

AGENDA ITEM EXECUTIVE SUMMARY

- I. Public Education Commission Meeting Date: May 11, 2018
- II. Item Title: Discussion and Possible Action on Governance Changes and Reporting Policy Non-Compliance
 - A. Dream Diné Charter School
 - B. Dził Dít'ooí School of Empowerment, Action, and Perseverance
 - C. Six Directions Indigenous School
 - D. La Academia Dolores Huerta
 - E. Explore Academy
 - F. Health Leadership Academy
 - G. La Tierra Montessori School of the Arts and Sciences
- III. Executive Summary and Proposed Motions:

Introduction

Section 8.10(b) of the charter contract requires schools to notify the PEC, through the CSD, 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. The contract further requires the school to fill any vacancy on its governing body no later than 45 days from the vacancy or seek an extension for such appointment from the Authorizer in writing.

In the tracker and materials following, CSD is presenting information to the commission regarding schools that have failed to comply with these requirements. CSD is seeking approval to provide a formal notice of non-compliance, which is also included in the materials.

Proposed Motion

- Move to direct CSD to send a formal notice of non-compliance to the governing body of _____, which has failed to comply with the reporting requirements in Section 8.10(b) of the charter contract.

School Name	• Resignation • Removal • Term Expired	Outgoing Member's Name	Date of Action	Reported Timely	Days Overdue for Reporting	Completed Documentation	Days Overdue for Complete Submission	Position Closed	Minutes Received	Extension Requested	Incoming Member's Name	Date of Action	Filled Timely	Days Overdue for Designation	Reported Timely	Days Overdue for Reporting	Completed Documentation	Days Overdue for Complete Submission	Number of Currently Seated Members	Compliant	Days Non-Compliant	Training prior to voting
Dream Diné Charter School	Unknown										Jeremy Simpson	10/16/2017	Unk		N	140	Y	167	5	Y		Y
Dream Diné Charter School	Unknown										Jasper Joe	10/16/2017	Unk		N	140	Y	167	6	Y		Y
Dream Diné Charter School	Removal	Ira Vandever	12/18/2017	N	77	Y	77	N		N	Lance Whitehair	12/18/2017	Y		N	77	N	97	?			
Dzit Dit'Looi School of Empowerment Action and Perseverance (DEAP)	Resignation	McKeon Dempsey	4/28/2017	N	8	Y		N		N	Gavin Sosa	6/14/2017	N	2	N	41	Y	41	6	Y		N/A
Dzit Dit'Looi School of Empowerment Action and Perseverance (DEAP)	Resignation	Shayla Yellowhair	9/29/2017	N	4	Y		Y	By Annual Report										5	Y		
Dzit Dit'Looi School of Empowerment Action and Perseverance (DEAP)	Removal	Ryan Dennison	3/7/2018	N	5	Y		N		N	Delmaline Muskett	4/11/2018	Y		Y		N	Due 5/8/18	5	Y		Unknown
Explore Academy	Resignation	Robert Morrison	7/1/2017	N	6	Y		N			Ray Barton	7/10/2017	Y		Y		Y		6	Y		N/A
Explore Academy	Resignation	Kelly Gwartney	7/10/2017	Y		Y		N			David Kulb	7/10/2017	Y		Y		Y		6	Y		N/A
Explore Academy	Resignation	Gloria Lueras-Kidd	10/28/2017	N	155	Y		N		N	John Garletts	11/14/2017	Y		N	138	N	131	6	Y		N
Health Leadership High School	Resignation	Ryan Harrigan	1/27/2017	Y		Y		N		N	Abukko Estrada	5/25/2017	N	73	N	74	Y		8	Y		N/A
Health Leadership High School	Resignation	Melissa Steffan	10/13/2017	N	145	Y	148	N		N			N	158								
La Academia Dolores Huerta	Resignation	Carmen Gallegos-Marrujo	9/2/2017	N	190	Y	180	N		N	Elaine Palma	9/7/2017	Y		N	185	Y	175	6	N		N
La Academia Dolores Huerta	Term Expired	Spencer Herrera	9/7/2017	N	185	Y	175	N		N	Michael Sena	2/21/2018	N	122	N	18	Y	8	6	N	122	Y
La Academia Dolores Huerta	Term Expired	Elena Hinderlich	9/7/2017	N	185	Y	175	N		N	Patty Montoya	2/21/2018	N	122	N	18	Y	8	7	Y		Y
La Academia Dolores Huerta	Resignation	Sarah Luz Ramos	1/22/2018	N	48	Y	38	N		N	Robert Palacios	2/21/2018	Y		N	18	Y	8	7	Y		Y
La Academia Dolores Huerta	Resignation	Michelle Saenz-Adames	1/30/2018	N	40	Y	30	N		N									8	N	49	
La Academia Dolores Huerta	Resignation	Clara Lopez	9/4/2017	N	189	Y	179	N		N	Adrian Gaytan	2/21/2018	N	125	N	18	Y	8	8	Y		Y
La Academia Dolores Huerta	Resignation	Mariaelena De la Rosa	11/3/2017	N	136	Y	125	N		N	Yolanda Silva	2/21/2018	N	65	N	18	Y	16	8	Y		Y
La Tierra Montessori School of the Arts & Sciences	Resignation	Marcia Brendon	10/24/2017	N	55	Y	17	N			Amy Larsen	10/24/2017	Y		Y		Y		5	Y		Y
La Tierra Montessori School of the Arts & Sciences	Resignation	Marcie Davis	1/12/2018	N	14	Y		N		N	Steven Lujan	3/26/2018	N	28	N	12	N	2	4	N	115	Unknown

La Tierra Montessori School of the Arts & Sciences	Resignation	Ben Sandoval	3/23/2018	Y		Y		N		N		Needed to be filled by 5/7/18						4	N	115		
Six Directions Indigenous School	Resignation	Neomi Gilmore	5/12/2017	N	26	Y	88	N		N	Sam Crowfoot	6/14/2017	Y		Y		Y	88	5	Y		N/A
Six Directions Indigenous School	Removal	Philmer Bluehouse	6/14/2017	Y		Y	88	N		N	Oliver Tapaha	6/14/2017	Y		Y		Y	88	5	Y		N/A
Six Directions Indigenous School	Resignation	Madeline Leyba	8/2/2017	N	10	Y	194	N		N	Dr. Tamarah Pfeiffer	9/6/2017	Y		Y		Y	225	5	Y		Y
Six Directions Indigenous School		New Position									Lane Towery	2/19/2018	N/A		Y		Y	5	6	Y		Y
South Valley Preparatory School											Enriquita "Etta" Cavalier	3/22/2018	N/A		Y		Y		6	Y		Y
The MASTERS Program	Resignation	Monique Anair	3/27/2018	Y		Y		N		Y												

School Governance Change

Dream Diné Charter School

On October 19, 2017, the school submitted their Annual Report. It stated there would be 7 seated members, but our records only indicated 5 members. The minutes accompanying the report did not list Ira Vandever, so the school was contacted for clarification. The response indicated that Mr. Vandever was still on the board and that there were an additional 2 members of which we had no record. Documentation was requested at that time for Jeremy Simpson and Jasper Joe. No documentation was received.

The school was contacted again on November to request updated membership information. No documentation was received.

On April 4, 2018, a Change of Governing Body Membership form was sent in regarding the designations of Jeremy Simpson and Jasper Joe. Accompanying minutes indicated that Mr. Joe and Mr. Simpson were voted onto the board on October 16, 2017. At the same meeting, Ms. Mohs and Ms. Valenski were approved to continue their membership on the board.

The change form also indicated that Mr. Whitehair was joining the board to replace Mr. Vandever, who was being removed at the same meeting on December 18, 2017.

The school was contacted to submit affidavits and a Statement to Consult with PED. No documentation has been provided as of April 27, 2018.

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, Room 301, 300 Don Gaspar, Santa Fe, NM 87501

Name of State-Chartered School: Dream Dine Charter School Current Number of Governing Body Members: 7

Date submitted: 12/1/2017 Contact Name: Telletha Valenski E-mail: telletha@dreamdine.org

Governing Board Member Name	Governing Board Member's Current Personal Contact Information: Address/Phone Number/Email Address	Action	Date of Action	Reason for removal or resignation	Term of Service
Jeremy M Simpson	PO Box 804 Espanola NM 87532 505-423-4013 Jms12810@gmail.com	Designation	10/16/2017	Click here to enter Board Member name.	From: 10/16/2017 To: 10/16/2019
Jaasper Joe	PO Box 6737 Farmington NM 87401 505-701-5917 nativeprideapparel@gmail.com	Designation	10/16/2017	Click here to enter Board Member name.	From: 10/16/2017 To: 10/16/2019
Kimberly Mohs	PO Box 3686 Shiprock NM 87420 505-368-5896 Kimberly.mohs@ihs.gov	Designation	10/16/2017	Click here to enter Board Member name.	From: 10/16/2017 To: 10/16/2019

Original Signature of Governing Council President or Designee: _____ Date: 12/1/17

Printed Name of Governing Council President or Designee: Telletha Valenski

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Name of State-Chartered School: Dream Dine Charter School Current Number of Governing Body Members: 7

Date submitted: 12/1/2017 Contact Name: Telletha Valenski E-mail: telletha@dreamdine.org

Governing Board Member Name	Governing Board Member's Current Personal Contact Information: Address/Phone Number/Email Address	Action	Date of Action	Reason for removal or resignation	Term of Service
Telletha Valenski	PO Box 1962 Kirtland NM 87417 505-860-0743 telletha@dreamdine.org	Designation	10/16/2017	Click here to enter Board Member name.	From: 10/16/2017 To: 10/16/2019
Click here to enter Board Member name.	Click here to enter address. Click here to enter phone number. Click here to enter email address.	Designation	Click here to enter a date.	Click here to enter Board Member name.	From: Click here to enter a date. To: Click here to enter a date.
Click here to enter Board Member name.	Click here to enter address. Click here to enter phone number. Click here to enter email address.	Designation	Click here to enter a date.		From: Click here to enter a date. To: Click here to enter a date.

