

**AGENDA ITEM EXECUTIVE SUMMARY**

- I. **Public Education Commission Meeting Date:** April 8, 2016
- II. **Item Title: Report from Options For Parents and the Charter School Division--Discussion and Possible Actions**
  - A. Schools of Concern
  - B. Update on Southwest Learning Centers
  - C. Update on McCurdy Charter School Facility
  - D. School Governance Changes
    - 1. Creative Education Preparatory Institute
    - 2. Cesar Chavez Community School

III. **Executive Summary and Proposed Motions:**

A. **Schools of Concern**

The On-going Actions and Monitoring document on the next pages identifies the status of all on-going monitoring and/or actions.

## Status of Charters Under a Notice of Intent to Revoke, Revocation Decision or Non-Renewal Decision

Charter School Name	Commission Action and Date	Alleged Violation	Status
Anthony Charter School	Non-renewal - December 10, 2014	<ul style="list-style-type: none"> <li>• Failure to meet prior renewal conditions including: <ul style="list-style-type: none"> <li>• Identifying how the Discovery short cycle aligns with academic program</li> <li>• Strategic planning by governing counsel to measure student progress</li> <li>• Strategic planning by governing counsel to evaluate principal</li> <li>• Approving all policies required by law</li> </ul> </li> <li>• Failure to meet improvement plan requirements</li> <li>• Violations of material terms and failure to meet goals of contract</li> <li>• The application is otherwise contrary to the best interests of the charter school's projected students, the local community, or the school district in whose geographic boundaries the charter school applies to operate.</li> </ul>	<ul style="list-style-type: none"> <li>• PED Office of General Counsel indicates it has negotiated a settlement with the school that retains the contract terms of the prior two year contract, but extends that contract an additional three years through June 30, 2018.</li> <li>• In September the PEC voted to have a subcommittee of the PEC engage in a negotiation process with the school to establish 2015-2016 framework goals for this school.</li> <li>• After this vote the school's attorney contacted CSD and stated that the settlement agreement negotiations included a performance framework and negotiations with the PEC would not be appropriate.</li> <li>• CSD confirmed with the PED Office of General Counsel that it is including Performance Framework goals in the negotiations.</li> <li>• In November the PEC voted to</li> </ul>

			invite the school to engage in a negotiation process a subcommittee of the PEC on December 2 <sup>nd</sup> . The school declined the invitation, asserting that the 2015-2016 framework goals for this school will be established in the settlement agreement.
Creative Education Preparatory Institute	November 13, 2015	<ul style="list-style-type: none"> <li>• Failure to provide the minimum required instructional hours per NMSA §22-2-8.1, providing only 634 instructional hours of the 1080 required hours (58%).</li> <li>• Failure to abide by the 2015-2016 school calendar submitted as part of the school budget, by providing fewer than 181 days consisting of 4 instructional hours each and failing to monitor, track, or account for 362 “additional hours.”</li> <li>• Failure to comply with the Compulsory School Attendance Act and NMAC 6.10.8, which require that “class attendance be taken and maintained by class period for every instructional day for each student in each school or school program in the school district”, the “governing body of a charter school ... or its authorized representatives shall give written notice of the habitual truancy by mail to or by personal service on the parent of the student subject to and in noncompliance with the provisions of the Compulsory School Attendance Law”, and “if unexcused absences continue after written notice of habitual truancy as</li> </ul>	<p>On November 13, 2015, the PEC voted to require CSD to conduct an investigation into the allegations.</p> <p>On February 12, 2016, CSD provided an investigative report to the PEC with the recommendation that the PEC move to revoke the charter.</p> <p>On February 12, 2016, the PEC voted to issue a notice of intent to revoke the charter.</p> <p>The NOI was sent to the school on February 22, 2016. On February 29, 2016, a statement of additional facts was sent to the school to support the revocation.</p> <p><b>On March 22, the PEC held the revocation hearing and voted to revoke the charter of CEPi.</b></p>

		<p>provided in Subsection B of this section has occurred, the student shall be reported to the probation services office of the judicial district where the student resides for an investigation as to whether the student shall be considered to be a neglected child or a child in a family in need of services.”</p> <ul style="list-style-type: none"> <li>• Failure to abide by the contract material terms including: <ul style="list-style-type: none"> <li>• Failure to “meet and monitor its state-required instructional hour requirements...through a combination of instructional approaches, each with its own scheduling demands”</li> <li>• Failure to “ensure that students engage in meaningful post-secondary learning opportunities (e.g., dual enrollment, trades education, internships, or other forms of service learning) to help prepare them for college or the workforce”</li> <li>• Failure to provide “Guided Computer-based studies” as described in Exhibit 2 of the contract, which states “Students will attend either the morning OR afternoon instructional block, engaging core courses through computer-based studies”</li> <li>• Failure to ensure implementation of the provision that states “Students will log on to their school studies daily (a minimum of one hour per day). This requirement will be monitored via student attainment of two-week goals</li> </ul> </li> </ul>	
--	--	--	--

		<p>and regular progress reports.”</p> <ul style="list-style-type: none"> <li>• Failure to demonstrate compliance with the background check requirements found in 22-10A-5 (C).</li> <li>• Failure to comply with the Federal and State accessibility requirements found in the 2010 Americans with Disabilities Act (2010 ADA) and the state adopted New Mexico Building Code-2009 (NMBC-2009) and the November 4, 2015 directive of the Governor’s Commission on Disability.</li> <li>• Failure to ensure that English language learners can participate meaningfully and equally in educational programs as required by Title VI of the Civil Rights Act of 1964 (Title VI) and the Equal Educational Opportunities Act of 1974 (EEOA).</li> <li>• Failure to demonstrate compliance with the requirement in NMAC 6.29.1.9 and the contract to “fully implement the State’s Response to Intervention (RtI) Framework known as the Three-Tier Model of Student Intervention.”</li> <li>• Failure to accurately report special education students in STARS.</li> <li>• Failure to provide special education services as required by student IEPs.</li> <li>• CEPI has violated State regulation 6.20.2.11 (B) (6), NMAC and Regulation SBE-6, which require that the reports sent to the New Mexico Public Education Department (PED) must agree to the general ledger and the New Mexico State Audit Rule, which requires that the audit report of each</li> </ul>	
--	--	---	--

