

# NEW MEXICO SCHOOL BOARDS ASSOCIATION



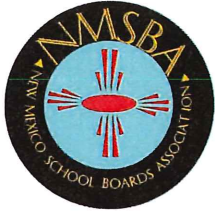
*450 Strong!*

## 2021 VIRTUAL BOARD MEMBER INSTITUTE



**FEBRUARY 11-13, 2021**

*Serving New Mexico's School Boards for over 63 years*



**NEW MEXICO SCHOOL BOARDS ASSOCIATION  
2021 VIRTUAL BOARD MEMBER INSTITUTE  
February 11-13, 2021**

*450 Strong!*

**Agenda**

**Wednesday, February 10, 2021**

- 8:00-10:00 AM NMSBA Executive Board Meeting.....*Via Zoom*
- 3:00-5:00 PM NMSBA Board of Directors Meeting.....*Via Zoom*

**Thursday, February 11, 2021**

- 10:00-11:00 AM NMSBA PRESS CONFERENCE.....*Via Zoom*
  - Olivia Calabaza, NMSBA President Presiding
  - NMSBA Legislative Priorities and School Board Appreciation Comments
  - Speakers/Dignitaries
    - Lieutenant Governor Howie Morales
    - Secretary Ryan Stewart, NM Public Education Department
    - Senator Bill Soules, Chair, Senate Education Committee & Members
    - Rep. Andres Romero, Chair, House Education Committee & Members
    - Charlie Wilson, President, National School Boards Association
    - New Mexico Education Partners (NMCEL, NEANM, AFTNM, NMPTA)
    - Questions from the Press
- 1:00-4:30 PM BOARD MEMBER PRE-INSTITUTE TRAINING.....*Via Zoom*
  - School Culture & Climate, School Board Ethics and Social Media
  - Presenters: Dr. Hugh Prather, Dr. Gloria Rendón and Evan Grasser

**Friday, February 12, 2021**

- 8:30 AM OPENING GENERAL SESSION.....*Via Zoom*
  - Call to Order and Welcome..... Olivia Calabaza, NMSBA President
  - Pledge of Allegiance..... Marvyn Jaramillo, NMSBA President-Elect
  - Salute to the New Mexico Flag.....Dymorie Maker, NMSBA Vice-President
  - National Anthem.....Reina Archuleta, West Las Vegas High School All-State Choir
- 8:45 AM 2021 Legislative Update.....Rep. Andres Romero, Chair, House Education Committee  
Sen. William Soules, Chair, Senate Education Committee
- 9:15 AM Legislative Finance Committee Update.....Charles Sallee, Deputy Director  
Legislative Finance Committee
- 9:45 AM BREAK
- 10:00 AM Public Education Legislative Priorities.....Ryan Stewart, Secretary of Education Designate
- 10:30 AM NSBA Greetings and Federal Update..... Chip Slaven, Chief Advocacy Officer  
National School Boards Association
- 11:15 AM NSBA DIRE Initiative.....Frank Henderson, Secretary-Treasurer & DIRE Co-Chair, NSBA  
Adam Lustig, Director for Center for Safe Schools, NSBA  
The initiative addresses racial disparities in school systems and is dedicated to understanding and recognizing the root causes of barriers to equitable educational outcomes for each child.
- 11:45 AM LUNCH BREAK



# NEW MEXICO SCHOOL BOARDS ASSOCIATION 2021 VIRTUAL BOARD MEMBER INSTITUTE

**Friday, February 12, 2021 continued**

**WEBINARS VIA ZOOM**

- 1:00-2:00 PM **COVID-19 Does Not Suspend School Districts' Obligations to Special Needs Students**  
PED allows districts to return small groups of pre-K through 3rd grade and special education students for in-person instruction, even during remote learning, but leaves the ultimate decision to the districts. School decisions about serving those students during this time is particularly challenging and has resulted in at least one important court decision about which school leaders should be aware.  
**Elena M. Gallegos, Eric Rodriguez.....Walsh Gallegos, P.C.**
- 2:45-3:45 PM **2021 Regular (School Board) & Special Elections** -The next regular local election will take place November 2, 2021. Now is the time to start preparing for it and to decide whether to hold a special election before then. This session will provide you information you need to know to make the election process smooth, including deadlines for board resolutions, declarations of candidacy, and bond and mill levy questions.  
**Patricia Salazar Ives, Heather Travis Boone, Charlotte Hetherington, Cuddy & McCarthy, LLP**
- 4:00-5:00 PM **Open Meetings Act: Myths or Realities?** How OMA is frequently misused and how to use it effectively for efficient meetings. OMA is an effective tool for transparency and for running efficient meetings. However, there are many myths or realities that can cause problems for Board meetings. Eliminate myths and address the realities, and avoid costly inquiries by the AG's Office.  
**Geno Zamora, Nicholas Govea.....Ortiz & Zamora, LLC**

