



## Board of Education

Kimberly Valenzuela, President; Kaycee Sandoval, Vice-President; Kimberly Taylor, Secretary;  
Whitney Balizan, Member; Jonathan Grassmick, Member  
Shannon Aguilar, Superintendent

**Board of Education  
Special Meeting**

**Wednesday  
July 24, 2024  
6:30 pm**

**Administration Office  
Board Meeting Room  
165 N Collison Ave  
Cimarron, NM 87714**

**LIVE VIDEO ON CIMARRON MUNICIPAL SCHOOLS FACEBOOK PAGE**

### **Vision**

*To inspire our students to realize their  
individual potential in an ever-changing world*

### **Mission**

*Cimarron Municipal Schools will work hand-in-hand with our families  
and community to provide our students the experience of a safe and  
challenging educational environment through staff who know and nurture every child*

**Cimarron School District is a PREMIER school**



**with familia at its core**

# CIMARRON MUNICIPAL SCHOOLS

165 N. COLLISON AVE  
CIMARRON NM, 87714  
(575) 376-2445 (575) 376-2442-FAX

## CIMARRON MUNICIPAL SCHOOLS BOARD OF EDUCATION SPECIAL MEETING

### AGENDA

#### LIVE VIDEO ON CIMARRON MUNICIPAL SCHOOLS FACEBOOK PAGE

Cimarron Administration  
Board Room  
Wednesday, July 24, 2024  
6:30 pm

- I. Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. Consider Approval of Agenda (Action)
- V. Consider Resignation of Board Member (Discussion/Action)
- VI. Consider a New Board Member to be Appointed (Discussion/Action)
- VII. Consider Approval of the 2024-2025 PT Contract (Discussion/Action)
- VIII. G-2550©GCCA PROFESSIONAL / SUPPORT STAFF SICK LEAVE – 2<sup>nd</sup> Reading (Discussion/Action)
- IX. G-2600©GCCB PROFESSIONAL / SUPPORT STAFF PERSONAL / EMERGENCY / RELIGIOUS LEAVE – 2<sup>nd</sup> Reading (Discussion/Action)
- X. Executive Session
  - A. Black Lake Property (Discussion/Action)
  - B. Adjournment

The next Regular School Board Meeting is scheduled for Wednesday, August 21, 2024; at Eagle Nest Elementary/Middle Schools, Board Meeting Room – 6:30 pm.

Persons from the same group and having similar viewpoints are asked to select a spokesperson to speak on their behalf. Multiple and repetitious presentations of the same view will be discouraged. Public Comments and Observations regarding non-agenda items that fall within the purview of the Cimarron Board of Education are heard at this time. Comments regarding matters under litigation will not be allowed and no action will be taken on items presented but may be referred to staff or others. The School Board Members and Superintendent may travel together, however, no school business will be discussed or action taken.

This is an open meeting and the citizens of the Cimarron Municipal School District are invited to attend. Notice: Individuals with disabilities who need any form of auxiliary aid to attend or participate at this meeting are to contact the Superintendent at 575-376-2445 as soon as possible.



7/22/2024

PROPOSAL FOR OCCUPATIONAL THERAPY SERVICES FOR  
CIMARRON MUNICIPAL SCHOOLS  
SCHOOL YEAR 2024-25

**Services Rendered:** Sierra Therapy Professionals LLC will provide occupational therapy services for the Cimarron Municipal Schools at needed school site(s) as determined by the special education director. Services will be provided in person in Eagle Nest by certified OT, Tomacita Tedesco, with tele therapy provided in Cimarron by certified OT, Raquel Sais. Services provided will include:

- Occupational therapy and evaluations (initial and 3-year re-evaluations)
- Motor child-find screenings as needed
- Scoring assessment tools and writing evaluation reports
- Preparation for therapy and evaluations
- Preparation for occupational therapy portion for all applicable IEPs including present levels of performance/goal/objects
- Attendance of and participation in IEP meetings on days which the contractor(s) is scheduled to work or remotely as appropriate
- Quarterly progress reports for all occupational therapy students
- Daily notes and Medicaid billing
- Collaboration with teachers, parents/guardians, and other school-based services when applicable for occupational therapy students
- Participation on SAT teams, for students with possible motor or sensory delays, as needed
- Participation in mandatory special education meetings as needed

**Compensation for Services:** An hourly rate of **\$100/hour** for in person services and **\$90/hour** for tele-therapy services plus gross receipts (current Taos County 7.5%). Services will be completed in 2.5 day per week (1.5 days in person Eagle Nest, 1 day per week Cimarron), no more than 17 hours per week for 38 weeks of school for a total of no more than 646 hours of billable hours. Plus, up to 2 hours per week of travel at the same rate (76 hours per year). Rate will be for all services listed above on campus and at home and for travel between district buildings and other required sites. The total amount of billable time will not exceed **\$78,840.50 including taxes** for the 2024-25 school year.

