



ALAMOGORDO PUBLIC SCHOOLS BOARD OF EDUCATION  
Administrative Complex – 1211 Hawaii Ave., Alamogordo, NM

**MINUTES**  
**Special Board Meeting**  
**Monday, February 5, 2024, 2:00 p.m.**

Board members present were: President Angela M. Cadwallader  
Vice-President Brandy Murphy  
Secretary Craig Danekas  
Member Shannan Wright

Holloman Ex-Officio Member Col Alfred Rosales and Student Ex-Officio Member Olivia Goodier were absent. Their attendance was not required.

District Staff Members present were: Michael Crabtree, Acting Superintendent  
Lisa Patterson, Executive Assistant

Elena M. Gallegos, Legal Counsel for the Board of Education, from Walsh Gallegos Law Firm, was also present.

Minutes were prepared by Executive Assistant Lisa Patterson.

**A. Introductions**

**1. Call to Order**

President Cadwallader called this meeting to order at 2:03 p.m.

**2. Pledge of Allegiance and Salute to the Flag of the State of New Mexico**

**3. Adoption of Agenda**

President Cadwallader made a motion to amend the agenda by pulling items C. 2. & D. 1. from the agenda and moving items D. 2., 3., and 4. to follow agenda item E. Member Wright seconded. Motion passed unanimously.

**B. Presentation and Discussion of Chaparral Middle School Building**

Director of Capital Outlay & Facilities, Ken Barnett gave the Board a presentation on the Chaparral Middle School Replacement Project and answered questions posed by the Board. Director Barnett provided a project overview, cost estimates and the plan review. The team will be working through the review process with PSFA and CID within the next few months with breaking ground anticipated this summer. The latest cost estimate is \$66.5M; 60 % funded by PSFA and 40% funded by the district.

**C. Convene in Closed Executive Session**

President Cadwallader made a motion to go into closed Executive Session to discuss the matters as published on the agenda. Member Wright seconded.

Executive Assistant Lisa Patterson conducted a roll call vote to convene in closed Executive Session at 3:26 p.m.

President Cadwallader voted “aye”  
Vice-President Murphy voted “aye”  
Secretary Danekas voted “aye”  
Member Wright voted “aye”

All Board members voted “aye”, motion passes.

1. **Meet with Legal Counsel to discuss pending or threatened litigation as permitted under Section 10-15-1(H)(7) of the New Mexico Open Meetings Act, specifically:**
  - a. *Adella Mowery v. Alamogordo Public Schools*, HRB 23-07-0541-E
  - b. *Brianne Schulman v. Alamogordo Public Schools*, EEOC Charge 486-2023-00039
2. **Meet with Legal Counsel to discuss pending or threatened litigation as permitted under Section 10-15-1(H)(7) of the New Mexico Open Meetings Act, specifically lawsuits the public body is considering initiating**  
*This item was pulled from the agenda*
3. **Discuss limited personnel matters as permitted under Section 10-15-1 (H)(2) of The NM Open Meetings Act; specifically:**
  - a. **For the Acting Superintendent to update the Board regarding status of Pending employee investigations involving employees on leave with pay**
  - b. **For the Board to identify and discuss referring to the Acting Superintendent for handling, individual employee complaints related to their employment, which fall within the Superintendent’s statutory roles and responsibilities**
  - c. **For the Board to discuss and legal counsel to advise regarding superintendent employment matters including**
    - i. **Superintendent’s leave status;**
    - ii. **status of Superintendent’s response to complaints provided to Superintendent on January 11, 2024;**
    - iii. **next steps regarding complaints provided to Superintendent on January 11, 2024; and**
    - iv. **possible approaches to handling of additional complaints**
4. **Discuss personally identifiable information about individual students as Permitted under Section 10-15-1 (H)(4) of the NM Open Meetings Act; specifically, for the Board to identify and discuss referring to the Acting Superintendent for handling, individual employee complaints related to their employment, which fall within the Superintendent’s statutory roles and responsibilities**

**D. Reconvene in Open Session**

President Cadwallader made a motion to reconvene in open session. Vice-President Murphy seconded.