		<p>school district shall include a cash reconciliation schedule which reconciled the cash balance as of the end of the previous fiscal year to the cash balance at the end of the current fiscal year.</p> <ul style="list-style-type: none"> <li>• CEPI has violated NMAC 6.20.2.11 (A) Internal Control Structure Standards, which requires “every school district shall establish and maintain an internal control structure to provide management with reasonable assurance that assets are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management’s authorization and recorded properly to permit the preparation of general purpose financial statements in accordance with GAAP. The internal control structure shall include written administrative controls (rules, procedures and practices, and policies that affect the organization) and accounting controls (activity cycles, financial statement captions, accounting applications including computer systems) that are in accordance with GAAP.”</li> <li>• CEPI has violated NMAC 6.20.2.14 (F).1 Cash Control Standards, which requires “posting errors are not to be erased, crossed out, or in any other manner eliminated from the ledger. A separate entry is required to incorporate necessary corrections. Cross referencing of a correcting entry to the original error should be inserted under the "description" column</li> </ul>	
--	--	--	--

		<p>of the ledger.”</p> <ul style="list-style-type: none"> <li>• CEPI has violated sound financial management and 6.20.2.9 (A) NMAC and 22-8-5 through 22- 8-12.2 NMSA 1978, which require that budgets not be exceeded at the legal level of control. For school districts the function is the legal level of control.</li> <li>• CEPI has failed to comply with the requirement that all bank accounts shall be reconciled on a monthly basis and reconciled bank statements are to be reviewed by someone other than the preparer for accuracy.</li> <li>• CEPI has violated ERB rules, which require that the electronic reports, consisting of salaries and contributions and demographic information, must be sent by the 15th of the month following the month covered by the Report. The form must be faxed the same day that the contributions are electronically submitted, no later than the 15th of the month following the month covered by the Report. The amounts reported on the ERB forms should reconcile with the general ledger.</li> <li>• CEPI has violated NMAC 6.20.2.17 PURCHASING, which requires “A. Each school district shall establish and implement written policies and procedures for purchasing which shall be in compliance with the Procurement Code, Section 13-1-21 et seq., NMSA 1978. Purchasing policies and procedures for grant funding shall</li> </ul>	
--	--	--	--

		<p>comply with requirements established within the grant and the Procurement Code. An internal control structure over purchasing shall be established and maintained to assure compliance with</p> <ul style="list-style-type: none"> <li>• CEPI has violated NMAC 6.20.2.12, which requires that an organizational structure be in place which separates incompatible activities to preclude control by any individual.</li> <li>• CEPI has violated NMSA 1978 10-7C-15, which requires “Monthly contributions to the Retiree Health Care (RHC) are required to be remitted no later than the 10th of the following month.”</li> <li>• CEPI has violated NMAC 6.20.2.17 (A), which requires that each school shall establish and implement written policies and procedures for purchasing which shall be in compliance with the Procurement Code, Section 13-1-21 et seq., NMSA 1978. An internal control structure over purchasing shall be established and maintained to assure compliance with school policy, and state and federal regulations. CEPI has also violated the New Mexico Manual of Procedures for Public School Accounting and Budgeting, Supplement 13 – Purchasing, which states that “the preparation and execution of a duly authorized purchase order must</li> </ul>	
--	--	--	--



		<p>precede the placement of any order for goods, services or construction.”</p> <ul style="list-style-type: none"> <li>• CEPI has violated NMAC 6.20.2, which states that "money received and receipted shall be deposited in the bank within twenty-four (24) hours or one banking day.”</li> <li>• CEPI has violated NMAC 2.42.2.11 (B) (1), which states public officers and employees of state agencies shall be reimbursed for mileage accrued in the use of a private automobile or aircraft in the official discharge of official duties as follows: “unless the secretary has reduced the rates set for mileage for any class of public officials and for employees of state agencies pursuant to Section 10-8-5 (D) NMSA, 80% of the internal revenue service standard mileage rate set January 1 of the previous year for each mile traveled in a privately owned vehicle.”</li> </ul>	
--	--	--	--

### Status of Commission Requested Reports, Monitoring, Inquiries, Site Visits

Charter School Name	Date of Commission Request	Matter	Status
Southwest Learning Centers		Ongoing investigation.	

### Status of Corrective Action Plans

Charter School Name	Date of CAP Assignment	Matter	Status	Next Reporting Date
La Resolana Leadership Academy	May 15, 2015	<p>Special education compliance.</p> <p>The school has not been developing accurate IEP schedule of service pages resulting in placement in incorrect levels.</p> <p>The school reported 13 level 4 students on their 80th day and 120th day STARS report and received the funding accordingly, but at both the 80th day and 120th day the school had only 3 level 4 students enrolled.</p>	<ul style="list-style-type: none"> <li>- School submitted a corrective action plan that was accepted by the PED on June 19, 2015.</li> <li>- CSD evaluated the school's report on the implementation of the corrective action plan that was submitted on October 15. CSD has provided the school findings regarding the report.</li> <li>- CSD evaluated the school's report on the implementation of the corrective action plan that was submitted on December 15. CSD has provided the school findings regarding the report.</li> <li>- <b>CSD has received the March 15<sup>th</sup> report and will provide an analysis as soon as possible.</b></li> </ul>	Reporting will continue through June 30, 2017 on October 15, December 15, March 15, and <b>May 15</b> annually.
Mission Achievement and Success	June 19, 2015	Special education compliance.	<ul style="list-style-type: none"> <li>- In early July, the school's legal counsel</li> </ul>	<ul style="list-style-type: none"> <li>- Further action is awaiting guidance from</li> </ul>