**Saturday, February 13, 2021**

**WEBINARS VIA ZOOM**

- 8:30-9:30 AM **School Board Role During COVID-19** - While education of students remains the focus, COVID-19 has altered the way boards approach their mission and the tools available to them. Participate in this lively zoom session to discuss evolving board roles, frustrating limitations, and new opportunities in a pandemic-altered world.  
**Tony F. Ortiz, Geno Zamora.....Ortiz & Zamora, LLC**
- 9:45-10:45 AM **Coronavirus Relief Legislation & Updates on School Education Litigation** - This session will provide a summary of the education related sections of the new emergency federal legislation and provide updates on the 1) Yazzie/Martinez lawsuit, 2) Zuni Public Schools v. State of New Mexico related to capital outlay system, and 3) the suit by various school districts against PED over PED's authority to issues COVID-19-related guidance and directives.  
**R. Daniel Castille, Charlotte H. Hetherington..... Cuddy & McCarthy, LLP**
- 11:00-12:00 **Local Decision Making and Flexibility During a Pandemic** - State law provides the Governor and Secretary with broad authority over public schools. School boards also have legally prescribed powers and duties to oversee their local school districts in matters of policy, budget, contracts including union agreements, and property. As the CEO, superintendents carry out the policies and rules of the PED and school board. During these unprecedented times, the legal lines of authority have not always been clear including when one authority should give way to another. Discuss COVID-related cases and legal considerations around local control during a pandemic.  
**Elena M. Gallegos, Karla Schultz.....Walsh Gallegos, P.C.**
- 12:00 Noon **ADJOURN**

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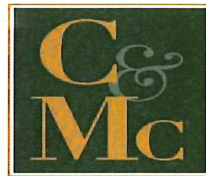


## SCHOOL BOARD MEMBERS PLEASE SIGN-IN!

- dreamstime.com
- ✓ In order to receive training credit you must leave your full name (no nicknames or abbreviations) and your district in the Zoom chat box.
  - ✓ You need only sign in **once** during each of the following four three-hour training sessions
    1. Thursday Afternoon
    2. Friday Morning
    3. Friday Afternoon
    4. Saturday Morning
  - ✓ If you are calling in to the session, you will need to send an email to Lorraine Vigil, Program Director [lvigil@nmsba.org](mailto:lvigil@nmsba.org) to let her know you are participating by phone and provide your phone number and which sessions you attended.
  - ✓ She will review her records to verify your phone number was active during the session. This avoids any issues of school board members not receiving their credits.
  - ✓ Thank You!

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# NEW MEXICO SCHOOL BOARDS ASSOCIATION

## 2021 Legislative Education Bills

### NMSBA SUPPORTS

**HB 2 General Appropriations Act** (Patricia A. Lundstrom) – Makes general appropriations and authorizes expenditures by state agencies required by law.

**HB 37 Paid Sick Leave Act** (Rubio, G. Andrés Romero, Patricia Roybal Caballero, Linda Serrato) - Enacts the Paid Sick Leave Act; requires accrual of paid sick leave for employees; provides remedies for violations; requires rulemaking, establishes burden of proof standards for retaliation cases; declaring an emergency.

