

MINUTES
Capitan Board of Education
Special Board Meeting
September 29, 2026

The Board of Education of the Capitan Municipal School met in Special Session in Room 101 of the Administration Building and virtually at 5:30 pm.

I. Introduction

A. Call to Order/ Roll Call – Mr. Greer, Board President, called the session to order at 5: 30 pm. Roll Call was taken.

1. **Ascertain a Quorum** – Mr. Greer ascertained that there was a quorum with the following members present:

Zeke Greer	President
Dennis Rich	Vice President
Wes Hacker	Secretary
Brett McInnes	Member

Arrived at 5: 31 pm
Cynthia Black Member

Staff attending the meeting in person included *Heather Gutierrez – Superintendent, Caitlin Whitley – Administrative Assistant*

Guests and Staff are given the option to view all meetings virtually on the District YouTube channel.

II. Introduction – President Greer

A. Approval of Agenda – Ability to float items within the agenda (Action)

A motion to approve the agenda with the ability to float items within was offered by Mr. Rich, seconded by Mr. Hacker. The motion passed with a 4-0 voice vote as follows:

Mr. Rich – Yes Mr. Greer - Yes Mr. Hacker – Yes Mr. McInnes – Yes

III. Executive Session – Title IX

A. To discuss Limited Personnel matters as permitted under Section 10-15-1(H)(2) of the New Mexico Open Meetings Act, and Personally Identifiable Student Information as permitted under Section 10-15-1(H)(4) of the New Mexico Open Meetings Act; specifically, for Superintendent to update Board on the status of Title IX investigation involving employee, and student including request for appeal.

A motion to dismiss to Executive Session at 5:31 pm was made by Mr. Rich, seconded by Mr. Hacker. The motion passed with a 5-0 Roll Call vote as follows:

Mr. Greer – Yes Mr. Rich – Yes Mr. Hacker – Yes Mr. McInnes – Yes Ms. Black – Yes

B. Report on Executive Session

“Matters discussed in closed session were limited to those specified in the notice of the meeting and a motion for closed meeting. No action was taken in the closed session.” A motion to reconvene into open session at 6:05 pm was offered by Mr. Hacker, seconded by Mr. Rich. The motion passed with a 5-0 roll call vote as follows:

Mr. Greer – Yes Mr. Rich – Yes Mr. Hacker – Yes Mr. McInnes – Yes Ms. Black – Yes

IV. Board Items

A. New Business

- 1. Discussion and possible approval of engagement agreement with a qualified third party to conduct a Title IX appeal. (Discussion/Action)** A motion to approve the engagement agreement with a qualified third party to conduct a Title IX appeal, as presented was offered by Mr. Rich, seconded by Ms. Black. The motion passed with a 5-0 voice vote as follows:

Mr. Greer – Yes Mr. Rich – Yes Mr. Hacker – Yes Mr. McInnes – Yes Ms. Black – Yes

V. Adjournment -President Greer

A motion to adjourn at 6:07 pm was made by Mr. Hacker, seconded by Ms. Black. The motion passed with at 5-0 voice vote as follows:

Mr. Greer – Yes Mr. Rich – Yes Mr. Hacker – Yes Mr. McInnes – Yes Ms. Black – Yes

APPROVED:

President, Zeke Greer

Secretary, Wes Hacker