepted as acceptable prior work experience. Verification of years of

applicable experience in another state is acceptable. For aviation purposes, the FAA accepted pilot's log is acceptable for student training hours and completing the number of experience hours as it is translated into 240 days per year. All positions, including non-instructional, will need to provide a letter or form from a previous employer verifying the number of years worked, full time or part-time in the same similar position being hired for.

Larry asked for a motion to approve Staff Handbook #23, Records and Certification. Farrah made the motion to approve Staff Handbook #23, Records and Certification, with the change from AFA to FAA. Roland seconded the motion. Larry called for an affirmative voice vote. Next, he called for any opposition and upon hearing none, the motion carried unanimously.

I. Budget Technical Review with PED in Santa Fe

It will not happen.

VIII. Public Comment

Larry asked that comments be kept to three minutes, and that all comments be respectful, be courteous and not directed at staff or teachers or students, due to confidentiality matters.

Mylena Madrid was the counselor at SAMS Academy for a year and a half. The first thing she wanted to address was PBIS, staff was never trained in PBIS. There was information in last year's registration that went out of showing what PBIS is. I looked through that, I said I have no idea what this is we're talking about. So, we are not trained. Nobody here is trained. An email went out to parents in March that the staff was trained in PBIS. That has never happened. That is a concern for me. Also, the PBIS instructor is not certified in PBIS. She's a friend of an Administrator. She's a professor of an Administrator, and she's not certified. So, I'm even sure it can be called PBIS training.

I also want to say that my email was abruptly cut off after I received my letter saying that I didn't have a contract. Very unprofessional. I am concerned about the students. I am concerned about their well-being. I am concerned if they have someone they can talk to. All last summer, I talked to students. I connected parents with counselors. It is very concerning with me, and I hope there is a plan to help these students, because I have been completely cut off from them.

I also want to say that there should be a licensed school counselor for every 250 students, and that's per the National School Counseling Association. So, 250 students, fulltime counselor. I've been hearing that there is going to be a Dean of Students that money is going to be allocated to, that was not in the budget. It was budgeted for a fulltime school counselor. My daughter is still at this school, so it is in our best interests to make sure she is well cared for while she is her. I think part of that is having a school counselor.

I believe that SAMS is kind of at a place where they could use some help. There is a division here, staff is unhappy. I got numerous phone calls saying they fear for their jobs, they fear for retaliation, they don't want to say anything with what is happening with this school. And I really think the school board needs to step-up and really take a look at what's happening with the school. Part of it is communicating with the community. Parents are the community, students are the community, staff is the community.

Lastly, I want to say that I came to the school board for help. The communication with the school board went terribly wrong. There are things that went terribly wrong that could have been avoided. I still haven't gotten a response about the recommendations from the independent

investigator. And I still haven't gotten a response about the compensation that is due to me. So, I would really appreciate it, if the board could communicate with me and let me know what is happening, and look at the welfare of the students at SAMS Academy. We are losing track of why we are here and what's important, because of agendas and just people not being happy with their jobs and being threatened by other people. So, I would really appreciate if SAMS did what was in the best interests of the students. Please.

Laurie Hall read the following:

My name is **Laurie Hall** and I have been employed at SAMS Academy for the past three years, first as an educational assistant and then as the ELA teacher in Main Lab. I have also been the dual enrollment liaison, senior class sponsor, book club sponsor, schedule change facilitator and transcript evaluator. Additionally, I have attended and prepared documentation for IEP and SAT meetings, analyzed data, participated in extended school year and assisted with make-up PARCC testing. As required, I completed my teacher training and all necessary licensing tests within the allotted time frame to become a fully licensed teacher. I received a highly effective rating for the 2015-2016 school year and have significantly improved my skill set since then.