**HB 116/a Additions to 3-Tiered Teacher Licenses** (Elizabeth “Liz” Thomson) – Relates to school personnel; adds dual-licensed instructional support providers to the Three-Tier Licensures System. *(Amended bill reportedly eliminates unfunded fiscal impact)*

**HB 128/a School Personnel Background & Training** (Debra M. Sarinana, Christine Trujillo, Susan K. Herrera, Joy Garratt, Marian Mathews) – Relates to school personnel; requires applicants for school employment or school volunteer positions to disclose past ethical misconduct; requires local school boards to adopt policies tracking child abuse allegations; provides definitions; requires the PED to maintain a list of reports involving child abuse or ethical misconduct; allow termination of school employment or school volunteer position decision to be public; adds ethical misconduct to school training programs; requires school volunteers to complete school training programs; requires reports of child abuse by school personnel, school volunteers, contractors or contractor’s employees to be reported to the PED; requiring child abuse by other adults, in addition to child abuse by a parent, custodian or guardian to be reported. (LESC)

**HB 141 Education Infrastructure Technology Definition** (Debra M. Sarinana, Joy Garratt, Natalie Figueroa, Susan K. Herrera, Marian Matthews) - Amends the definition of “Education Technology Infrastructure” in the Public School capital Outlay Act. (LESC)

**HB 175 School Funding & Losses from Pandemic** (G. Andres Romero) - Related to public school finance; holding school districts and charter schools harmless in fiscal year 2022 funding formula calculations for effects of the coronavirus disease 2019 pandemic on enrollment and transportation; provides for a supplemental distribution from the SEG distribution appropriation; makes temporary adjustment to transportation distributions. (LESC)

**HB 182 Evaluate On-Campus Learning** (Alonzo Baldonado, James G. Townsend, Jane E. Powdrell-Culbert, William Madrid, Candie G. Sweetser) - Requires local school boards to determine if public schools should open for on-campus instruction during a time when the state has issued a public health emergency order, including such orders issued during the remainder of the 2020-2021 school year or other school year if the coronavirus disease 2019 remains at epidemic levels in New Mexico; requires each local school board to make the determination based on federal centers for disease control and prevention recommendation; declares an emergency.

**HB 184 K-5 Plus Funding & Uses** (G. Andres Romero) - Allows an option to use equivalent instructional hours for K-5 Plus under certain circumstances; limits co-use of K-5 plus and Extended Learning time for determining instructional time; provides K-5 Plus Funding based on prior-year second and third reporting dates.

**HJR 1/a Permanent Fund for Early Childhood, CA** (Elizabeth "Liz Thomson", Antonio "Moe" Maestas, Javier Martinez) - A joint resolution proposing an amendment to Article 12, Section 7 of the Constitution of New Mexico to provide for additional annual distributions of the Permanent Funds, including distributions from the Permanent School Fund for Early Childhood Educational Services.

**SB 31/a Full Time School Nurse** (Elizabeth "Liz" Stefanics) – Requires each school district to employ a minimum of one full-time school nurse; provides exceptions; provides rulemaking authority.  
*(Bill was amended in committee to include a \$200,000 appropriation; NMSBA supported with funding.)*

**SB 39 Names of Finalists for Executive Positions** (Bill Tallman) - Requires disclosure of the names of finalists for appointive state agency executive positions; institutions or political subdivision; providing an exemption to the inspection of public records act; declaring an emergency.

**SB 41/a School Funding Changes** (Mimi Stewart) - Eliminates local and federal credits when determining the State Equalization Guarantee Distribution; changes the phase two formula value calculation when determining the local and state match for capital outlay projects; including proposed use of federal and local revenue in educational plans and reporting student outcomes from those uses; provides a contingent effective date. (LESC)

**SB 43 Funding of Demolition of Abandoned Schools** (William Soules) - Relates to Public School Capital Outlay; allows allocations from the Public School Capital Outlay Fund to fully fund the demolition of abandoned school district facilities.

**SB 110 Increasing Employer Contribution (Mimi Stewart)** - Increases employer contributions for group health insurance; makes an appropriation of \$3.6 M.  
*(NMSBA supports with funding being added in. Sponsor looking for \$ - HOLDING bill in SEC.)*

**SB 171 On-Campus Education in Public Health Emergency** (David M. Gallegos, Gay G. Kernan) - Requires local school boards to determine if public schools should open for on-campus instruction during a time when the state has issued a public health emergency order, including such orders issued during the remainder of the 2020-2021 school year or other school year if the coronavirus disease 2019 remains at epidemic levels in New Mexico; requires each local school board to make the determination based on federal centers for disease control and prevention recommendations, declares an emergency.