Original Signature of Governing Council President or Designee: 

Date: 12/1/17

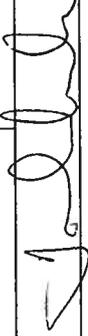
Printed Name of Governing Council President or Designee: Telletha Valenski

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, Room 301, 300 Don Gaspar, Santa Fe, NM 87501

Name of State-Chartered School: Dream Dine Charter School Current Number of Governing Body Members: 7
 Date submitted: 2/2/2018 Contact Name: Telletha Valenski E-mail: telletha@dreamdine.org

Governing Board Member Name	Governing Board Member's Current Personal Contact Information: Address/Phone Number/Email Address	Action	Date of Action	Reason for removal or resignation	Term of Service
Click here to enter Board Member name.	Click here to enter address. Click here to enter phone number. Click here to enter email address.	Designation	Click here to enter a date.	Click here to enter Board Member name.	From: Click here to enter a date. To: Click here to enter a date.
Click here to enter Board Member name.	Click here to enter address. Click here to enter phone number. Click here to enter email address.	Designation	Click here to enter a date.	Click here to enter Board Member name.	From: Click here to enter a date. To: Click here to enter a date.
Lance Whitehair	PO Box 3663 Shiprock NM 87420 505-635-0685 Lance.whitehair@ihs.gov	Designation	12/18/2017	Ira Vandever removal	From: 12/18/2017 To: 12/18/2019

Original Signature of Governing Council President or Designee:  Date: 2/2/18

Printed Name of Governing Council President or Designee: Telletha Valenski

STATE CHARTER SCHOOL CHANGE OF GOVERNING BODY MEMBERSHIP FORM

Instructions:

- Please complete and submit this form to: Charter Schools Division, Public Education Department, charter.schools@state.nm.us, Room 301, 300 Don Gaspar, Santa Fe, NM 87501
- Complete ALL fields about the school. Incomplete forms will be rejected.
- Complete ALL fields for each board member for whom action was taken. Incomplete forms will be rejected.
- Include all required attachments as described below. Submissions not containing all required materials will be rejected.

Required Attachments:

∞

Submission of this form MUST be accompanied by each of the following, as applicable:

- 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;
- Notices of Designation:**
 - a. An updated "STATEMENT OF GOVERNING BODY TO CONSULT WITH PED" signed by all current governing body members,
 - b. An "AFFIDAVIT OF GOVERNING BODY MEMBER" signed by the new governing body member and verified by a notary public, and
 - c. The governing body minutes showing the vote to designate the member

RECEIVED

APR - 4 2018

Options for Parents

AFFIDAVIT OF GOVERNING BODY MEMBER

STATE OF NEW MEXICO)

COUNTY OF)

I, Jasper Joe, after being duly sworn, state:

1. My name is Jasper Joe and I reside in Kirtland, New Mexico.

2. I am a member of the governing body of the [insert name of school] in Dream Dine Charter School, New Mexico.

3. I attest that I am currently not a current governing body member of any other charter school authorized in the state of New Mexico.

4. I have never been a governing body member of a charter school that was suspended or failed to receive or maintain their board of finance designation.

5. I understand that as a member of the [insert name of school]'s governing body, I am entrusted with oversight of expenditure of public funds in accordance with all applicable laws, regulations and rules, including but without limitation any laws or rules pertaining to conflicts of interest, public school finance, and procurement.

Jasper Joe
[Signature]

OCT. 30, 2017
Date

Jasper Joe
[Print]

VERIFICATION

The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 30th day of October, 2017.

[Notary Seal:]

Christine M. Yeager
NOTARY PUBLIC

My commission expires: 07/16, 2018.





DREAM DINÉ CHARTER SCHOOL

P.O. Box 4386 Shiprock, NM 87420

505-368-2500 –Phone

Statement to Consult with the PED

Re: Correspondence from NMPED : “Your school has failed to comply with its charter contract by not submitting governing body changes to your authorizer, the Public Education Commission (PEC), in a timely manner. ”

By my signature, I am aware of the necessity for our Governing Council to consult with the PEC.

Kimberly Mahs (Kimberly Mahs)

4/9/18

Governing Council Member

Date

Jasper Joe Jasper Joe

4/9/18

Governing Council Member

Date

Telletha Valenski Telletha Valenski

4/9/18

Governing Council Member

Date

[Signature]

4/9/18

Governing Council Member

Date

Governing Council Member

Date

Governing Council Member

Date

Governing Council Member

Date



Dream Diné Charter School

P.O. Box 4386 Shiprock, NM 87420

505-368-2500 -Phone

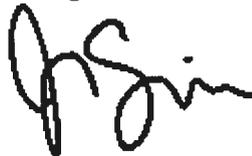
Statement to Consult with the PED

Re: Correspondence from NMPED : "Your school has failed to comply with its charter contract by not submitting governing body changes to your authorizer, the Public Education Commission (PEC), in a timely manner. "

By my signature, I am aware of the necessity for our Governing Council to consult with the PEC.

Governing Council Member

Date

 **Jeremy Simpson** 04-11-2018

Governing Council Member

Date

Governing Council Member

Date

Governing Council Member

Date

DREAM DINE' GOVERNING COUNCIL SPECIAL MEETING
Thursday, September 28, 2017—5PM
Dream Diné Office, Shiprock, NM

Unofficial Minutes

- A. Call to Order - 5:15pm**
- B. Invocation - Tina**
- C. Roll Call- Conference call: Charlotte (staff), Sierra (GC), and Clarence (GC);
In-person: Tina (staff) and Telletha (GC)**
- D. Approval of Agenda- Motion to approve the agenda by Clarence and second
by Sierra (Vote 3-0).**
- E. Discussion and Action Items:**
 - a. Financial/School Budget BARS - Motion to approve BAR-0006-M and
BAR-0007-I by Telletha and second by Clarence (Vote 3-0).**
 - b. Multi Grade Amendment Request- Motion to approve the state
charter amendment request by Clarence and second by Sierra (Vote 3-
0).**
 - c. School Improvement Plan for AY 2017-2018- Motion to approve the
school improvement plan for 2017-2018 by Telletha and second by Sierra
(Vote 3-0).**
- G. Benediction- Telletha**
- H. Adjournment - Motion to adjourn by Sierra and second by Clarence (Vote
3-0).**

DREAM DINE' GOVERNING COUNCIL MEETING
Monday, October 16, 2017—6PM
Dream Diné Office, Shiprock, NM

Minutes for Agenda

- A. Call to Order -6:04pm**
- B. Invocation - Clarence**
- C. Roll Call – Jasper, Jerry, Clarence, Telletha, and Tina in person; and conference, Charlotte and Kim.**
- D. Approval of Agenda- Motion Clarence, Kim second (Vote 3-0).**
- E. Approval of Minutes September 18, 2017 and September 28, 2017- Motion to approve by Telletha and second by Clarence (Vote 3-0).**
- F. Discussion and possible Action Items:**
 - a. Financials/School Budget**
 - i. BARs- 0009IB- lease reimbursement, 0010IB- GBond for library, & 0011M- NISN grant and 0012 T- 2000 to 1000 function category for some of start up expenses and 0013 M 1000 – clear out line items due October 31, 2017- motion for approval by Telletha and second by Clarence (Vote 3-0).**
 - ii. Financial Written and Oral Report/Audit- 3519 general entry for bank service charge, September, 3533 reclassify principal salary, and 3536 reclassify payment for Internet for 4000, and 3537 reclassify professional development- motion for approval by Telletha and second by Kimberly (Vote 3-0).**
 - iii. Procurement – i.e. school equipment, contracts, facilities- Kellogg grant to reclassify for housekeeping, contract to Dine cultural, training to furniture for the school, facility planner for next October, etc. and MOU for possible grant.**
 - iv. Academic Calendar**
 - b. Student Outreach Plan (marketing and recruitment)- Possible bus plan, 35k and maintenance fee and bus route and boundaries for a year. Web designer to improve school site.**
 - c. Resolution that current members of the Governing Council will vote on a majority vote will select new members.**
 - i. Vote for Jeremy Simpson and Jasper Joe- Motion to accept add Jasper Joe and Jeremy Simpson as Governing Council member by Clarence and second by Kimberly (Vote 3-0). Kimberly and Telletha declared to continue on the board.**
 - ii. Elections for Office- President, Vice President, Treasurer, and Secretary- tabled.**
 - d. Potential New Board Members- 2 Governing Council members need to confirm continuation on board, Kimberly and Telletha.**
 - e. Policies**
 - i. Parent Handbook/Orientation- still in process and reformatting and new order of topics by November 2017.**
 - ii. Provision of Special Education Services for Students with Disabilities and Gifted Student- Motion to approve Provision of Special Education Services for Students with Disabilities and Gifted**

Student by Clarence and second by Kimberly (Vote 3-0).

iii. McKinney Vento Policy on Homeless Students - motion to approve McKinney Vento Policy on Homeless Students by Telletha and second by Kimberly (Vote 3-0).