			<p>has contacted PED and PED's legal counsel. CSD is waiting for further direction from the Office of General Counsel.</p> <ul style="list-style-type: none"> <li>- On June 19, 2015 the PEC voted to require to school to create a Corrective Action Plan for the July 18, 2015 meeting.</li> <li>- On July 17, 2015 the PEC voted to rescind the CAP.</li> </ul>	PED Office of General Counsel
--	--	--	--	-------------------------------

### Schools Looking for a New Facility

Charter School Name	Date of Notification to PEC
South Valley Preparatory School	August 19, 2015
Tierra Adentro: The New Mexico School Of Academics, Art and Artesanía	September 24-25, 2015
Technology Leadership High School	November 13
La Academia Dolores Huerta	March 11
Explore Academy	March 11

B. **Update on Southwest Learning Centers**

The PEC requested an update from Southwest Learning Centers on their consideration of consolidation of the multiple schools under one charter. The school has provided the following materials.

## **The "PRE-PLAN" to pursue Southwest Learning Center Consolidation**

The Southwest Learning Center Governing Bodies and Administration involved with the potential consolidation of SILC are developing a "Plan" for the "Plan to pursue consolidation".

**STEP 1.** The Financial team comprised of the Vigil Group, Southwest Learning Center Business Managers, and Administration are preparing various financial models which will indicate projected budgets for the three schools named in the SILC Charter Contract and Performance Framework regarding consolidation.

**SILC Charter Contract**, Section 3.02 - The school will pursue consolidation between SILC and SSLC or SPLC.

**SILC Performance Framework** - Section 6 - 6.b - "Analysis of Consolidation of Southwest Intermediate with Southwest Primary or Southwest Secondary Learning Centers".

These projected budgets will be based on current Charter Contracts and on projected "consolidated" contracts with either SILC and SPLC or SILC and SSLC.

**STEP 2.** For strategic planning purposes, the Governing Bodies, for SILC, SPLC, and SSLC will meet in a joint session with the Financial team, Administration, and staff to discuss, understand, become aware, and assess potential impacts from the proposed consolidation. The three key areas of impact to be assessed are Academic, Operational, and Financial. The intent and purpose of this joint Governing Body meeting is to strategically propose the best solution possible based on the data and potential impacts to the areas assessed in order for the joint Governing Body to strategically propose, in detail, the best path forward, regarding consolidation, for the stakeholders.

**STEP 3.** The Southwest Learning Center Administration will develop, with Governing Body review, the materials required for the following "Consolidation Information Meeting" stakeholder meeting.

**STEP 4.** The Governing Bodies for the two schools which are determined and strategically proposed from STEP 2 (SILC with SSLC) or (SILC with SPLC) will then hold a "Consolidation Information Meeting" with all stakeholders potentially impacted from this change. Members of the NM-PEC are encouraged to attend this meeting to assist in addressing stakeholder concerns or questions. The intent and purpose of this stakeholder meeting is to inform, propose the detailed potential path forward, obtain feedback, and to obtain enrollment concerns and projections for the proposed schools.

**STEP 5.** The detailed "**Plan to pursue consolidation**" will then be shared by the Head Administrator with the NM-PEC in a scheduled follow-up meeting.

### **C. Update on McCurdy Charter School Facility**

McCurdy Charter School made a request to be included on the PEC's April agenda. It provided the following reasons for this request:

1. Notification to PEC, based on Deputy Secretary Aguilar's recommendation, that the MCS Board of Finance has been re-instated, per PED Secretary Skandera's letter of 2/12/16.
2. Update PEC about the financial structure currently under development with the New Mexico Finance Authority/New Markets Tax Credit Program that will help ensure MCS has facilities that meet the weighted New Mexico Condition Index (wNMCI), as required in the MCS Conditions of Approval dated 9/12/11.
3. Request that PEC grant an extension for facility construction completion to late summer 2017, dependent on "ground breaking" late summer 2016.

The school has provided the following materials.

## **SUPPORTING DATA**

### ***MCS Board of Finance:***

- MCS is a state-authorized public charter school, serving grades K-12 with a maximum of 584 students in Española NM. Charter was awarded in 2011, opened fall 2012, and will initiate renewal process in 2016.
- Charter is intended to provide a safe learning environment that promotes academic excellence and achievement, character development and awareness, and community engagement and leadership
- Following a series of supposedly “qualified school business officials,” the MCS BoF was suspended by the PED on 11/22/16 because the FY13 audit was declared unauditable. (Attached)
- PED immediately provided a financial consultant to revamp business management policies and practices sufficient to operate in a financially sound and operationally responsible manner.
- On 2/12/16, Secretary Skandera reinstituted the MCS Board of Finance based on the improvements in financial operations resulting from a cooperative effort between PED and charter staff. (Attached)

### ***New Mexico Finance Authority***

- On 2/25/16, the staff of the New Markets Tax Credit Program announced to the New Mexico Finance Authority that the MCS Project had been placed on their prioritization list. Work would commence immediately on developing a structure suitable for financing the \$9.4M project
- Partners in the NMFA/NMTCs structure include:
- Clearinghouse Community Development Financial Institution as the lender. Clearinghouse CDFI, <http://www.clearinghousecdfi.com>, is committed to “financial lending for projects with measurable impacts” and has provided a letter of commitment to the MCS project.
- Charter School Development Corporation, <http://csdc.org>, as the borrower and landlord for MCS. CSDC, “a 501(c)(3) non-profit corporation and Community Development Financial Institution (CDFI), promotes innovation and excellence in education by financing and developing facilities for great public charter schools nationally” and has also provided a letter of commitment.