Executive Assistant Lisa Patterson conducted a roll call vote to reconvene in open session at 6:56 p.m.

President Cadwallader voted “aye”  
Vice-President Murphy voted “aye”  
Secretary Danekas voted “aye”  
Member Wright voted “aye”

All Board members voted “aye”, motion passes.

President Cadwallader stated that NO ACTION WAS TAKEN BY THE BOARD DURING THE EXECUTIVE SESSION, AS REQUIRED BY Section 10-15-1(J) of the Open Meeting Act and that MATTER(S) DISCUSSED WERE LIMITED TO THOSE PUBLISHED ON THE AGENDA. Items C. 2 was not discussed.

Vice-President Murphy stated that Secretary Danekas had to leave the Executive Session at 4:30 p.m. Secretary Danekas rejoined the Executive Session by phone at 5:39 p.m.

1. **Direct legal counsel to proceed as discussed in executive session (Executive Session Item 2)**  
*This item was pulled from the agenda*
2. **Take action, if any, to refer individual employee complaints, as discussed in executive session (Executive Session Item 3.b.), to the Acting Superintendent for handling under Board policy (this item was moved to follow item E.)**

President Cadwallader made a motion to refer individual employee complaints as discussed in executive session (executive session Item 3.b.), to the Acting Superintendent for handling under Board Policy. Member Wright seconded.

Executive Assistant Lisa Patterson conducted a roll call vote on this motion.

President Cadwallader voted “aye”  
Vice-President Murphy voted “aye”  
Secretary Danekas voted “aye” (*via phone*)  
Member Wright voted “aye”

All Board members voted “aye”, motion passes

3. **Take action, if any, regarding next steps concerning Superintendent employment matters (Executive Session Item 3.c.) including leave status; Superintendent response to complaints; next steps regarding complaints provided to Superintendent on January 11, 2024; and handling of additional complaints against superintendent (this item was moved to follow item E)**

President Cadwallader made 3 motions.

In executive session, the Board viewed a scope of investigation prepared by legal counsel related to complaints against the superintendent specific to Dreamscape.

*Motion # 1:* President Cadwallader made a motion to approve the scope of investigations discussed in executive session specific to Dreamscape. Vice-President Murphy seconded.

Executive Assistant Lisa Patterson conducted a roll call vote on motion 1.

President Cadwallader voted “aye”  
Vice-President Murphy voted “aye”  
Secretary Danekas voted “aye” (*via phone*)  
Member Wright voted “aye”

All Board members voted “aye”, motion passes

Matter 2: In executive session, the board was updated regarding the superintendent’s response to complaints provided to her at the January 11, 2024 Special Board Meeting.

*Motion 2:* President Cadwallader made a motion to direct legal counsel to draft a scope of investigation to cover the other complaint issues to be investigated beyond Dreamscape as discussed in executive session. Member Wright seconded.

Executive Assistant Lisa Patterson conducted a roll call vote on motion 2.

President Cadwallader voted “aye”  
Vice-President Murphy voted “aye”  
Secretary Danekas voted “aye” (*via phone*)  
Member Wright voted “aye”

All Board members voted “aye”, motion passes

*Motion 3:* President Cadwallader made a motion that Superintendent Renteria remain on administrative leave with pay pending investigations. Vice-President Murphy seconded.

Executive Assistant Lisa Patterson conducted a roll call vote on motion 3.

President Cadwallader voted “aye”  
Vice-President Murphy voted “aye”  
Secretary Danekas voted “aye” (*via phone*)  
Member Wright voted “aye”

All Board members voted “aye”, motion passes

**4. Take action, if any, to refer individual parent complaints, as discussed in executive session (Executive Session Item 4.), to the Acting Superintendent for handling under Board policy (*this item was moved to follow item E*)**

President Cadwallader made a motion to refer individual parent complaints as discussed in executive session (executive session Item 3 b.), to the Acting Superintendent for handling under board policy. Vice-President Murphy seconded.

