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Primero BOE president, vice president attempt to remove superintendent, lose their board titles instead

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by Todd Brogowski

PRIMERO — In a contentious and freeform special meeting last Friday, the Primero School Board began with placing of the Superintendent of Primero School District on paid administrative leave. The meeting ended with the school board removing its president and vice president from their positions.

The board met on the evening of Friday, Jan. 31, in the cafeteria of Primero Junior-Senior High School. Before the meeting, students and their families reported, there had been a flood of rumors concerning school superintendent Bill Naccarato, a 15-year employee of the Primero School District. A Facebook group reported before the meeting the board would be discussing Resolution 4481, which would place Naccarato on paid administrative leave.

The board website had no description of the resolution before the meeting.

According to comments made by board president Laura Saint during the meeting, Resolution 4481 was the result of an ex parte, or non-public, vote by the members of the board via text message and cell phone calls. Board members John Jenkins and Lonny Lopez raised complaints that the administrative leave decision violated established procedures for the school board. Jenkins stated president Saint told him the meeting was a formality as the other board members had unanimously decided to suspend Naccarato.

Sunshine law violation

Board member Jeremiah Harris said he believed the ex parte decision to place Naccarato on administrative leave violated Colorado's "Sunshine Laws," CRS 24-6-401 (2018), which states "the formation of public policy is public business and may not be conducted in secret."

When asked why the board placed Naccarato on administrative leave, vice-president Pat Mestas told the audience that this matter was subject to attorney-client privilege and would not be revealed.

Lopez asserted that the suspension of Naccarato was the result of two members of the board (referring to Mestas and Saint) having personal agendas that did not reflect the interests of the community. In a statement applauded by residents in attendance, Lopez asked Saint and Mestas whether they followed procedures when deciding to place Naccarato on leave.

“No, the lawyer, I guess, we shouldn’t have listened to the lawyer,” Saint responded, referring to Caplan & Earnest, the law firm that represents the school board.

“I am an elected official of this community,” Mestas responded, “and when it gets down to it, maybe it’s just your opinion [regarding what procedures should be followed.]”

Colorado’s Sunshine Laws, more formally known as the Colorado Open Meetings Law, require local school boards to provide detailed notice to the public of their meetings with enough time so that the public can attend these meetings. The Sunshine Laws also require school boards to have open meetings when three or more members discuss public business or formal action against a school employee.

During the public comment phase of the meeting, board members and residents talked over each other. Some parents complained that the board did not notify them when they placed Naccarato on leave. One student in attendance said that Principal Blake Byall told her that Naccarato had been fired. Byall denied these claims, saying that he told the students that, “sometimes adults disagree, and there are changes.”

Peter Saint removed from meeting

As residents provided public comment to the board regarding the Naccarato resolution, Peter Saint, husband of board president Laura Saint, became agitated and

accused members of the audience and school board members Jenkins, Harris, and Lopez of “slandering” his wife and “condemning” his grandson. Eventually, the board president asked Las Animas County Sheriff’s Deputies to remove her husband from the meeting. At the same time, her husband yelled repeatedly that residents were allowed to “say anything they want.”

Board of education reverses decision, appoints new president

At the mid-point of the meeting, the school board put the Naccarato matter to a vote. It reversed the ex parte decision to place him on administrative leave.

Jenkins then put forward a resolution that the school board be reorganized, with Saint and Mestas removed from their roles as school board president and vice president. The board approved this resolution, and Teri Trujillo was named President of the Primero School Board at the close of the meeting.

The board will hold a hearing on Feb. 10, 2020, to “conduct an evaluation” of Naccarato.

Following the meeting, Mestas declined to comment when asked about the decision-making process that led to Naccarato being placed on administrative leave. District secretary Tina East created an audio recording of the board meeting.

Perhaps ironically, given the frequent

references to Colorado's Sunshine Laws during the meeting, East advised that the recording would not be made available to the public.

PETER SAINT (LEFT), HUSBAND OF FORMER SCHOOL BOARD PRESIDENT LAURA SAINT, BECAME AGITATED DURING THE MEETING, AND WAS REMOVED BY LAS ANIMAS COUNTY SHERIFF'S OFFICERS. PHOTO BY TODD BROGOWSKI

THE PRIMERO BOARD OF EDUCATION PLACED SUPERINTENDENT BILL NACCARATO (ABOVE) ON ADMINISTRATIVE LEAVE, AND THEN REVERSED THE ACTION IN A CONTENTIOUS PUBLIC MEETING LAST FRIDAY. PHOTO BY TODD BROGOWSKI.

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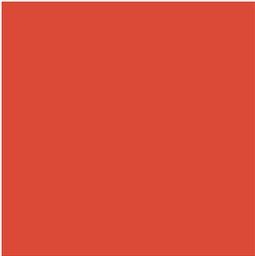
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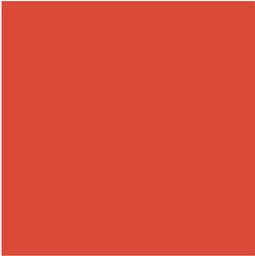


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