### ***Extension for Construction Completion***

- Meeting the wNMCI was mandated as a Condition of Approval of the MCS Charter (Attached)
- MCS leased/leases property and buildings from McCurdy Schools of Northern New Mexico (501 (c)3). Public Schools Facility Authority had earlier evaluated the facilities and found them to significantly exceed the wNMCI. MSNNM decided to help seek funding for building.
- In meantime, MCS submitted an 18-month plan on 6/1/12 with anticipated construction completion 2/15/14. There was an extension request for 12 months because of property ownership questions leading to anticipated construction completion 2/15/15. Then the BoF



was suspended 11/22/13. As a result of the BoF suspension, our contractual discussions with the proposed builder, Highmark, were terminated.

- In January 2014, a Task Force was formed comprised of representatives from MCS and McCurdy School Property Inc (501(c)25). MSPI hired a financial consultant to identify potential funding sources. An architectural feasibility study, appraisal and financial feasibility study were also initiated.
- Using the feasibility studies and based on proposed funding from RD, RAZA and RD/USDA, MCS requested a 24-month extension to 2/15/17. PEC approved the request.
- Since that time, there have been constant discussions with financial institutions such as the NMFA, Capital Impact, RAZA, Rural Development/USDA, Wells Fargo, US Bank, Los Alamos National Bank, Bouma, Canyon Builders, etc. In all cases, there were issues about interest rate, term, loan to value, lack of audits, debt ratio, etc again...all factors of affordability.
- Some 24 iterations of the MCS term sheet have been prepared around an equal number of MCS proformas.
- MSPI continued to fund the architectural aspects of the proposed building, which have been presented to PSFA for review. Three weeks ago the equivalent of 50% design drawings were submitted.
- Four months ago, MSPI's financial consultant identified newly awarded New Markets Tax Credits within NMFA. An application was submitted for NMTC Round 19, and after several iterations of additional information and clarifications, the MCS Project has been placed on the NMTC prioritized list and negotiations are underway as to the financial structure.

**However, before final negotiations between NMFA, Clearinghouse CDFI and CSDC can be concluded, PEC must agree to an extension to construction completion beyond our current completion date of February 15, 2017. Once the financial structure is in place, it is anticipated that ground can be broken late this summer with a 12-month construction period.**

#### **D. School Governance Changes**

In February the PEC approved a policy to address the requirement in Section 8.10(b) of the charter contract regarding notification of the authorizer within 30 (thirty) days of a member's resignation or designation of a new member and sign the appropriate forms to ensure that the governing body continues to qualify as a board of finance. CSD has received notification from two schools, CSD's summary and the school's forms are provided as follows:

##### **1. Creative Education Preparatory Institute**

The school provided the Change of Governing Body Membership form, denoting the designation of 5 new members. The school did not complete identify resignations or removal of members. The school did not provide minutes showing votes to remove members or signed and dated resignations for members who have resigned. The school had had other governance changes within the current school year that have not been identified on these forms.

The school did provide an updated "Statement of Governing Body to Consult with PED" and provided "Affidavits of Governing Body Members" for all current board members. All submitted forms are provided below:

## STATE CHARTER SCHOOL CHANGE OF GOVERNING BODY MEMBERSHIP FORM

Please complete and submit this form to: Charter Schools Division, Public Education Department, [charter.schools@state.nm.us](mailto:charter.schools@state.nm.us), Room 301, 300 Don Gaspar, Santa Fe, NM 87501

Name of State-Chartered School: Creative Education Preparatory institute (CEPi) Charter High School

Date submitted: 3/18/2016

Contact Name: Shanni Bottone, Administrative Assistant

E-mail: [sbottone@cepinm.org](mailto:sbottone@cepinm.org)

Governing Board Member Name	Action	Date of Action	Reason for removal or resignation	Term of Service
Marc Arellano	Designation	2/26/2016	Click here to enter text.	From: 2/26/2016 To: 2/26/2017
Joseph Perea	Designation	2/26/2016	Click here to enter text.	From: 2/26/2016 To: 2/26/2017
Traci Sanchez	Designation	2/26/2016	Click here to enter text.	From: 2/26/2016 To: 2/26/2017

Original Signature of Governing Council President or Designee: \_\_\_\_\_

Date: 3/18/16

Printed Name of Governing Council President or Designee: \_\_\_\_\_

Shanni Bottone

### Required Attachments:

This Form **MUST** include each of the following, as applicable:

- i. Notices of Resignation or Removal
  - a. The governing body minutes showing the vote to remove the member, or
  - b. The resigning member's signed and dated written resignation;
- ii. Notices of Designation:
  - a. An updated "STATEMENT OF GOVERNING BODY TO CONSULT WITH PED" signed by all current governing body members, and
  - b. An "AFFIDAVIT OF GOVERNING BODY MEMBER" signed by the new governing body member and verified by a notary public.

## STATE CHARTER SCHOOL CHANGE OF GOVERNING BODY MEMBERSHIP FORM

Please complete and submit this form to: Charter Schools Division, Public Education Department, [charter.schools@state.nm.us](mailto:charter.schools@state.nm.us), Room 301, 300 Don Gaspar, Santa Fe, NM 87501

Name of State-Chartered School: Creative Education Preparatory institute (CEPi) Charter High School

Date submitted: 3/18/2016

Contact Name: Shanni Bottone, Administrative Assistant

E-mail: sbottone@cepinm.org

Governing Board Member Name	Action	Date of Action	Reason for removal or resignation	Term of Service
Jennifer Varela	Designation	2/26/2016	Click here to enter text.	From: 2/26/2016 To: 2/26/2017
Nora Parrish	Designation	12/16/2015		From: 12/16/2015 To: 12/16/2016
Click here to enter text.	Designation	Click here to enter a date.	Click here to enter text.	From: Click here to enter a date. To: Click here to enter a date.

Original Signature of Governing Council President or Designee: \_\_\_\_\_

Date: 3/18/16

Printed Name of Governing Council President or Designee: \_\_\_\_\_

### Required Attachments:

This Form **MUST** include each of the following, as applicable:

- i. Notices of Resignation or Removal
  - a. The governing body minutes showing the vote to remove the member, or
  - b. The resigning member's signed and dated written resignation;
- ii. Notices of Designation:
  - a. An updated "STATEMENT OF GOVERNING BODY TO CONSULT WITH PED" signed by all current governing body members, and
  - b. An "AFFIDAVIT OF GOVERNING BODY MEMBER" signed by the new governing body member and verified by a notary public.