G. Updates

a. Head Administration/Principal- Written by Tina.

i. Enrollment

ii. iStation update

iii. Teacher's strategies for student improvement

iv. Continuation of Administrative position-

b. Parent Advisory Board

v. PAC updates

vi. Next parent meeting

H. Public Comments

I. The next meeting of the Governing Council will be Special meeting November 13, 2017.

J. Benediction

K. Adjournment - Motion to adjourn by Telletha and second by Clarence (Vote 3-0).

DREAM DINÉ GOVERNING COUNCIL MEETING
Monday, December 18, 2017—6PM
Marriott Suites, Farmington, NM

Agenda

- A. Call to Order - 620pm**
- B. Invocation - Jasper**
- C. Roll Call- Clarence, Jeremy, Jasper, Sierra, Tina, and Telletha; school staff and guest: Lance and Rhonda, Carmelita, Charlotte, Rhonda, Kayla, Desiree, Sylvia, Elita?, Paula, and Ravis**
- D. Approval of Agenda- Accept agenda then Change the potential removal to Kim motioned and Sierra second (Voted yes 6-0-0).**
- E. Approval of Minutes November 13, 2017- Kim motioned to approve minutes and Clarence second (Voted yes 6-0-0).**
- F. Discussion and possible Action Items:**
 - a. Potential New Board Members**
 - i. Removal of Governing Council- Motion to remove Ira by Kim and second by Clarence (Voted yes 6-0-0).**
 - ii. Vote of New Member- Motion to add Lance Whitehair by Kimberly and second by Sierra (Voted yes 6-0-0).**
 - b. Financials/School Budget**
 - i. BARs- none**
 - ii. Financial Written and Oral Report/Audit- balance 107,000 that has not been utilized was 87,000 cash carry over with total of 187,000. 9 students short 8-10k deduction per student. Charlotte will give the calculation for the deduction and be the one to share the information of the board items on the agenda monthly. Budget Review at Quarterly Meeting in February 12th (Special Meeting) – Motion to accept Charlotte oral report by Telletha ? and second by Clarence (Vote yes 6-0-0).**
 - iii. Procurement – i.e. school equipment, contracts, facilities-**
 - iv. Academic Calendar- work on at quarterly**
 - c. Governing Council Evaluation report- open space to have more conversation about what is going on at the school.**
 - d. Student Outreach Plan (marketing and recruitment)-popular way to promote the school and copies of the school calendar. Post card mail outs to the students and use the mural art; and utilize the Headstart program.**
- G. Updates**
 - a. Head Administration/Principal**
 - i. iStation/Eureka Math/DineLanguage**
 - ii. Report from Rhonda Barbone- story quilt telling one of the Dine creation stories and invited Jasper Joe to understand the business. Eureka, Wonders, PARC, istations etc... (need the list). Providing tutors for the students, cleaning the room, provide tables, provide workshops for the parents,**

- and provide less interruptions or find ways to intergrade into the school curriculum.
- iii. Report from Desiree D.- Prime contact with NMSU since 2016. Dedicated the first year to maintain the garden. Healthy eating and nutrition lessons, community workshops and challenge for next spring semester with less ½ days.
- b. Parent Advisory Board
- v. PAC updates - Met December 15, 2017 and plan to do more meetings.
 - vi. Next parent meeting - January 3, 2018. Ask Donna from Navajo Prep to do a math night. January 19th - Family Night, Parent wouldn't mind doing evaluation on special events.
- H. Public Comments- Ravis mentioned what is important that we have our children know their identity. Build a fire and sit in a Hogan and share stories. Build partnerships with several medicine men. Elita - parent of two children at Dream Dine; she is grateful for the school. Tasheena made a comment about mascot and students voted it to be a Hummingbird.
- I. The next meeting of the Governing Council will be January 15, 2018
- J. Benediction
- K. Adjournment - Motion to adjourn by Telletha and second by ? (Vote yes 6-0-0).



STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
300 DON GASPAR
SANTA FE, NEW MEXICO 87501-2786
Telephone (505) 827-5800
www.ped.state.nm.us

CHRISTOPHER N. RUSZKOWSKI
SECRETARY OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

April 4, 2018

Telletha Valenski
Dream Diné Charter School
PO Box 4386
Shiprock, NM 87420

Dear Ms. Valenski:

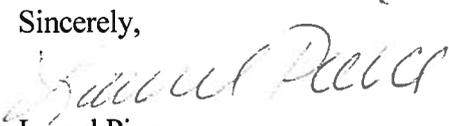
Thank you for your notification of a governing body resignation and a governing body designation dated April 2, 2018 in which Dream Diné Charter School provided notification to the Public Education Commission (PEC) of the removal of Ira Vandever and the designations of Jeremy Simpson, Jasper Joe, and Lance Whitehair, along with the notification that term renewals had been approved for Telletha Valenski and Kimberly Mohs. Please be aware, as per your charter contract, Section 8.10(b):

The School will notify the Authorizer within 30 (thirty) days of a member's resignation or designation of a new member and shall sign the appropriate forms to ensure that the governing body continues to qualify as a board of finance. The School shall fill any vacancy on its governing body no later than 45 days from the vacancy or shall seek an extension for such appointment from the Authorizer in writing. The new member must execute the required statements for Board of Finance designation to the NMPED.

Your school has failed to comply with its charter contract by not submitting governing body changes to your authorizer, the Public Education Commission (PEC), in a timely manner. Mr. Simpson's and Mr. Joe's information should have been submitted by November 15, 2017. Mr. Vandever's and Mr. Whitehair's information should have been submitted by January 17, 2018. Additionally, the notification did not contain all required information, please provide signed and notarized Affidavits for Mr. Simpson, Mr. Joe and Mr. Whitehair, and a Statement to Consult with the PED signed by all currently seated board members no later than April 14, 2018. If the required information is not timely provided, the school will be added to the PEC's agenda for consideration and potential corrective action.

This notification will be presented to the PEC at the meeting on May 11, 2018. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Laurel Pierce". The ink is dark and the signature is fluid and legible.

Laurel Pierce

Options for Parents and Families



STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
300 DON GASPAR
SANTA FE, NEW MEXICO 87501-2786
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CHRISTOPHER N. RUSZKOWSKI
SECRETARY OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

April 25, 2018

Telletha Valenski
Dream Diné Charter School
PO Box 4386
Shiprock, NM 87420

Dear Ms. Valenski:

Thank you for your notification of a governing body resignation and a governing body designation dated April 13, 2018 in which Dream Diné Charter School provided documentation to the Public Education Commission (PEC) of the designations of Jeremy Simpson and Jasper Joe, along with the verification that term renewals had been approved for Telletha Valenski and Kimberly Mohs. Notification of the resignation of Ira Vandever and the designation of Lance Whitehair has still not been received. Please be aware, as per your charter contract, Section 8.10(b):

The School will notify the Authorizer within 30 (thirty) days of a member's resignation or designation of a new member and shall sign the appropriate forms to ensure that the governing body continues to qualify as a board of finance. The School shall fill any vacancy on its governing body no later than 45 days from the vacancy or shall seek an extension for such appointment from the Authorizer in writing. The new member must execute the required statements for Board of Finance designation to the NMPED.

Your school has failed to comply with its charter contract by not submitting governing body changes to your authorizer, the Public Education Commission (PEC), in a timely manner. Additionally, the notification did not contain all required information, please provide a Change Form for Mr. Vandever and Mr. Whitehair, a letter of resignation for Mr. Vandever, a signed and notarized Affidavit for Mr. Whitehair, a Statement to Consult with the PED signed by all currently seated board members, and minutes wherein Mr. Whitehair's designation was approved no later than May 4, 2018. If the required information is not timely provided, the school will be added to the PEC's agenda for consideration and potential corrective action.

This notification will be presented to the PEC at the meeting on May 11, 2018. If you have any questions, please do not hesitate to contact me.

Governing Body Membership Changes
April 25, 2018
Page 2

Sincerely,


Laurel Pierce
Options for Parents and Families



STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
300 DON GASPAR
SANTA FE, NEW MEXICO 87501-2786
Telephone (505) 827-5800
www.ped.state.nm.us

CHRISTOPHER N. RUSZKOWSKI
SECRETARY OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

May 7, 2018

Telletha Valenski
Dream Diné Charter School
PO Box 4386
Shiprock, NM 87420

Dear Ms. Valenski:

This is a formal notification of non-compliance regarding your school's Governing Board.

Please use this notification as an opportunity to evaluate your governance reporting and management processes and implement new systems and protocols to maintain compliance with your contractual and statutory requirements related to timely notification, timely filling board vacancies, and board training requirements.

