



STATE OF NEW MEXICO
Public Education Department

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**Los Lunas school board suspended based on credible
evidence of law violations by some members**
Superintendent will report directly to Public Education secretary

SANTA FE -- The entire Los Lunas school board has been suspended due to credible evidence that certain members have persistently violated procurement and public access laws, the state Public School Code, and professional ethical standards, the Public Education Department announced today.

Secretary Ryan Stewart informed the five-member elected board of the suspension in a letter that also directed Superintendent Arsenio Romero to begin reporting directly to Stewart or his designate.

In the letter, Stewart cited the solemn trust voters place on school board members to act with integrity as effective stewards of public resources.

“The conduct of certain Los Lunas School Board members is antithetical to these standards and has impeded the ability of the board as a whole to act as it should,” Stewart wrote. “This conduct has created a sense of instability and ethical ambiguity that negatively impacts all aspects of the district’s operations and that severely impairs the educational process in the district.”

According to the letter, the Public Education Department first warned the Los Lunas board of reported violations in November and followed that by providing training to board members in January and March regarding the relevant laws and rules.

Despite those efforts, certain board members -- who are not named -- persisted in engaging in improper conduct, the letter said.

“Good governance is a responsibility we take very seriously,” Stewart said. “We make these tough calls in the best interest of the students.”

“The role of the school board member is integral to student success,” Superintendent Romero said. “Los Lunas Schools wants to ensure the community that every student has the best opportunity for a great learning experience. We will continue to move forward toward that goal.”

The letter said PED has credible evidence of these and other violations by one or more board members:

PUBLIC ACCESS CONCERNS

- Knowingly misrepresenting information in public meetings;
- Violating the Open Meetings Act by using rolling quorums;
- Acting on matters not described with reasonable specificity on board meeting agendas;
- Violating the Inspection of Public Records Act by refusing to produce records as required.

PROCUREMENT CONCERNS

- Interfering with district contracts and not following the Procurement Code;
- Directly asking or demanding a vendor to redo a part of a contract;
- Attempting to extort vendors by suggesting they would receive a district contract if they agreed to personally enrich a board member;
- Soliciting bids;
- Providing confidential bid information to potential vendors;
- Demanding contracts for goods and services be awarded to certain vendors, bypassing appropriate procurement procedures;
- Soliciting services and contracts without working with the district’s chief procurement officer and central procurement office.

ETHICAL CONCERNS

(Possible violations of board policy and/or Public School Code)

- Addressing a district employee in an inappropriate and threatening manner in a public meeting;
- Inducing an employee to lie about a supervisor;
- Falsifying allegations about financial misconduct of school administrative personnel;
- Attempting to extort school administrative, support and maintenance personnel through intimidation and threats;
- Interfering with personnel matters, including demanding the demotion, suspension and/or termination of school personnel, decisions and responsibilities properly assigned by law to the superintendent;

- Interfering with overall district operations;
- Demanding family members be hired, in violation of prohibitions on nepotism;
- Interfering with the superintendent and administrative staff roles.

The suspended school board consists of President Eloy G. Giron, Vice President P. David Vickers, Secretary Frank A. Otero and members Bryan C. Smith and Steven R. Otero.

Per the letter, they may not contact school staff or use school equipment or facilities during the indefinite suspension, and they cannot use the board's attorney to represent them.

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The New Mexico Public Education Department partners with educators, communities and families to ensure that all students are healthy, secure in their identity and holistically prepared for college, career and life. Currently, the NMPED serves more than 317,000 students in 187 districts and charter schools. Find an abundance of resources for administrators, educators, families and students at [New Mexico Public Education Department \(state.nm.us\)](https://www.state.nm.us/education/) or follow the PED [at NMPublicEducationDepartment](https://www.facebook.com/NMPublicEducationDepartment/) on Facebook and [@NMPED](https://twitter.com/NMPED) on Twitter.