**STATEMENT OF GOVERNING BODY TO CONSULT WITH PED**

We, the undersigned, make up the governing body of the Creative Education Preparatory Institute (CEPI) Charter School in Albuquerque, New Mexico.

In accordance with 6.80.4.16 NMAC, we agree to consult with the New Mexico Public Education Department on any matter not covered by the manual of accounting and budgeting before taking any action related to funds held as a board of finance.

We make this statement as part of Creative Education Preparatory Institute (CEPI) Charter School's application as a board of finance under 6.80.4.16 NMAC.

We understand that we must notify the New Mexico Public Education Commission within 30 days of a change in Business Manager for the school, and a new, signed "Affidavit of Business Manager" must be submitted.

We understand that we must submit a new, signed statement to the New Mexico Public Education Commission within 60 days of a change in membership of our governing body.

\_\_\_\_\_  
[signature]

Joseph Perea, Member of Governing Body of Creative Education Preparatory Institute (CEPI) Charter School

\_\_\_\_\_  
[signature]

Traci L. Sanchez, Member of Governing Body of Creative Education Preparatory Institute (CEPI) Charter School

\_\_\_\_\_  
[signature]

Nora S. Parrish, Member of Governing Body Creative Education Preparatory Institute (CEPI) Charter School

\_\_\_\_\_  
[signature]

Pamela I. Romero, Member of Governing Body of Creative Education Preparatory Institute (CEPI) Charter School

\_\_\_\_\_  
[signature]

Ma7allo, Member of Governing Body of Creative Education Preparatory Institute (CEPI) Charter School

\_\_\_\_\_  
[signature]

Jennifer Varela, Member of Governing Body of Creative Education Preparatory Institute (CEPI) Charter School

3/16/16  
Date



**AFFIDAVIT OF GOVERNING COUNCIL MEMBERS**

STATE OF NEW MEXICO

COUNTY OF BERNALILLO

I, Pamela I. Romero, after being duly sworn, state as follows:

1. My name is Pamela I. Romero and I reside in Albuquerque, New Mexico.
2. I am a member of the governing council of Creative Education Preparatory institute (CEPi) charter school located in Albuquerque, New Mexico.
3. I am not currently a member of any governing council of any other charter school.
4. I have never been a member of any governing body of any other charter school that was suspended or failed to receive or maintain their board of finance designation.
5. I have read the school's conflict of interest policy and I assure that the school will be in compliance with state and federal law when administering grants and entering into contracts.

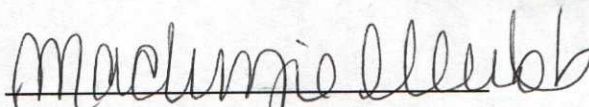
  
Signature

3-16-16  
Date

Pamela Romero, Governing Council Member of CEPi charter school  
Subscribed and sworn to before me, this 16 day of March, 2016.

Notary seal:



  
Signature of Notary

Mackenzie Webb  
Name of Notary

NOTARY PUBLIC

My commission expires: September 3, 2018.

# AFFIDAVIT OF GOVERNING COUNCIL MEMBERS

STATE OF NEW MEXICO

COUNTY OF BERNALILLO

I, Joseph, after being duly sworn, state as follows:

1. My name is Joseph Perea and I reside in Albuquerque, New Mexico.
2. I am a member of the governing council of Creative Education Preparatory institute (CEPi) charter school located in Albuquerque, New Mexico.
3. I am not currently a member of any governing council of any other charter school.
4. I have never been a member of any governing body of any other charter school that was suspended or failed to receive or maintain their board of finance designation.
5. I have read the school's conflict of interest policy and I assure that the school will be in compliance with state and federal law when administering grants and entering into contracts.

[Signature]

Signature

3-16-16

Date

Joseph Perea, Governing Council Member of CEPi charter school

Subscribed and sworn to before me, this 16 day of March, 2016.

Notary seal:



Mackenzie Webb

Signature of Notary

Mackenzie Webb

Name of Notary

NOTARY PUBLIC

My commission expires: September 3, 2018.



**AFFIDAVIT OF GOVERNING COUNCIL MEMBERS**

STATE OF NEW MEXICO

COUNTY OF BERNALILLO

I, Traci Sanchez, after being duly sworn, state as follows:

1. My name is Traci Sanchez and I reside in Albuquerque, New Mexico.
2. I am a member of the governing council of Creative Education Preparatory institute (CEPi) charter school located in Albuquerque, New Mexico.
3. I am not currently a member of any governing council of any other charter school.
4. I have never been a member of any governing body of any other charter school that was suspended or failed to receive or maintain their board of finance designation.
5. I have read the school's conflict of interest policy and I assure that the school will be in compliance with state and federal law when administering grants and entering into contracts.

Traci G. Sanchez  
Signature

3/16/16  
Date

Traci Sanchez, Governing Council Member of CEPi charter school  
Subscribed and sworn to before me, this 16 day of March, 2016.

Notary seal:



Mackenzie Webb  
Signature of Notary

mackenzie webb  
Name of Notary

NOTARY PUBLIC

My commission expires: September 3, 2018.



# AFFIDAVIT OF GOVERNING COUNCIL MEMBERS

STATE OF NEW MEXICO

COUNTY OF BERNALILLO

I, Nora S. Parrish, after being duly sworn, state as follows:

1. My name is Nora S. Parrish and I reside in Albuquerque, New Mexico.
2. I am a member of the governing council of Creative Education Preparatory institute (CEPi) charter school located in Albuquerque, New Mexico.
3. I am not currently a member of any governing council of any other charter school.
4. I have never been a member of any governing body of any other charter school that was suspended or failed to receive or maintain their board of finance designation.
5. I have read the school's conflict of interest policy and I assure that the school will be in compliance with state and federal law when administering grants and entering into contracts.