Pursuant to Section 8.10(b) of the charter contract, schools must notify their authorizer *within 30 days* when any change to governing board membership takes place. All vacancies must be filled within 45 days, or an extension requested.¹

In addition, pursuant to Section 6.80.5.8(B) NMAC all new board members must complete a seven (7) hour introductory training provided by the NMPED **before** they vote on any governing body business.²

Finally, Section 22-8B-4(B) NMSA 1978 requires all charter school boards to have at least five (5) members; this requirement is also included in Section 8.10(a) of the charter contract. The school's own by-laws also designate a specific number or range of the number of board members; the school should ensure it complies with its own bylaws.

Below is a list of your school's violations of the above provisions of law and contract in the 2017-18 school year:

¹ Per charter contract Section 8.10(b): "The School will notify the Authorizer within 30 (thirty) days of a member's resignation or designation of a new member and shall sign the appropriate forms to ensure that the governing body continues to qualify as a board of finance. The School shall fill any vacancy on its governing body no later than 45 days from the vacancy or shall seek an extension for such appointment from the Authorizer in writing. The new member must execute the required statements for Board of Finance designation to the NMPED."

² Unless the board member completes the short term waiver process outlined in Section 6.80.5.8(C) NMAC.

1. After April 17, 2017, Ira Vandever was no longer listed on minutes as attending governing board meetings. When the school was contacted on October 19, 2017, the head administrator stated Mr. Vandever was still a board member, but there is no evidence of his attendance. Recent documentation indicates he is no longer a board member and the school has been contacted for verification.
 - a. As per the school bylaws, “attendance at governing board meetings is mandatory. Any member missing two consecutive meetings without prior notification may be dismissed from the Governing Council.” Minutes do not indicate an excused absence.
 - b. If Mr. Vandever has resigned or been removed, notification of the resignation/removal is overdue.
 - i. The school failed to provide notification of the change within 30 days.
 - c. The absence of Mr. Vandever caused the board to drop to four members.
 - i. The school remained at four members until October 16, 2017.
2. On October 16, 2017, a new member, Jeremy Simpson, was designated to serve on the board.
 - a. Notification of the designation was due on or before November 15, 2017.
 - i. Notification and supporting documentation of this change was received on April 14, 2018, which was 180 days after the designation.
 - ii. The school failed to provide notification of the change within 30 days.
3. On October 16, 2017, a new member, Jasper Joe, was designated to serve on the board.
 - a. Notification of the designation was due on or before November 15, 2017.
 - i. Notification and supporting documentation of this change was received on April 14, 2018, which was 180 days after the designation.
 - ii. The school failed to provide notification of the change within 30 days.
4. On December 18, 2017 a new member, Lance Whitehair, was designated to serve on the board as per a submitted Change of Governing Body Membership form. No other documentation has been submitted, and he is not listed as a current governing body member on other submitted documents. Minutes are unavailable from the website for confirmation.
 - a. Notification of the change in membership was due on or before January 17, 2018.
 - i. Notification of this change was received on April 14, 2018, which was 117 days after the change in membership.
 - ii. The school failed to provide notification of the change within 30 days.
 - b. Documentation has still not been received, and is 135 days overdue as of the date of this letter.

Although notification of all changes has been received, all documentation has not been received. The Public Education Commission (PEC) and the Charter Schools Division (CSD) request all outstanding documentation to be submitted immediately and encourage your school to review your current policies and practices regarding governing board membership changes. Please ensure the proper

procedures are in place and a member has been designated to oversee and report all governing board changes to ensure the school can meet its responsibilities in the future.

Sincerely,

Katie Poulos
Director, Options for Parents and Families

cc: Quintina Deschenie, Administrator



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CHRISTOPHER N. RUSZKOWSKI
SECRETARY OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

May 7, 2018

Jesse Pickard
Explore Academy
5100 Masthead Street, NE
Albuquerque, NM 87109

Dear Mr. Pickard:

This is a formal notification of non-compliance regarding your school's Governing Board.

Please use this notification as an opportunity to evaluate your governance reporting and management processes and implement new systems and protocols to maintain compliance with your contractual and statutory requirements related to timely notification, timely filling board vacancies, and board training requirements.

Pursuant to Section 8.10(b) of the charter contract, schools must notify their authorizer *within 30 days* when any change to governing board membership takes place. All vacancies must be filled within 45 days, or an extension requested.¹

In addition, pursuant to Section 6.80.5.8(B) NMAC all new board members must complete a seven (7) hour introductory training provided by the NMPED **before** they vote on any governing body business.²

Section 22-8B-4(B) NMSA 1978 requires all charter school boards to have at least five (5) members; this requirement is also included in Section 8.10(a) of the charter contract. The school's own by-laws also designate a specific number or range of the number of board members; the school should ensure it complies with its own bylaws.

Below is a list of your school's violations of the above provisions of law and contract in the 2017-18 school year:

1. On July 1, 2017, a letter of resignation was received from Robert Morrison
 - a. Notification of the resignation was due on or before August 1, 2017.

¹ Per charter contract Section 8.10(b): "The School will notify the Authorizer within 30 (thirty) days of a member's resignation or designation of a new member and shall sign the appropriate forms to ensure that the governing body continues to qualify as a board of finance. The School shall fill any vacancy on its governing body no later than 45 days from the vacancy or shall seek an extension for such appointment from the Authorizer in writing. The new member must execute the required statements for Board of Finance designation to the NMPED."

² Unless the board member completes the short term waiver process outlined in Section 6.80.5.8(C) NMAC.

- i. Notification and supporting documentation of this change was received on August 6, 2017, which was 36 days after the resignation.
 - ii. The school failed to provide notification of the change within 30 days.
2. On October 28, 2017, a letter of resignation was received from Gloria Lueras-Kidd.
 - a. Notification of the resignation was due on or before November 27, 2017.
 - i. Notification and supporting documentation of this change was received on May 1, 2018, which was 185 days after the resignation.
 - ii. The school failed to provide notification of the change within 30 days.
3. On November 14, 2017, a new member, John Garletts, was designated to serve on the board.
 - a. Notification of the designation was due on or before December 12, 2017.
 - i. Notification of the designation was received by the CSD on May 1, 2018, which is 168 days after the designation. Final documentation has not yet been received.
 - ii. The school failed to provide notification of the change within 30 days.

Additionally, the school website states, “*The Explore Academy is managed by its Governance Council (its school board), which consists of an independent panel of five individuals who convene each month to provide general oversight in the school’s operation.*”³ The board currently has **six** seated members. Bylaws are unavailable via the website, so the school is encouraged to review their bylaws to confirm that six members are allowable, and then amend the website as necessary.

Although notification has been received, final documentation has not yet been submitted. The Public Education Commission (PEC) and the Charter Schools Division (CSD) encourage your school to review your current policies and practices regarding governing board membership changes. Please ensure the proper procedures are in place and a member has been designated to oversee and report all governing board changes to ensure the school can meet its responsibilities in the future.

Sincerely,

Katie Poulos
Director, Options for Parents and Families

cc: Justin Baiardo, Director

³ <http://www.exploreacademy.org/about/leadership.html>

School Governance Change

Dzil Diti'ooi School of Empowerment, Action and Perseverance (DEAP)

On March 7, 2018, a vacancy was created on the board by the removal of Ryan Dennison due to non-attendance. The removal was not reported timely. The board dropped to 4 members at this time.

On April 11, 2018, the vacancy was potentially filled by the designation of Delmaline Muskett. The designation was timely, but the change form and minutes wherein the designation was approved have not yet been submitted. The school has been notified that the remainder of the documentation will be due on May 8, 2018.

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, Room 301, 300 Don Gaspar, Santa Fe, NM 87501

Name of State-Chartered School: Dzil Diti'ooi School of Empowerment, Action and Perseverance Current Number of Governing Body Members: 5

Date submitted: 4/11/2018 Contact Name: Louella Poblano E-mail: Administrator@deapschool.org

Governing Board Member Name	Governing Board Member's Current Personal Contact Information: Address/Phone Number/Email Address	Action	Date of Action	Reason for removal or resignation	Term of Service
Ryan Dennison	P.O. Box 444 Fort Wingate, NM jfirelamedeer@gmail.com	Removal	3/7/2018	Failure to attend 3 consecutive meetings	From: 2/8/2017 To: 3/7/2018
Click here to enter Board Member name.	Click here to enter address. Click here to enter phone number. Click here to enter email address.	Choose an action.	Click here to enter a date.	Click here to enter Board Member name.	From: Click here to enter a date. To: Click here to enter a date.
Click here to enter Board Member name.	Click here to enter address. Click here to enter phone number. Click here to enter email address.	Choose an action.	Click here to enter a date.	Click here to enter Board Member name.	From: Click here to enter a date. To: Click here to enter a date.