On May 23, 2017, I was notified by the SAMS Head Administrator, Kirk Hartom, that my contract for the upcoming school year would not be renewed. Mr. Hartom entered Main Lab and handed me an envelope without saying a word. He immediately left campus allowing for no explanation or discussion of his decision to not renew my contract. Additionally, he sent the same notification through email, that he had turned off the next day, and by certified mail, the exact same information. This was unnecessary and is further example of his attempt to intimidate and harass me. While I have no desire to have my position, really, reinstated because I not need to work for an organization that does not value my work ethic and contributions, I am taking this opportunity to discuss the unprofessional behavior, bullying and intimidation tactics used by the Head Administrator which have created a hostile work culture here at SAMS. The official reasons given for my non-renewal are not reflected in any evaluation I have received nor are they documented in any way.

In September 2015, I spoke before the SAMS Board and provided substantial documentation of Mr. Hartom's unprofessional behavior and lack of concern regarding an ongoing payroll issue that he seemed unwilling to resolve. I asked the board members to investigate and rectify the situation, taking action as necessary. I also informed the board members and Mr. Hartom that going forward, I expected a much-improved relationship with Mr. Hartom including appropriate, respectful communication.

Four employees (including myself) who received letters of non-renewal had all filed complaints or formal grievances with the SAMS board and/or NMPED against Mr. Hartom. These employees were also treated in a similar unprofessional manner demonstrating Mr. Hartom's inability to effectively work with employees who have legitimate complaints. On several occasions when presenting issues to Mr. Hartom I was told, "Why don't you take it up with the Union," which I did not think was an appropriate response as we do not have a union representation at SAMS.

In November, I was instructed by Principal Carrillo to introduce a new staff member in Main lab and guide her through her first day at SAMS. I was told to introduce her as an ELA teacher and that she would be grading all the middle school ELA essays and working in Main Lab. I did as instructed, showing her how Main Lab operated. I gave her a brief tutorial of

edgenuity, answered questions and asked her to observe and interact with students. The new teacher was confused at the change in job description as she had been hired as a Special Education teacher. She was understandably upset and threatened to quit. Mr. Hartom then accused me of trying to make the new teacher my assistant and informed me that I had no authority to change her position. Even after discussing this with Mrs. Carrillo, he continues to berate me for my actions.

In February, I was forced under duress by both administrators to sign a "Corrective Action Plan" which was only a list of general and unsubstantiated complaints with no plan for improvement. I have never received any written complaints or indication that I was not fulfilling my job expectation. I was asked to respond in writing (which I did), but this action was never followed up on by administration despite several attempts on my part to address the situation and several comments from Mr. Hartom assuring me that we would get together to address this. This documentation is still in personnel file even though no formal action was ever taken. I formally request that it be removed for non-action and unsupported claims and that written documentation be provided that all copies have destroyed.

Mr. Hartom has publicly offered services for students that were not in place and that employees were not informed of or trained to facilitate, these services included: PBIS, after school tutoring for UNM subjects, mentoring for new employees, before and after school tutoring and school wide data training which was not completed until after school was out. Staff was not sent this email, nor were they approached about offering these services. In addition, he has failed to complete some staff evaluations in a timely fashion and missed scheduled appointments for evaluation. He missed my evaluation which was scheduled for March 30th, at 9:00am without explanation and did not reschedule. He did come by Main Lab a few days later and "informally" observed me for about 5 minutes, but as he never scheduled a "post-observation meeting to discuss I did not know my observation had actually been completed.

The issues I have outlined here today have been experienced by many employees at SAMS and have been previously documented before the board. The unprofessional actions and behaviors of the Head Administrator (including withholding staff and faculty contracts as he is doing currently) can easily be interpreted as intimidation and has contributed to the establishing and continuation of a stressful and hostile work culture at SAMS Academy. I believe these actions that began soon after Mr. Hartom was hired and still continue, paired with the unwillingness of the SAMS board to adequately address and facilitate Mr. Hartom's positive communication between staff and the administration has opened the school administration and school board to possible litigation.