Signature

3/16/16

Date

Nora Parrish, Governing Council Member of CEPi charter school

Subscribed and sworn to before me, this 16 day of March, 2016

Notary seal:



Mackenzie Webb

Signature of Notary

mackenzie webb

Name of Notary

NOTARY PUBLIC

My commission expires: September 3, 2018.

AFFIDAVIT OF GOVERNING COUNCIL MEMBERS

STATE OF NEW MEXICO

COUNTY OF BERNALILLO

I, Jennifer Varela, after being duly sworn, state as follows:

1. My name is Jennifer Varela and I reside in Albuquerque, New Mexico.
2. I am a member of the governing council of Creative Education Preparatory institute (CEPi) charter school located in Albuquerque, New Mexico.
3. I am not currently a member of any governing council of any other charter school.
4. I have never been a member of any governing body of any other charter school that was suspended or failed to receive or maintain their board of finance designation.
5. I have read the school's conflict of interest policy and I assure that the school will be in compliance with state and federal law when administering grants and entering into contracts.

Jennifer Varela  
Signature

3/21/16  
Date

Jennifer Varela, Governing Council Member of CEPi charter school  
Subscribed and sworn to before me, this 21st day of March, 2016.



[Signature]  
Signature of Notary

Lisa Pacheco  
Name of Notary

NOTARY PUBLIC

My commission expires: April 9th, 2016.



# AFFIDAVIT OF GOVERNING COUNCIL MEMBERS

STATE OF NEW MEXICO

COUNTY OF BERNALILLO

I, Marc Timothy Arellano, after being duly sworn, state as follows:

1. My name is Marc Timothy Arellano and I reside in Albuquerque, New Mexico.
2. I am a member of the governing council of Creative Education Preparatory institute (CEPi) charter school located in Albuquerque, New Mexico.
3. I am not currently a member of any governing council of any other charter school.
4. I have never been a member of any governing body of any other charter school that was suspended or failed to receive or maintain their board of finance designation.
5. I have read the school's conflict of interest policy and I assure that the school will be in compliance with state and federal law when administering grants and entering into contracts.

Marc Timothy Arellano  
Signature

3-10-2016  
Date

Marc Timothy Arellano, Governing Council Member of CEPi charter school

Subscribed and sworn to before me, this 10<sup>th</sup> day of March, 2016.

Notary seal:



OFFICIAL SEAL  
JENNIFER GEUBELLE  
NOTARY PUBLIC  
STATE OF NEW MEXICO  
My Commission Expires 11/29/16

Jennifer Geubelle  
Signature of Notary

Jennifer Geubelle

Name of Notary

NOTARY PUBLIC



OFFICIAL SEAL  
JENNIFER GEUBELLE  
NOTARY PUBLIC  
STATE OF NEW MEXICO  
My Commission Expires \_\_\_\_\_

My commission expires: 11/29, 2016.

## 2. Cesar Chavez Community School (CCCS)

The school recently emailed CSD to inform the PEC that CCCS has accepted two new Governance Council members as of Feb. 23, 2016. The school attached their 2-23-16 GC Agenda and Minutes which show that they accepted the resignation of two former GC members and voted two new members onto their Council. They further attached their 3-22-16 GC Agenda and Minutes showing that they completed their Statement of Governing Body to Consult with PED and Affidavits of new members.

The school has not provided the Change of Governing Body Membership form. All submitted forms are provided below:

**STATEMENT OF GOVERNING BODY TO CONSULT WITH PED**

We, the undersigned, make up the governing body of the Cesar Chavez Community School, located in Albuquerque, New Mexico.

In accordance with 6.80.4.16 NMAC, we agree to consult with the New Mexico Public Education Department on any matter not covered by the manual of accounting and budgeting before taking any action related to funds held as a board of finance.

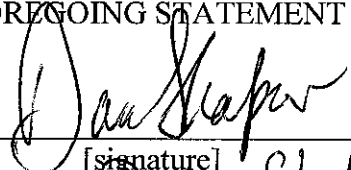
We make this statement as part of Cesar Chavez Community School's application to the Public Education Commission for status as a board of finance under 6.80.4.16 NMAC.

We understand that we must retain or hire a Licensed School Business Manager as soon as financial feasible and, thereafter, notify the New Mexico Public Education Commission within 30 days of hiring and/or changing in a Licensed School Business Manager for the school, and a new, signed "Affidavit of Financial Custodian" must be submitted.


We understand that we must submit an Affidavit of Governing Body Member to the Public Education Commission within 60 days of a change in membership of our governing body.

THE FOLLOWING MEMBERS OF THE CESAR CHAVEZ COMMUNITY SCHOOL GIVE THE FOREGOING STATEMENT THIS 29<sup>th</sup> DAY OF MARCH, 2016.


1.

  
[signature]  
Dan Shapiro  
[print]

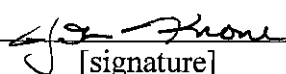
2.

  
[signature]  
CHARLEEN C AYRES  
[print]

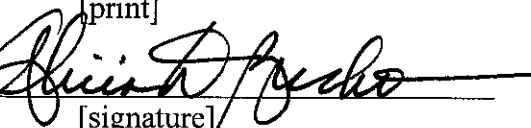
3.

  
[signature]  
Anacelie Verde-Claro  
[print]

4.

  
[signature]  
John Krone  
[print]

5.

  
[signature]  
ANEM D. BUCKO  
[print]

Attach additional pages if membership exceeds five.

**AFFIDAVIT OF GOVERNING BODY MEMBER**

STATE OF NEW MEXICO )  
 )  
COUNTY OF )

I, John Krone, after being duly sworn, state as follows:

1. My name is John Krone and I reside in Albuquerque, New Mexico.
2. I am a member of the governing body of the <sup>at</sup> Ch Cesar Chavez charter school located in Albuquerque, New Mexico.
3. I am not currently a member of any governing body of any other charter school.
4. I have never been a member of any governing body of any other charter school that was suspended or failed to receive or maintain their board of finance designation.
5. I have read the school's conflict of interest policy and I assure that the school will be in compliance with state and federal law when administering grants and entering into contracts.