Original Signature of Governing Council President or Designee:  Date: 4/11/18

Printed Name of Governing Council President or Designee: Benita Iltson



DZIŁ DITŁ'OOÍ SCHOOL OF EMPOWERMENT, ACTION AND PERSEVERANCE (DEAP)

Empowering students and communities through education, culture, wellness and service

PO BOX 156 Navajo, NM 87328 ♦ (505)777-2053 ♦ www.deapschool.org

Dził Dítł'ooí School of Empowerment, Action and Perseverance Governing Council Regular Meeting Minutes

March 7, 2018

6:00 PM

Location: DEAP School

- A. The meeting was called to order at 6:05 PM by President, Benita Litson.
- B. Roll Call
- | | |
|--------------------------------|-------------------------------|
| 1. Benita Litson, President | Present |
| 2. Gavin Sosa, Vice-President | Present via telephone |
| 3. Michaela Shirley, Secretary | Present via telephone |
| 4. Regina Manygoats, Treasurer | Present at 6:10 via telephone |
| 5. Ryan Dennison, Member | Absent |
- Others in Attendance: Michael Vigil, Sr. (telephone), Rebekah Mahape (telephone), Louella Poblano, Prestene Garnenez, Karen Mailman, Delmaline Muskett, and Kayla Begay.
- C. Review and Approval of Agenda
A motion to approve the agenda as is made by Michaela Shirley and second by Gavin Sosa. The vote was 3-0-0.
- D. Review and Approval of February 13, 2018 Meeting Minutes
A motion to approve the minutes with the correction of spelling Rebekah's name made by Gavin Sosa and second by Michaela Shirley. The vote was 3-0-0.
- E. Discussion and possible Action Items:
1. Approval of Budget Adjustment Requests (BAR)
A motion to approve the NISN Native Youth Grant (BAR 1718-0025-I) and Indian Education District Initiative Grant (BAR 1718-0026-I) and to table the Running Strong Grant made by Michaela Shirley and second by Benita Litson. The vote was 3-0-0.
 2. Approval of Michael Vigil as Check Signer
A motion to approve Michael Vigil, Sr. and remove Sean Fry as Check Signer made by Gavin Sosa and second by Michaela Shirley. The vote was 3-0-0.
 3. New GC Membership
The parent for membership is no longer interested due to work with unexpected calls leading to out-of-state duties. A motion to remove Ryan Dennison from the

Governing Council made by Michaela Shirley and second by Gavin Sosa. The vote was 3-0-0.

4. Discussion of Field Trips

Louella Poblano speaks on an incident that occurred during a recent field trip causing a double look at procedures and the creation of a field trip packet. The parent, Delmaline Muskett, spoke out on her feelings of the incident and requested the Governing Council to provide some feedback and guidance on how to proceed with action. ***Regina Manygoats' called dropped at 6:52 p.m. and she returned at 6:55 p.m. with another drop at 6:56 p.m. She did call back in at 6:58 p.m. with a drop at 7:02 p.m.

5. Cash Accountability with PAC

Louella Poblano suggested a Request Form for Fundraising Activities and Spending.

6. Discussion on Corrective Action Plan

Mrs. Poblano provided an overview of the CAP. Governing Council provided input.

7. Discussion on School Calendar for 2018-2019

Kayla Begay provided three versions of the next school year calendar for consideration. However, the Governing Council decided to hold on action until more parent and community input was conducted.

8. Discussion on Budget 2017-2018

Preliminary discussions on next year budget as presented by the Vigil Group.

F. Reports

1. Head Administrator's Report

See Report Attachment 1

2. Business Manager's Report

See Report Attachment 2

3. Director of Curriculum's Report

Ms. Begay provided updates on the California Fieldtrip.

4. Director of Operations' Report

See Report Attachment 3

5. Governing Council Committee Reports

G. Public Comment

No Public Comment

H. The next meeting for DEAP Governing Council will be on April 11, 2018 6:00 PM at DEAP

I. The meeting was motion to adjourn at 8:38 pm by Gavin Sosa and second by Michaela Shirley. The vote was 3-0-0.

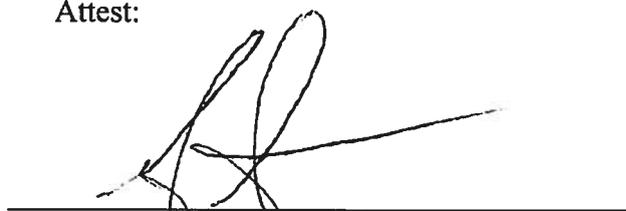
These minutes were approved by the Governing Council of the Dzil Diti'oo7 School of Empowerment, Action and Perseverance (DEAP) on April 11, 2018 by a vote of 3 in favor, 0 opposed, and 0 abstentions.

DZIL DITL'OOI SCHOOL OF EMPOWERMENT ACTION & PERSEVERANCE:

Attest:



President of the Governing Council



Governing Council Member



STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
300 DON GASPAR
SANTA FE, NEW MEXICO 87501-2786
Telephone (505) 827-5800
www.ped.state.nm.us

CHRISTOPHER N. RUSZKOWSKI
SECRETARY OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

April 26, 2018

Benita Litson
Dzil Diti'ooi School of Empowerment, Action and Perseverance (DEAP)
PO Box 156
Navajo, NM 87328

Dear Ms. Litson:

Thank you for your notification of a governing body resignation dated April 11, 2018 in which Dzil Diti'ooi School of Empowerment, Action and Perseverance (DEAP) provided notification to the Public Education Commission (PEC) of the removal of Ryan Dennison. The notification contained all required information.

Please be advised the school's contract with the PEC requires that the school fill the vacancy on its governing body created by this resignation no later than 45 days from the date of the vacancy or seek an extension for such appointment from the Authorizer in writing. Therefore, Dzil Diti'ooi School of Empowerment, Action and Perseverance (DEAP) should have designated a new member to fill the vacancy created by the resignation of Ryan Dennison, or request an extension, no later than April 21, 2018. If the vacancy is not filled or the school does not request an extension, the school will be added to the PEC's agenda for consideration and potential corrective action.

This notification of a governing body resignation will be presented to the PEC at the meeting on May 11, 2018. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Laurel Pierce".

Laurel Pierce
Options for Parents and Families

AFFIDAVIT OF GOVERNING BODY MEMBER

STATE OF NEW MEXICO)
)
COUNTY OF MCKINLEY)

I, Delmaline Muskett, after being duly sworn, state as follows:

1. My name is Delmaline Muskett and I reside in Navajo, New Mexico.
2. I am a member of the governing body of the Dził Dítł'ooí School of Empowerment, Action and Perseverance charter school located in Navajo, 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 compliance with state and federal law when administering grants and entering into contracts.

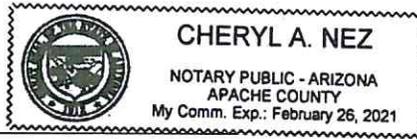
Delmaline Muskett
[Signature]

April 23, 2018
Date

Delmaline Muskett, Governing Body Member of Dził Dítł'ooí School of Empowerment, Action and Perseverance Charter School.
[Printed Name]

Subscribed and sworn to before me, this 23 day of April, 20 18.
Notary Seal:]

[Signature]
[Signature of Notary]



Cheryl A. Nez
[Printed name of Notary]

Notary Public
My commission expires: February 26, 2021, 20 21.

STATEMENT OF GOVERNING BODY TO CONSULT WITH PED

We, the undersigned, make up the governing body of the Dził Dítł'ooí School of Empowerment, Action and Perseverance (DEAP), located in Navajo, New Mexico.

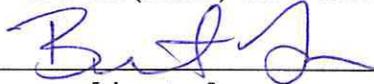
In accordance with 6.80.4.16 NMAC, we agree to consult with the New Mexico Public Education Department on any matter not covered by the manual of accounting and budgeting before taking any action related to funds held as a board of finance.

We make this statement as part of Dził Dítł'ooí School of Empowerment, Action and Perseverance (DEAP)'s application to the Public Education Commission for status as a board of finance under 6.80.4.16 NMAC.

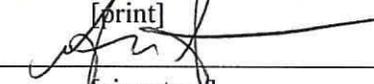
We understand that we must retain or hire a Licensed School Business Manager as soon as financial feasible and, thereafter, notify the New Mexico Public Education Commission within 30 days of hiring and/or changing in a Licensed School Business Manager for the school, and a new, signed "Affidavit of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

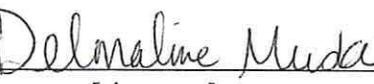
THE FOLLOWING MEMBERS OF THE DZIL DITŁ'OOÍ SCHOOL OF EMPOWERMENT, ACTION AND PERSEVERANCE (DEAP) GIVE THE FOREGOING STATEMENT THIS 8th DAY OF NOVEMBER, 2017.