\*\*Contractor will maintain her own professional liability insurance coverage, business license, State licensure, PED license and continuing education units as required by the State licensure.

Sincerely,

A handwritten signature in blue ink that reads "M Hurtado".

Margeaux E. Hurtado, Owner

**G-2550      GCCA  
PROFESSIONAL / SUPPORT STAFF  
SICK / PERSONAL LEAVE**

**(Sick/Personal Leave)**

All full-time employees shall be credited with a sick/personal leave allowance of one (1) day per month, based on the number of months the individual is actually working. Sick/personal leave for any staff member who does not serve a full school year shall be earned on a prorated basis, at the rate of one (1) day per month the individual is actually working.

Twelve (12) month employment      twelve (12) days

Eleven (11) month employment      eleven (11) days

Ten (10) month employment      ten (10) days

An employee may use in advance, during any fiscal year, the sick leave which will accumulate in the remainder of the fiscal year. If an employee does not complete the yearly contract or work agreement his or her final paycheck will be reduced on a pro rata basis for unearned leave taken. If the final paycheck is insufficient to pay back unearned leave taken the employee shall repay the district pursuant to a written agreement negotiated with the superintendent.

**Commented [MM1]:** This is not an advised practice. The District will surely lose money by fronting employees leave they have not already accrued.

The following apply to an employee's use of sick/personal leave:

- Requests for personal leave must be received at least four (4) working days prior to the first day of leave, except in the event of an emergency as determined by the approving administrator.
- Sick leave may include other excused absences, such as medical, dental, or optical examination or treatment impossible to schedule on nonduty days.
- Requests for sick leave must be received as soon as practicable for an acute onset illness and at least four (4) working days prior to scheduled appointments for medical, dental, optical or other medical treatment.
- No more than nine (9) sick/personal leave days may be used for personal leave per contract year.
- All leave must be approved in advance by the requesting employee's immediate supervisor, if practicable for sick leave.
- Requests for leave shall be acted upon in order of receipt.

**Commented [MM2]:** Does this put a limit on personal leave but not sick leave?

**Commented [AG3R2]:** correct

- Approval of scheduled leave shall be based on the availability of substitutes, if necessary, and no more than ten percent (10%) of the entire staff or categories of employees may take personal leave at any time.
- Sick/personal leave may not be granted during the following periods, unless medically necessary as documented by the employee's health care provider or unless granted by the Superintendent or designee in cases of unique circumstances:
  - On the day immediately preceding or following a holiday or vacation.
  - During the last two (2) weeks of school.

Unless the Superintendent or designee approves otherwise, an employee shall submit medical certification for leave if:

- The employee is absent more than three (3) consecutive workdays because of personal illness or to care for an ill family member;
- The employee has demonstrated a questionable pattern of absences, or when deemed necessary by the supervisor or Superintendent;
- The employee requests Family and Medical Leave Act (FMLA) leave for the employee's serious health condition or that of a family member; or
- The employee requests Family Caregiver Leave or FMLA leave for military caregiver purposes.

When a staff member exhausts all days of accumulated sick/personal leave, any additional unpaid leave of absence must be requested and approved, pursuant to District policy.

Leave balances for each employee shall not exceed eighty (80) days worth of leave. If an employee has accrued the maximum eighty (80) hours of leave, the employee will stop accruing leave until their balance accrued falls below the eighty-hour limit. **Accrued but unused sick/personal leave that exceeds eighty (80) days will be forfeited at the end of each fiscal year.**

In the event of resignation, termination, discharge, or death, no employee shall be eligible to receive payment for any unused portion of leave time, nor is leave transferable.

Any employee shown to have willfully violated or misused the District's sick leave policy or to have misrepresented any statement or condition will be subject to discipline, up to and including termination or discharge.

### Family Caregiver Leave

**Commented [MM4]:** How is it possible to accrue more than eighty (80) hours? Is this to address employees that may hold more than eighty (80) hours currently?