John Krone  
[Signature]

3/18/16  
Date

John Krone, Governing Body Member of Cesar Chavez Charter School

Subscribed and sworn to before me, this 18<sup>th</sup> day of March, 2016.

[Notary Seal:]

[Signature]  
[signature of Notary]

Jose M. Gonzalez  
[typed name of Notary]

NOTARY PUBLIC

My commission expires: 10/30, 2019.

**AFFIDAVIT OF GOVERNING BODY MEMBER**

STATE OF NEW MEXICO )

COUNTY OF Bernalillo )

I, Anacelie Verde Claro, after being duly sworn, state as follows:

1. My name is Anacelie V. C. and I reside in Albuquerque, New Mexico.
2. I am a member of the governing body of the Cesar Chavez Community School charter school located in Albuquerque, New Mexico.
3. I am not currently a member of any governing body of any other charter school.
4. I have never been a member of any governing body of any other charter school that was suspended or failed to receive or maintain their board of finance designation.
5. I have read the school's conflict of interest policy and I assure that the school will be in compliance with state and federal law when administering grants and entering into contracts.

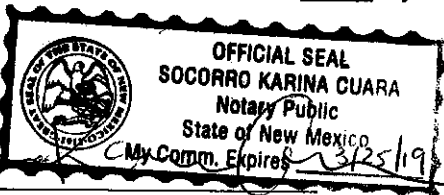
Anacelie Verde Claro  
[Signature]

2/18/16  
Date

Anacelie Verde Claro, Governing Body Member of Cesar Chavez Community School  
Charter School Print Name

Subscribed and sworn to before me, this 23 day of February, 2016

[Notary Seal:]



[signature of Notary]

Socorro Karina Cuara  
[typed name of Notary]

NOTARY PUBLIC

My commission expires: March 25, 2019.

## Governance Council Meeting Minutes

Date: 03/22/2016 Time: 5:00pm Location: 1325 Palomas SE Regular Meeting ☒ :Special Meeting \_\_\_\_\_  
Committee \_\_\_\_\_

In Attendance: (bolded)

**Rebekah Runyan**      **Dan Shapiro (DS)** President      Al Bodmer (AB) V.P.      **Alicia D Bucko (ADB)** Secretary      **Charleen Ayres (CA)**  
**Tani Arness**      **John Krone (JK)**      **Anacelie Verde-Claro (AVC)**

1. Review of Final Agenda: Motion to approve final agenda made by:      DS      2 <sup>nd</sup> :      ADB      IF unanimous check here <input checked="" type="checkbox"/> No: _____
---

Notes:

2. Review of previous meeting: Minutes dated: 02/23/16 Motion made to accept by      DS      2 <sup>nd</sup> :      CA      IF unanimous check here <input checked="" type="checkbox"/> No: _____
---

Notes:

3. Director's Report presented by Tani Arness.
--

Notes: Director's report was reviewed in detail.



**Action Items:** (Item, motion by, second by, vote results)

MOTION

SECOND

YES

NO

Financial Reports, Accounts Payable Payment Vouchers and Payroll Payment Vouchers tabled until next meeting.

BARS      512000-1516-0018-I      11000  
              512000-1516-0019-I      24106  
              512000-1516-0020-IB    24120  
              512000-1516-0022-D    28190

All BARS approved with a single motion made by ADB seconded by DS and approved unanimously by all members.

Motion was made to appoint DS to finance committee by AVC, seconded by CA and approved unanimously.

Al Bodmer was nominated by DS as a possible Treasurer, a position vacated by Keira Duddy, and seconded by CA and voted yes unanimously by the board. DS will discuss this position with AB.

The Statement of Governing Body to Consult with PED including the names of the new GC members, John Krone and Anacelie Verde-Claro, will be submitted to the PED.

A motion to accept the GRADS contract was made by CA and approved by AVC followed by a unanimous vote of acceptance by the board.

**Discussion Items:**

The results of the Principal/Director's Evaluations were reviewed by the board and President DS signed the overall evaluation of Tani Arness, Principal, as "exemplary."

GC self-evaluation forms were distributed to members for review and completion to be submitted on or before the next meeting.

Next meeting date: \_\_\_\_\_04/26/16\_\_\_\_\_

#	Assigned Tasks	Point of Responsibility	Date Assigned	Deadline
---	----------------	-------------------------	---------------	----------

**Adjournment Time:**\_\_\_\_6:10pm\_\_\_\_Motion made by CA 2<sup>nd</sup> by AVC and unanimously approved X.    NO:

*Mission: CCCS offers intensive support to students entering or reconnecting to high school through flexible and personalized programs during non-traditional hours. We prepare our graduates for their next steps, including education, training, work, family, and participation in the community.*

### Governance Council Regular Meeting

#### Agenda

**February 23, 2016 5:00 pm**

**Members:** Dan Shapiro-President, Al Bodmer-V.P., Kiera Duddy-Treasurer, Alicia Bucko-Secretary, Charleen Ayres, Keith Auger

**Director:** Tani Arness

**Business Manager:** Rebekah Runyan

**Manager:**

**Guests:** John Krone, Anacelie Verde-Claro,

Agenda Topics:	Presenter	
Preview of Agenda	Dan	
Previous Meeting Minutes: 1/26/16	Dan	
Director's Report	Tani	
<b>Action Items</b>		
1. Financial Reports – January 2016	Al, Rebekah	
2. Accounts Payable Payment Vouchers	Al, Rebekah	
3. Payroll Payment Vouchers	Al, Rebekah	
4. BAR's	Rebekah	
5. Title I School Improvement Grant	Tani	
6. New Governance Council Member	Dan	
7. Resignations of two current GC members	Dan	
<b>Discussion Items</b>		
1. Principal/Director's Evaluation	Dan	
2. GC Self Evaluation	Dan	
3. Time to discuss school topics/Strategic Plan	Tani, Dan	