1. 
[signature]

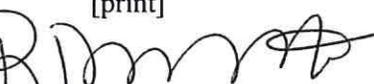
Benita Litsen
[print]

2. 
[signature]

Garvin Sosa
[print]

3. 
[signature]

Delmatine Muskett
[print]

4. 
[signature]

Regina Manygoats
[print]

5. 
[signature]

MICHAELA SHIRLEY
[print]

6. _____
[signature]

[print]



**DZIL DITŁ'OOÍ SCHOOL OF
EMPOWERMENT, ACTION AND
PERSEVERANCE (DEAP)**

Empowering students and communities through education, culture, wellness and service

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**Dził Dítł'ooí School of Empowerment, Action and Perseverance
Governing Council Regular Meeting**

April 11, 2018

6:00 PM

Location: DEAP School

Agenda

- A. Call to order
- B. Roll Call
 - 1. Benita Litson, President _____
 - 2. Gavin Sosa, Vice-President _____
 - 3. Michaela Shirley, Secretary _____
 - 4. Regina Manygoats, Treasurer _____
 - 5. Vacant, Member _____
- C. Review and Approval of Agenda
- D. Review and Approval of March 7, 2018 Meeting Minutes
- E. Discussion and possible Action Items:
 - 1. Approval of New Governing Council Member
 - 2. Approval of Budget Adjustment Requests (BAR)
 - 3. Approval of Resolution Number 2018-04-04
 - 4. Discussion on Corrective Action Plan
 - 5. Discussion on Budget 2017-2018
 - 6. Discussion on Governing Council Self-Evaluation
 - 7. Executive Session on Head Administrator's Contract
- F. Reports
 - 1. Head Administrator's Report
 - 2. Business Manager's Report
 - 3. Director of Curriculum's Report
 - 4. Director of Operations' Report
 - 5. Governing Council Committee Reports

G. Public Comment

H. The next meeting for DEAP Governing Council will be on May 9, 2018 6:00 PM at DEAP

I. Adjournment



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www.ped.state.nm.us

CHRISTOPHER N. RUSZKOWSKI
SECRETARY OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

April 26, 2018

Benita Litson
Dzil Diti'ooi School of Empowerment, Action and Perseverance (DEAP)
PO Box 156
Navajo, NM 87328

Dear Ms. Litson:

Thank you for your notification of a governing body resignation dated April 11, 2018 in which Dzil Diti'ooi School of Empowerment, Action and Perseverance (DEAP) provided notification to the Public Education Commission (PEC) of the removal of Ryan Dennison. The notification contained all required information.

Please be advised the school's contract with the PEC requires that the school fill the vacancy on its governing body created by this resignation no later than 45 days from the date of the vacancy or seek an extension for such appointment from the Authorizer in writing. Therefore, Dzil Diti'ooi School of Empowerment, Action and Perseverance (DEAP) should have designated a new member to fill the vacancy created by the resignation of Ryan Dennison, or request an extension, no later than April 21, 2018. If the vacancy is not filled or the school does not request an extension, the school will be added to the PEC's agenda for consideration and potential corrective action.

This notification of a governing body resignation will be presented to the PEC at the meeting on May 11, 2018. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Laurel Pierce".

Laurel Pierce
Options for Parents and Families



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CHRISTOPHER N. RUSZKOWSKI
ACTING SECRETARY OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

April 27, 2018

Benita Litson
Dzil Diti'ooi School of Empowerment, Action and Perseverance (DEAP)
PO Box 156
Navajo, NM 87328

Dear Ms. Litson:

Thank you for your notification of a governing body designation dated April 27, 2018 in which Dzil Diti'ooi School of Empowerment, Action and Perseverance (DEAP) provided notification to the Public Education Commission (PEC) of the designation of Delmaline Muskett. The notification did not contain all required information; please provide a Change of Governing Body Membership and minutes from the meeting wherein Ms. Muskett's designation was accepted no later than May 8, 2018. If the required information is not timely provided, the school will be added to the PEC's agenda for consideration and potential corrective action.

This notification of a governing body designation will be presented to the PEC at the meeting on May 11, 2018. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Laurel Pierce".

Laurel Pierce
Options for Parents and Families



**STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
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CHRISTOPHER N. RUSZKOWSKI
SECRETARY OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

May 7, 2018

Benita Litson
Dzil Diti'ooi School of Empowerment, Action and Perseverance (DEAP)
PO Box 156
Navajo, NM 87328

Dear Ms. Litson:

This is a formal notification of non-compliance regarding your school's Governing Board.

Please use this notification as an opportunity to evaluate your governance reporting and management processes and implement new systems and protocols to maintain compliance with your contractual and statutory requirements related to timely notification, timely filling board vacancies, and board training requirements.

Pursuant to Section 8.10(b) of the charter contract, schools must notify their authorizer *within 30 days* when any change to governing board membership takes place. All vacancies must be filled within 45 days, or an extension requested.¹

Section 22-8B-4(B) NMSA 1978 requires all charter school boards to have at least five (5) members; this requirement is also included in Section 8.10(a) of the charter contract. The school's own by-laws also designate a specific number or range of the number of board members; the school should ensure it complies with its own bylaws.

Below is a list of your school's violations of the above provisions of law and contract in the 2017-18 school year:

1. On June 14, 2017, a new member, Gavin Sosa, was designated to serve on the board.
 - a. Notification of the designation was due on or before July 14, 2017.
 - i. Notification and documentation of the designation was received by the CSD on August 25, 2018, which was 74 days after the notice of designation.

¹ Per charter contract Section 8.10(b): "The School will notify the Authorizer within 30 (thirty) days of a member's resignation or designation of a new member and shall sign the appropriate forms to ensure that the governing body continues to qualify as a board of finance. The School shall fill any vacancy on its governing body no later than 45 days from the vacancy or shall seek an extension for such appointment from the Authorizer in writing. The new member must execute the required statements for Board of Finance designation to the NMPED."

- ii. The school failed to provide notification of the change within 30 days.
- 2. On September 29, 2017, a letter of resignation was received from Shayla Yellowhair. The date had been altered on the resignation letter, so it is unclear when the actual resignation was received.
 - a. Notification of the resignation was due on or before October 29, 2017.
 - i. Notification and supporting documentation of this change was received on November 2, 2017, which was 34 days after the resignation.
 - ii. The school failed to provide notification of the change within 30 days.
- 3. On March 7, 2018, board member Ryan Dennison was removed due to non-attendance.
 - a. Notification of the change in membership was due on or before April 6, 2018.
 - i. Notification and supporting documentation of this change was received on April 11, 2018, which was 35 days after the change in membership.
 - ii. The school failed to provide notification of the change within 30 days.

Although notification has been received, final documentation has not yet been submitted. The Public Education Commission (PEC) and the Charter Schools Division (CSD) encourage your school to review your current policies and practices regarding governing board membership changes. Please ensure the proper procedures are in place and a member has been designated to oversee and report all governing board changes to ensure the school can meet its responsibilities in the future.

Sincerely,

Katie Poulos
Director, Options for Parents and Families

cc: Louella Poblano, Head Administrator

School Governance Change

Six Directions Indigenous School

On August 2, 2017 a vacancy was created on the governing board by the resignation of Madeline Leyba. On September 6, 2017, the vacancy was filled by the designation of Dr. Tamarah Pfeiffer. Although the resignation and designation were reported in a timely fashion, all documentation has not yet been received. The school was notified on September 11, 2017 that an Affidavit from Dr. Pfeiffer, a Statement to Consult with PED, and the minutes wherein Dr. Pfeiffer's designation was accepted were needed to complete the documentation. These items were not received.

On April 24, 2018, the school was again contacted regarding the missing documentation. Minutes were available on the website and printed by the Charter Schools Division. The Statement to Consult from members currently on the board in September are no longer available, but a new Statement to Consult form was sent in with the designation of Lane Towery in February, so there is a current Statement on file. An Affidavit from Dr. Pfeiffer was received on May 4, 2018.

MINUTES

Six Directions Indigenous School Governing Council Meeting 6 September 2017 2055 NM-602, Gallup, NM 87301

In attendance: Ben Soce, Oliver Tapaha, and Susan Estrada

Absent: Sam Crowfoot

Others in attendance: Stephanie Vicenti, Amber Pina, and Lane Towery

- I. Call to order at 5:44PM
 - a. Present: Susan, Oliver, and Ben
 - b. Absent: Sam
- II. Modification or Approval of Agenda
 - a. McKinney Veto (should be Vento) process – table or remove
 - i. Stephanie never got a response on putting the policy in place
 - ii. Under the same items, there are two D points listed
- III. Presentation and Approval of Minutes
 - a. Susan explains that she will send meeting minutes at the end of each meeting. Asks each board member to review and come with decision about approval of minutes before the next meeting.
 - b. Sam Crowfoot joins at 5:54 PM
 - c. Motion to approve minutes from last meeting: Susan
 - d. Yes: Sam, Oliver, Susan, and Ben
 - e. No: None
- IV. Public Comment
 - a. No comment from the public
- V. Action Item
 - a. Annual Board Reporting
 - i. Wanted signatures before Sept. 1st but we are being permitted to sign and send now. (Ben signs for the board.)
 - ii. Last document we are waiting is the POMs document (certificate to show that the school is insured).
 - b. McKinney Veto (Vento) Process
 - i. Sought out feedback from NISN but have not received feedback
 - ii. This audit was due Sept. 1st as well
 - iii. Suggested by PED that we approve as soon as possible
 - iv. Stephanie would prefer to have a special meeting in place to approve because she does not want to be late on any more deadlines
 - v. September 20th is suggested for a special meeting
 - vi. Motion to hold a special meeting to talk about the McKinney Vento Process on Sept. 20th: Sam
 - vii. Yes: Sam, Oliver, Susan, and Ben