### **NMSBA OPPOSES**

**HB 4 NM Civil Rights Act** (Georgene Louis, Brian Egolf, Joseph Cervantes) - Enacts the New Mexico Civil Rights Act; permits an individual to bring a claim against a public body or person acting on behalf of or under the authority of a public body for a violation of the individual's rights, privileges or immunities arising pursuant to the constitution of New Mexico; prohibits the use of the defense of qualified immunity; mandates attorney fees; provides a 3 year statute of limitations.

**HB 93 Limit Out-of-School Suspensions** (Raymundo Lara) – Limits the use of out-of-school suspension or expulsion as a disciplinary method.

**HJR 7 School Funding for Home or Private School, CA** (James R. J. Strickler, Rebecca Dow, Rod Montoya) - A joint resolution proposing to amend Articles 4, 9 and 12 of the Constitution of New Mexico, with the approval of congress, to allow for the distribution of public school funding to parents or legal guardians of school-age children for home school or private school or for public school distance education under certain circumstances.

**SB 40 K-5 Plus & Extended Learning at all Schools** (Mimi Stewart) - Mandarts K-5 Plus and Extended Learning Time Programs at all public schools for the 2021-2022 school year if in-person instruction is not prohibited by Executive Order or Resolution of a local school board; makes an appropriation. (LESC).

**SB 307 Daily School Bus Driver Salaries** (Pete Campos) - Establishes a daily salary for school bus driving services; requires payment of gross receipts tax to school bus contractors.

### **NMSBA LETS YOU DECIDE**

**HB 55 Publication of Capital Outlay Allocations** (Matthew McQueen, Bill Tallman, Natalie Figueroa, Kelly K. Fajardo, Steven P. Neville) - Relates to capital expenditures; requires publication of allocations by legislators and the governor of capital outlay appropriations or bond authorizations.

**HB 138 Increase Fine Arts Education Program Units** (Roger Montoya) - Increases the Fine Arts Education Program unit. (LESC)

**HB 163 School Financial Management Classes** (Willie D. Madrid, Antonio Maestas) Allows financial management to count as an elective in 6<sup>th</sup> through 8<sup>th</sup> grades; amends graduation requirements; requires/mandates one-half unit of financial management prior to graduation.

**SB 48 Election Changes** (Pat Woods) - Eliminates election day voting location voter registration; adjusts the time frame for processing registrations after an election; revises requirements for returning and handling mailed ballots; prescribes election day working hours for the absent voter election board; eliminates third-party agency for voter registration and mailed ballot applications; amends, repeals and enacts section of the NMSA 1978.

**SJR 1 Funds for Teacher Salaries and Instruction** (Peter Wirth) - Proposes an amendment to Article 12, Section 7 of the Constitution of New Mexico to provide a new annual distribution of the Permanent School Fund of the Land Grant Permanent Funds for teacher salaries and instruction purposes.



# New Mexico School Boards Association Upcoming Meetings & Conferences

## NMSBA Meetings 2020-2021

Annual Convention, December 3-5, 2020, Virtual

Board Institute, February 10-13, 2021, Virtual

School Law Conference, June 3-5, 2021, Albuquerque

Leadership Retreat, July 8-10, 2021, Taos

## NMSBA Spring Region Meetings 2021

Region I	Wednesday, April 7, 2021	Central
Region II	Thursday, March 11, 2021	Pecos
Region III	Monday, April 19, 2021	Wagon Mound
Region IV	Wednesday, April 14, 2021	Bernalillo
Region V	Tuesday, March 16, 2021	Tucumcari
Region VI	Monday, March 22, 2021	Hobbs
Region VII	Tuesday, April 20, 2021	Alamogordo
Region VIII	Tuesday, March 23, 2021	Lordsburg

## National School Board Association Meetings 2021

NSBA Equity Symposium, February 10, 2020, Virtual

NSBA Annual Conference April 10-12, 2021, Virtual

NSBA Annual Advocacy Institute, June 2021, Virtual

NSBA Executive Director's Summer Institute, July 31-August 4, 2021, TBA

NSBA Summer State Association Leadership Seminar, August 14, 2021, TBA

NSBA Western Region State Officers Conference, September 16-18, 2021, Wyoming