Executive Assistant Lisa Patterson conducted a roll call vote on this motion.

President Cadwallader voted “aye”  
Vice-President Murphy voted “aye”  
Secretary Danekas voted “aye” (*via phone*)  
Member Wright voted “aye”

All Board members voted “aye”, motion passes

**E. Dreamscape Contract**

**1. Discussion of December 28, 2023 e-mail from Dreamscape including offer to withdraw from contract**

President Cadwallader read an email and a 5-page letter that Dreamscape CEO and Chairman sent to Superintendent Renteria on 12.28.2023 to address numerous misconceptions about Dreamscape Learn expressed on facebook posts that were recently brought to their attention. President Cadwallader also referenced an email that was received from Mr. Michael Shyne on Friday, February 2, 2024 concerning this matter. The email was received after the deadline to amend the agenda to add public comment. President Cadwallader further stated that public comment is welcomed at the February 21, 2024 Regular Board Meeting.

Legal Counsel, Elena Gallegos, spoke on this agenda item stating that there are a number of issues with the Dreamscape Learn Contract. It appears that the contract did not undergo a review by Alamogordo Public Schools legal counsel and instead it was prepared entirely by Dreamscape’s legal counsel. Attorney Gallegos discussed these three legal problems found with the Dreamscape Contract. **1.** The contract as written is governed by California law; **2.** There are provisions in the contract that are contrary to federal law; and **3.** Most importantly the contract itself including how it is procured is contrary to New Mexico law. Attorney Gallegos recommended that the Board accept Dreamscape Learn’s offer to withdraw from the contract with the district and that the board further rescind the agreement. Attorney Gallegos also referenced the email that Mr. Shyne sent to the Board on 2/2/2024 and his offer to pay expenses to take a one-day trip to Arizona State University campus to experience Dreamscape Learn. Attorney Gallegos does not recommend that the Board or administration take such a trip regardless of how it is paid for.

Attorney Gallegos briefly spoke about the concerns with the sole source contract that are currently under review with the Office of the State Auditor. Attorney Gallegos stated that she and Acting Superintendent Crabtree have discussed the district’s obligations concerning the procurement issues. Attorney Gallegos further stated that Acting Superintendent Crabtree has requested that she file a Section 12-6-6 Report to the Office of the State Auditor on behalf of the district. Additionally, it was noted that Acting Superintendent Crabtree has concluded that the procurement concerns warrant an investigation by the district and has requested that Attorney Gallegos prepare a scope of investigation to cover the personnel issues under his authority. Attorney Gallegos explained the overlap that will occur with the scope of investigation that the Board directed she prepare at the last board meeting. Given this overlap, she has now prepared a scope of work for an investigation to be performed by an outside investigator to cover the personnel issues under the Acting Superintendent’s authority and the personnel issues related to the Superintendent that fall under the Board’s authority.

**2. Discussion and action regarding contract next steps**

President Cadwallader made a motion for the Board to accept Dreamscape Learn’s offer to withdraw from the agreement with the district and that the Board further rescind the agreement. Vice-President Murphy seconded.

Executive Assistant Lisa Patterson conducted a roll call vote on this motion

President Cadwallader voted “aye”  
Vice-President Murphy voted “aye”  
Secretary Danekas voted “aye” (*via phone*)  
Member Wright voted “aye”

All Board members voted “aye”, motion passes

**3. Discussion and action regarding procurement next steps**

President Cadwallader made a motion that the Board authorize Acting Superintendent Crabtree in consultation with legal counsel to engage an outside investigator to investigate the procurement issues. Vice-President Murphy seconded.

Executive Assistant Lisa Patterson conducted a roll call vote on this motion

President Cadwallader voted “aye”

Vice-President Murphy voted “aye”

Secretary Danekas voted “aye” (*via phone*)

Member Wright voted “aye”

All Board members voted “aye”, motion passes

**F. Adjournment**

With no further business to conduct, the meeting adjourned at 7:17 p.m.

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Board President

Date

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Board Secretary

Date

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