- viii. No: None
- c. New Board Member Selection
 - i. Doctor Dr. Tamarah Pfeiffer was submitted for approval by Oliver
 - ii. Oliver has worked with Dr. Pfeiffer previously. Works with BIE currently. Champion of language and culture. Mother was a founder of Rough Rock Community School.
 - iii. Celeste Yazzie might be interested in joining
 - iv. We have 9 days to add someone to our board
 - v. Regulatory for us to have background checks, which we all have to do
 - vi. Oliver's background check might be valid
 - vii. Ben, Sam and Susan will need to be a background check
 - viii. Lane is sending directions for background check
 - ix. We have our own FBI given ORI number (but we should not use it – we should instead send our results to the PED)
 - x. Oliver is going to ask Dr. Pfeiffer to join the meeting – Dr. Pfeiffer joins at 6:26PM
 - xi. Dr. Pfeiffer explains role with BIE schools. Expresses interest in hearing why we joined the board. Each board member shares.
 - xii. Susan reviews time requirements and training requirements affiliated with being a General Council member
 - xiii. Motion to invite Dr. Pfeiffer to join the General Council
 - xiv. Yes: Sam, Oliver, Ben, and Susan
- d. Dr. Pfeiffer is being emailed our bylaws
- e. Sam explains that all General Council members need to be background check compliant
- f. Ben, Sam, and Susan will sign board member declaration form (required by PED) – Oliver and Dr. Pfeiffer will sign later
- VI. Voting of New Officers
 - a. Open positions:
 - b. Keeper of Finance, Assistant Chair, and
 - i. Motion to instate Oliver as Keeper of Finances: Same
 - ii. Yes: Sam, Susan, Ben
 - iii. No: None
 - iv. Motion to instate Sam as Assistant Chair: Susan
 - v. Yes: Oliver, Susan, Ben
 - vi. No: None
- VII. Board Member Committee Assignments
 - a. Finance Committee
 - i. Ben and Oliver
 - b. Audit Committee
 - i. Oliver and Susan
 - c. Family Advisory Committee
 - i. Sam and Ben (alternate: Tamara)

- d. Facilities Committee
 - i. Ben and Sam
 - e. Indigenous Education Committee
 - i. Tamara and Susan
 - 1. Motion to adopt the above outlined committee structure:
Sam
 - 2. Yes: Susan, Oliver, Sam, \ Ben
 - 3. No: None
 - f. Budget Adjustment Requests
 - i. BAR 568-00-1718-0003-M: Fund 24101 Title I-IASA: This bar is not adding money to our budget. It's just moving money around in the budget. This first bar is for the operational fund, Title 1. All our money was first budgeted into salaries. Now we need to move money into benefits.
 - ii. BAR 568-00-1718-0005-T: This is moving money around again. Moving salary from first account code to the second.
 - iii. BAR 568-00-1718-0006-I: This is adding money into our budget. Adding \$14,322 into our Native America fund. This keeps us from going negative.
 - iv. BAR 568-00-1718-0007-IB: This is for the Golden Apple Foundation money that we received last year but did not spend. This bar adds it back into our budget.
 - v. BAR 568-00-1718-0008-T: Transfer bar. Moving funds to make negative line items into positive line items.
 - vi. BAR 568-00-1718-0009-M: Maintenance bar to clean up line items.
 - vii. BAR 568-00-1718-0009-M (should be bar 10): One more maintenance bar to clean up line items that were coded differently than is common practice to our business manager.
 - 1. Motion to approve all outline bar adjustments: Susan
 - 2. Yes: Oliver, Sam, Susan, Ben
 - 3. No: None
- VIII. Informational Reports
- a. Head Administrator by Stephanie Vicenti: Speaking to a photographer to help with grant writing. PEC meeting went well. We need to get a Safe School plan in place, which Stephanie is working on. Finances are being worked on with Amber. Stephanie will be away next week for NMTech training. She also went to the Dash Planning training, to be approved as soon as possible by PEC. There is another training coming up in Nov. for Dash. Everything thus far is working very well.
 - i. Susan expresses interest in Stephanie attending Restorative Justice and Charter School Law trainings. She also wants to have a 360 evaluation process where staff, students, and parents are able to provide feedback on performance.

- ii. Stephanie suggests that the 360 evaluation process live with the parent advisory committee.
 - b. Business Report by Amber Pena: Audit is going on this week for the last fiscal year. The people that were in the audit meeting (Oliver and Susan) are not allowed to speak about the audit until the audit is officially released. There may be issues that come up from the last year's finances. Those will be reviewed as soon as the results are released. Amber and Stephanie are working to spend grants as the need to before October. Amber reviews positive and negative line items that will be cleaned up by approved BARs. There were a few large items that were not budgeted for but will be covered by grants. We will have a good carry over amount that cannot be budgeted until the audit is over. The other big items is our food service. We will most likely need to use Native funds for that item. We do have Title 1 and 2 funds. Title 1 will cover salary. Title 2 will pay for trainings (have to be approved by PED). Amber will see if suggested trainings for Stephanie would be approved by PED. We also have \$30 remaining from Golden Apple grant. During the last board meeting, the two BARs Amber brought are being used appropriately in this budget. On page 5 is our bank register report. The only cash that came in was our SEG funds (comes in monthly). We are at 72 students. We have two on the waiting list for 7th and 8th grade. This SEG is based on 68 students. We will be funded for our actual enrollment on the 40th day. One thing that will help increase enrollment is that Stephanie connected with Ashiwi Transport. Our enrollment is short in 6th grade. Amber also included a Purchase Order report.
 - c. Sam leaves the meeting at 7:46 PM
- IX. Executive Session
- a. Motion to move the meeting pursuant to NMSA 10-15-1S(H)(2), Limited Personnel Matters-Board Members, into Executive Session: Susan
 - i. Yes: Ben, Oliver, and Susan
 - ii. No: None
 - iii. Stephanie and Amber and invited to join Executive Session
 - iv. Motion to come out of executive session: Susan
 - v. Yes: Oliver, Susan, Ben
 - vi. No: Nope
- X. Motion to adjourn meeting at 8:59PM: Susan
- a. Yes: Ben, Oliver, Susan
 - b. No: Nope

From: [Pierce, Laurel, PED](#)
To: ["ben@sixdirectionsschool.org"](mailto:ben@sixdirectionsschool.org)
Cc: [Vicenti, Stephanie](#)
Subject: Minutes from September
Date: Tuesday, April 24, 2018 11:40:00 AM

Hello Mr. Soce,

I sent out an email regarding minutes from September that were never received, then realized I also never received an Affidavit from Dr. Pfeiffer either. I'm attaching the form to this email. I will need to receive both the minutes and the Affidavit as soon as possible in order to close out the file prior to the PEC meeting. Although they were requested in the letter I sent September 11, 2017, I have not yet received them and did not realize they were overdue when you sent in information regarding the designation of Lane Towery. If you have any questions, please let me know.

Thank you,

Laurel Pierce
Technical Assistance, Training and Support Program Coordinator
Charter Schools Division
505-827-4527
Charter School [Website](#)

Driving student success in New Mexico by supporting excellent authorizing practices and charter schools that provide innovative, quality education.



300 Don Gaspar Ave.
Santa Fe, NM 87501
www.ped.state.nm.us

From: Pierce, Laurel, PED
Sent: Tuesday, April 24, 2018 11:20 AM
To: 'ben@sixdirectionsschool.org'
Cc: Vicenti, Stephanie
Subject: Minutes from September

Hello Mr. Soce,

In reviewing the governing board changes for your school, I noticed that we never received minutes wherein Dr. Pfeiffer's nomination was accepted. I believe they were from September. I tried to access them through your website, but was unable to find that month. Please send the minutes as soon as possible so we can close out that change and update the files.

Thank you,

Laurel Pierce
Technical Assistance, Training and Support Program Coordinator
Charter Schools Division
505-827-4527
Charter School [Website](#)

Driving student success in New Mexico by supporting excellent authorizing practices and charter schools that provide innovative, quality education.



300 Don Gaspar Ave.

Santa Fe, NM 87501

www.ped.state.nm.us

From: [Pierce, Laurel, PED](#)
To: ["ben@sixdirectionsschool.org"](mailto:ben@sixdirectionsschool.org)
Cc: [Vicenti, Stephanie](#)
Subject: Governing Board Documentation
Date: Wednesday, May 02, 2018 11:04:00 AM
Attachments: [Affidavit of Governing Body Member.doc](#)
[Incomplete Documentation.pdf](#)
[Minutes from September-Email.pdf](#)

I am following up on the email sent April 24, 2018 (please see attached Minutes from September-Email), wherein supporting documentation was requested for the designation of Dr. Pfeiffer in September 2017. I have also attached the original documentation request (see attached Incomplete Documentation). No documentation has yet been received.

Please be aware, as per your charter contract Section 8.10(b), you must notify your authorizer (the PEC) within 30 days of any membership changes. Your school has failed to do so and is now out of compliance. Please submit the following documents *immediately*:

1. A signed and notarized Affidavit of Governing Body Member for Dr. Pfeiffer.

Governing board minutes should have been provided by your school, however, since the minutes are available on the website, I have accessed and printed them from your link. If you have the Statement to Consult with PED form that was signed at the time of Dr. Pfeiffer's designation, please include that document as well. If no Statement to Consult with PED was signed at that time, please let me know.

I have attached the Affidavit form for your convenience. Information regarding these changes to your governing board, as well as any non-compliance issues, will be presented at the next PEC meeting on May 11, 2018.