On a personal note, where in all that is happening are the students' needs being met? How does the cultivation of a hostile workplace and intimidation strategies assist thin the education of SAMS students? SAMS needs a collaborative faculty and staff working together to support, nurture and teach our students, when you hire a Head Administrator that has an agenda of unknown nature resulting in a divide between staff, faculty and administration, the students are the ones who suffer. Students are why we are here. Their education and wellbeing should be paramount. That is unequivocally not happening at this time at SAMS.

I sent this Board a written request to be added to this meeting's agenda to address the issues I have presented. Notification of my request was sent more than a week before this meeting. Not only did the Board fail to add me to the agenda, you also did not respond to my request. It appears you are continuing to be complicit in the ongoing and unrestrained

unprofessional and hostile actions of Mr. Hartom. As his employer, you are ultimately accountable for his actions and consequences, especially when there is no good faith effort on your part to correct or remediate it.

Also, since my evaluation was completed after my contracted work days were over, I was never officially observed this spring and I was not afforded the opportunity to participate in the evaluation process, I am currently filing a grievance with NMPED regarding this. When an employee is rated as highly effective one year, the following fall's observation reflects there are continued improvements, there is no official observation in the spring and no formal documentation of any specific issues, I see no justified or legitimate avenue for being rated as ineffective for the school year. Since everything I have presented today clearly documents and provides evidence of systemic Head Administrative issues, I am seriously contemplating filing a law suit against SAMS Academy, its Administrators and this School Board. By rating me unjustly as ineffective, Mr. Hartom and this Board are supporting actions which can affect my ability to level up and limit my opportunities for employment as a teacher in New Mexico. This is unacceptable and will be vigorously fought.

It is time for this board to take the responsibility that has been entrusted to you seriously or prepare for the consequences that must follow.

Mike Madrid has been before the board a couple of times. I want to start by defining the term retaliate: to return like for like, especially to get revenge. Bullying means any repeated, and this is straight out of the SAMS student handbook, bullying means any repeated and pervasive, written, verbal or electronic expression, physical act or gesture or pattern thereof that is intended to cause distress upon one or more people in the school, it says students, but bullying includes but is not limited to hazing, harassment, intimidation or menacing acts of a student which may or may not be based on the students' race, color, sex or age. Harassment means knowingly pursuing the pattern of conduct that is intended to annoy, alarm, or terrorize another person.

Mylenda my wife, submitted a formal complaint against the person who might possibly come to work for SAMS. She is neither educated or licensed to be a school counselor. So, it's a continuation of the abuse of power. I said it last time, and I will say it again. Larry made several bad decisions regarding Mylenda's formal complaint. This has led to retaliation. And last time I was here, I think, I overheard a board member talking to the Head Administrator, stating, "Make this good." She has been terminated. Is this making it good?

Four out of five people that have submitted formal complaints against the Head Administrator between SAMS and the other two schools across town, four of them have been released. Have been fired. The fifth one is, there are some issues there. But four out of five people. SAMS is losing key staff because of a hostile working environment created by the Head Administrator. The Head Administrator has done a lot of things that this board is unaware of. They will become aware of it when PED or PEC show up, or the lawyers. It's inevitable. It's a pattern that we have seen. There's reasons why schools have asked the Head Administrator to leave time and time again, including one he founded. And the last question that I have is, why are there no term limits for the President of the School Board. I believe it's an issue for PED or PEC.

IX. Announcements

A. Date for next Regular SAMS Academy Governing Council Meeting

Larry decreed that the next meeting will be July 20th, 2017 at 7:30 am.

X. Adjournment

Larry called for a motion to adjourn. Farrah made a motion to adjourn. Roland seconded the motion. Larry called for an affirmative voice vote. Next, he called for any opposition and upon hearing none, the motion carried unanimously.

The Regular Meeting of the Governing Council for the Southwest Aeronautics, Mathematics and Science Academy adjourned on June 15th, 2017 in the conference room at SAMS Academy, 4100 Aerospace Parkway Northwest, Albuquerque, New Mexico 87120 at 11:25am.