**Commented [AG5R4]:** Correct

An employee may use available personal leave time to care for a family member. For purposes of sick leave use, "family member" means a spouse or domestic partner, or, by blood, marriage, or adoption, a parent, grandparent, great-grandparent, child, foster child, grandchild, great-grandchild, brother, sister, niece, nephew, aunt, or uncle.

An employee may be required to provide medical certification showing the employee's eligibility for family caregiver leave.

**Medical Examination**

The Superintendent or designee may require an employee to undergo a medical examination if information received from the employee, the employee's supervisor, or other sources indicates the employee has a physical or mental impairment that:

1. Interferes with the employee's ability to perform essential job functions; or
2. Poses a direct threat to the health or safety of the employee or others. A communicable or other infectious disease may constitute a direct threat.

The District may designate the physician to perform the examination. If the District designates the physician, the District shall pay the cost of the examination. The District may place the employee on paid administrative leave while awaiting results of the examination and evaluating the results.

Based on the results of the examination, the Superintendent or designee shall determine whether the employee can perform the essential functions of their job. The Superintendent or designee shall determine with the employee whether the employee requires a reasonable accommodation, including the use of available leave.

*Adopted:* \*\*\*\*\*

**G-2600 © GCCB  
PROFESSIONAL / SUPPORT STAFF  
PERSONAL / EMERGENCY /  
RELIGIOUS LEAVE**

Personal leave will not be granted on the day immediately before or after a holiday nor during the last two (2) weeks of school. Personal leave must be in writing and to the building principal at least four (4) working days before the day of the leave requested. In considering such requests, principals will give priority to those employees who have not yet taken their first personal leave day. Exceptional circumstances may be considered in applying this policy.

Requests shall be acted upon in order of receipt, and the availability of substitutes, if necessary, may limit the requests granted.

Days missed due to weather and/or road conditions in the absence of a change to District scheduling will be charged to the employee's personal leave.

Days missed due to religious events/observances in the absence of a scheduled break will be charged to the employee's personal leave.

**Victims Domestic Abuse Leave**

An employee will be allowed intermittent paid or unpaid leave time of up to fourteen (14) working days, in any calendar year, for up to eight (8) hours a work day for the purpose of:

- Obtaining or attempting to obtain an order of protection or judicial relief from domestic abuse;
- Meet with law enforcement officials, consult with attorneys or district attorneys' victim advocates or attend court proceedings related to domestic abuse of the employee or the employee's minor child.

The leave will be taken in increments of one half (1/2) day, or four (4) work hours, of the scheduled work day for the employee.

Such leave shall exhaust any and all personal/sick leave, compensatory time or any other paid leave available to the employee before the imposition of unpaid leave time. The Superintendent may authorize up to fourteen (14) days of leave for the victim abuse purposes indicated above.

When the leave is taken in an emergency, written notice must be given to the Superintendent's office within **twenty-four (24) hours** of the absence. Verification will be required in the form of:

- A court order or other court evidence of the incident of domestic abuse;

**Commented [MM1]:** This is not practical for the way our legal system works. It is unlikely that within 24 hours an employee will be able to provide either of these verifications.



- A written statement of appearance or schedule to appear as a victim or on behalf of a minor child victim in a domestic abuse incident made by an attorney, advocate or law enforcement official knowledgeable of the appearance.

Confidentiality of any disclosed material for use of such leave will be maintained by the district.

An employee's pay, health coverage insurance or other accrued benefits shall not be affected based on the use of such leave, provided, the employee is entitled to such pay or benefits.

### **Emergency Responder Leave**

An employee serving as a volunteer emergency responder in a declared emergency of up to ten (10) regular business days by the State Governor or President of the United States may not be terminated, demoted or discriminated against in the terms and conditions of employment. This leave will not be utilized as paid leave by the District. The employer may charge regular pay against the employee for the time the employee is absent from employment due to service as an emergency responder, including utilizing the employees paid leave balances.

This provision does not apply if the employee, while acting as a volunteer emergency responder to an emergency or disaster, is absent from the employee's place of employment for a period of more than ten (10) regular business days in a calendar year. The emergency first responder employee will make reasonable efforts to notify their immediate supervisor of such service and will continue to make those reasonable notification efforts over the course of the absence.

*Adopted:* \*\*\*\*\*

LEGAL REF.: [12-10C-1](#) *et seq.* - Voluntary Emergency Responder (Job Protection) Leave Act

[50-4A-1](#) *et seq.* - Domestic Abuse Act