	Tasks Assigned	Person	Date Assigned	Deadline

Currently scheduled meeting dates: 8/25/15, 9/22/15, 10/27/15, 12/8/15, 1/26/16, 2/23/16, 3/22/16, 4/26/16, 5/24/16

*If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact **Tani Arness** at **877-0558** at least one (1) week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact **Tani Arness** at **877-0558** if a summary or other type of accessible format is needed.*

## Governance Council Meeting Minutes

Date: 02/23/2016\_\_\_\_\_ Time: 5:06pm\_\_\_\_\_ Location: 1325 Palomas SE\_\_\_\_\_ Regular Meeting X Special Meeting\_\_\_\_\_ Committee\_\_\_\_\_

In Attendance: (bolded)

**Rebekah Runyan**      **Keith Auger** (KA)      **Alicia D Bucko (ADB)** *Secretary*      **Charleen Ayres (CA)**      **John Krone (JK)**  
**Tani Arness**      **Dan Shapiro (DS)** *President*      Keira Duddy      **Al Bodmer (AB)** *V.P.*      **Anacelie Verde-Claro (AVC)**

Motion was made by DS, seconded by AB and unanimously voted YES by board to move the agenda item numbers 6 and 7 to position numbers 1 and 2 and to vote on new action items 1 and 2 after approval of minutes

<b>1. Review of Final Agenda</b>					<b>Motion to:</b>
<b>Motion by:</b>	<b>AB</b>	<b>2<sup>nd</sup>:</b>	<b>ADB</b>	<b>YES</b>	<b>No:_____</b>

Notes:

Action item 1: Motion was made to approve new GC members Anacelie Verde-Caro and John Krone by DS and seconded by AB and voted YES unanimously by the board

Action item 2: Motion to accept resignation as requested from the GC Board by Keith Auger and Kiery Duddy by DS and AB and voted YES unanimously by Board members.

<b>2. Review of previous meeting Minutes dated: 01/26/16_____</b>					<b>Motion to:</b>
<b>Motion by:</b>	<b>DS</b>	<b>2<sup>nd</sup>:</b>	<b>CA</b>	<b>YES</b>	<b>No:_____</b>

Notes:

<b>3. Director's Report</b> presented by <u>Tani Arness</u> _____				
---	--	--	--	--

Notes: In depth discussion of Title 1 Improvement Grant

**Action Items:** (Item, motion by, second by, vote results)

	MOTION	SECOND	YES	NO
Financial Reports, Accounts Payable Payment Vouchers and Payroll Payment Vouchers approved with single motion				
Financial Reports Accepted for (month/s)___January 2016				
Accounts Payable Payment Vouchers Accepted for (month/s)___January 2016				
Payroll Payment Vouchers for (month/s)___January 2016	DS	CA	YES	

All BARS approved with single motion

BARS	512000-1516-0015-IB	28203			
	512000-1516-0016-T	24162			
	512000-1516-0017-I	24101	AB	DS	YES

Title I School Improvement Grant: Motion made by AB and seconded by DS to allow President Dan Shapiro to approve application which authorizes up to \$2500 in funds to be allocated for substitute teaching for math and reading with the remainder to spend for technology aids for math and reading. The motion was passed and voted YES unanimously by the board.

**Discussion Items:**

Principal/Director's Evaluation forms were distributed to DS, AB and ADB for tallying the responses and the report to be presented at the next meeting.

GC self-evaluation was tabled until the next meeting.

Time to discuss school topics/strategic plan tabled until the next meeting.

Next meeting date: \_\_\_\_\_03/22/16\_\_\_\_\_

#	Assigned Tasks	Point of Responsibility	Date Assigned	Deadline
1				
2				
3				

**Adjournment** Time: \_\_\_\_\_5:58pm\_\_\_\_\_

Motion by:	AB	2 <sup>nd</sup> :	ADB	YES	No:
------------	----	-------------------	-----	-----	-----

*Mission: CCCS offers intensive support to students entering or reconnecting to high school through flexible and personalized programs during non-traditional hours. We prepare our graduates for their next steps, including education, training, work, family, and participation in the community.*

### Governance Council Regular Meeting

#### Agenda

**March 22, 2016 5:00 pm**

**Members:** Dan Shapiro-President, Al Bodmer-V.P., Anacelie Verde-Claro, Alicia Bucko-Secretary, Charleen Ayres, John Krone

**Director:** Tani Arness

**Business Manager:** Rebekah Runyan

**Guests:**

Agenda Topics:	Presenter	
Preview of Agenda	Dan	
Previous Meeting Minutes: 2/23/16	Dan	
Director's Report	Tani	
<b>Action Items</b>		
1. Financial Reports – February 2016	Al, Rebekah	
2. Accounts Payable Payment Vouchers	Al, Rebekah	
3. Payroll Payment Vouchers	Al, Rebekah	
4. BAR's	Rebekah	
5. Finance Committee Member	Dan	
6. Appoint GC Treasurer	Dan	
7. Statement of Governing Body to Consult with PED	Rebekah, Tani	
8. GRADS contract	Tani, Rebekah	
<b>Discussion Items</b>		
1. Principal/Director's Evaluation	Dan	
2. Potential New Members		
3. GC Self Evaluation	Dan	
4. Time to discuss school topics/Strategic Plan	Tani, Dan	

	Tasks Assigned	Person	Date Assigned	Deadline

Currently scheduled meeting dates: 8/25/15, 9/22/15, 10/27/15, 12/8/15, 1/26/16, 2/23/16, 3/22/16, 4/26/16, 5/24/16

*If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact **Tani Arness** at **877-0558** at least one (1) week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact **Tani Arness** at **877-0558** if a summary or other type of accessible format is needed.*