Thank you,

Laurel Pierce
Technical Assistance, Training and Support Program Specialist
Charter Schools Division
505-827-4527
Charter School [Website](#)

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AFFIDAVIT OF GOVERNING BODY MEMBER

Arizona ~~of~~
STATE OF NEW MEXICO

COUNTY OF Apache

I, Tamarah Pfeiffer, after being duly sworn, state: New Mexico

1. My name is Tamarah Pfeiffer and I reside in Window Rock, Arizona.
2. I am a member of the governing body of the Six Directions Indigenous School in Gallup, New Mexico.
3. I attest that I am currently not a current governing body member of any other charter school authorized in the state of New Mexico.
4. I have never been a governing body member of a charter school that was suspended or failed to receive or maintain their board of finance designation.
5. I understand that as a member of the Six Directions Indigenous School's governing body, I am entrusted with oversight of expenditure of public funds in accordance with all applicable laws, regulations and rules, including but without limitation any laws or rules pertaining to conflicts of interest, public school finance, and procurement.

Tamarah Pfeiffer
[Signature]

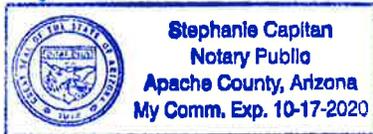
5.4.18
Date

Tamarah Pfeiffer
(Print)

VERIFICATION

The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 4th day of May, 2018.

[Notary Seal:]



Stephanie Capitan
NOTARY PUBLIC

My commission expires: 10/17/2020.



STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
300 DON GASPAR
SANTA FE, NEW MEXICO 87501-2786
Telephone (505) 827-5800
www.ped.state.nm.us

CHRISTOPHER N. RUSZKOWSKI
SECRETARY-DESIGNATE OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

September 11, 2017

Stephanie Vicenti
Six Directions Indigenous School
2055 NM-602
Gallup, NM 87301

Dear Ms. Vicenti:

Thank you for your notification of a governing body resignation and a governing body designation dated September 11, 2017 in which Six Directions Indigenous School provided notification to the Public Education Commission (PEC) of the resignation of Madeline Leyba and the designation of Dr. Tamarah Pfeiffer.

The notification did not contain all required information, please provide a letter of resignation for Ms. Leyba or the minutes wherein her resignation was accepted, a signed and notarized Affidavit from Dr. Pfeiffer, a Statement to Consult with PED signed by all current board members, and the minutes wherein Dr. Pfeiffer's designation was accepted no later than September 21, 2017. If the required information is not timely provided, the school will be added to the PEC's agenda for consideration and potential corrective action.

This notification will be presented to the PEC at the meeting on October 12, 2017. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Laurel Pierce".

Laurel Pierce
Options for Parents and Families



STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
300 DON GASPAR
SANTA FE, NEW MEXICO 87501-2786
Telephone (505) 827-5800
www.ped.state.nm.us

CHRISTOPHER N. RUSZKOWSKI
SECRETARY OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

May 7, 2018

Ben Soce
Six Directions Indigenous School
2055 NM-602
Gallup, NM 87301

Dear Mr. Soce:

This is a formal notification of non-compliance regarding your school's Governing Board.

Please use this notification as an opportunity to evaluate your governance reporting and management processes and implement new systems and protocol

Is to maintain compliance with your contractual and statutory requirements related to timely notification, timely filling board vacancies, and board training requirements.

Pursuant to Section 8.10(b) of the charter contract, schools must notify their authorizer *within 30 days* when any change to governing board membership takes place. All vacancies must be filled within 45 days, or an extension requested.¹

Below is a list of your school's violations of the above provisions of law and contract in the 2017-18 school year:

1. On May 12, 2017, a letter of resignation was received from Neomi Gilmore.
 - a. Notification of the resignation was due on or before June 11, 2017.
 - i. Notification of the resignation and supporting documentation was received by the CSD on July 7, 2017, which was 56 days after the notice of resignation.
 - ii. The school failed to provide notification of the change within 30 days.

¹ Per charter contract Section 8.10(b): "The School will notify the Authorizer within 30 (thirty) days of a member's resignation or designation of a new member and shall sign the appropriate forms to ensure that the governing body continues to qualify as a board of finance. The School shall fill any vacancy on its governing body no later than 45 days from the vacancy or shall seek an extension for such appointment from the Authorizer in writing. The new member must execute the required statements for Board of Finance designation to the NMPED."

2. On June 14, 2017, a new member, Sam Crowfoot, was designated to serve on the board.
 - a. Notification of the change in membership was due on or before July 14, 2017.
 - i. Complete supporting documentation was not received until October 13, 2017, which was 121 days after the designation.
 - ii. The school failed to timely provide supporting documentation as per PEC policy.
3. On June 14, 2017, a new member, Oliver Tapaha, was designated to serve on the board.
 - a. Notification of the change in membership was due on or before July 14, 2017.
 - i. Complete supporting documentation was not received until October 13, 2017, which was 121 days after the designation.
 - ii. The school failed to timely provide supporting documentation as per PEC policy.
4. On August 2, 2017, a letter of resignation was received from Madeline Leyba.
 - a. Notification of the resignation was due on or before September 1, 2017.
 - i. Notification of this change was received on September 11, 2017, which was 40 days after the resignation.
 - ii. Complete supporting documentation was not received until April 3, 2018, which was 244 days after the resignation.
 - iii. The school failed to timely provide supporting documentation as per PEC policy.
5. On September 6, 2017, a new member, Dr. Tamarah Pfeiffer, was designated to serve on the board.
 - a. Notification of the designation was due on or before October 6, 2017.
 - i. Complete supporting documentation has not yet been received. The Affidavit from Dr. Pfeiffer is 239 days overdue as of May 3, 2018.
 - ii. The school failed to timely provide supporting documentation as per PEC policy.

Although notifications have been received, not all documentation has been provided. The Public Education Commission (PEC) and the Charter Schools Division (CSD) encourage your school to review your current policies and practices regarding governing board membership changes. Please ensure the proper procedures are in place and a member has been designated to oversee and report all governing board changes to ensure the school can meet its responsibilities in the future.

Sincerely,

Katie Poulos
Director, Options for Parents and Families

cc: Stephanie Vicenti, Head Administrator

School Governance Change

La Academia Dolores Huerta

On January 30, 2018, a vacancy was created by the resignation of Michelle Saenz-Adames. The position has not been filled or closed as per vote in an open meeting. Missing documentation requested last month regarding the changes has been provided.

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, Room 301, 300 Don Gaspar, Santa Fe, NM 87501

Name of State-Chartered School: La Academia Dolores Huerta Charter Middle School Current Number of Governing Body Members: 8

Date submitted: 4/9/2018 Submitter Name: Steve R. Pereira

Governing Board Member Name	Governing Board Member's Current Personal/Contact Information: Address/Phone Number/Email Address	Action	Date of Action	Reason for removal or resignation	Term of Service
Carmen Gallegos-Marrujo	5157 Hacienda Ave., Las Cruces, NM 88011 575-915-8477	Resignation	9/7/2017	GC Member resigned due to personal reasons regarding family time.	From: 2/16/2017 To: 9/7/2017
Spencer Herrera	carmenmarrujo@comcast.net 5875 Habanero Dr., Las Cruces, NM 88012 575-520-3536	Resignation	9/7/2017	GC member fulfilled 3-year term	From: 8/7/2014 To: 9/7/2017
Elena Hinderlich	Spencer@nmsu.edu 2705 Hillrise Dr., Las Cruces, NM 88011 575-636-7575 elenahinderlich@gmail.com	Resignation	9/7/2017	GC member fulfilled 3-year term	From: 9/4/2014 To: 9/7/2017

Original Signature of Governing Council President or Designee: _____ Date: 4/9/2018

Printed Name of Governing Council President or Designee: Steve R. Pereira

STATE CHARTER SCHOOL CHANGE OF GOVERNING BODY MEMBERSHIP FORM

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Name of State-Chartered School: La Academia Dolores Huerta Charter Middle School Current Number of Governing Body Members: 8

Date submitted: 4/9/2018 Submitter Name: Steve R. Pereira

Governing Board Member Name	Governing Board Member's Current <i>Personal</i> Contact Information: Address/Phone Number/Email Address	Action	Date of Action	Reason for removal or resignation	Term of Service
Mariaelena De La Rosa	New Mexico State University Library P.O. Box 30006 / MSC 3475 (575) 646-6087 mdlr@nmsu.edu	Resignation	11/3/2017	Personal Responsibilities	<i>From:</i> 7/11/2017 <i>To:</i> 11/3/2017
Click here to enter Board Member name.	Click here to enter address. Click here to enter phone number. Click here to enter email address.	Choose an action.	Click here to enter a date.	Click here to enter Board Member name.	<i>From:</i> Click here to enter a date. <i>To:</i> Click here to enter a date.
Click here to enter Board Member name.	Click here to enter address. Click here to enter phone number. Click here to enter email address.	Choose an action.	Click here to enter a date.	Click here to enter Board Member name.	<i>From:</i> Click here to enter a date. <i>To:</i> Click here to enter a date.

Original Signature of Governing Council President or Designee: _____ Date: _____

Printed Name of Governing Council President or Designee: _____

STATE CHARTER SCHOOL CHANGE OF GOVERNING BODY MEMBERSHIP FORM

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Name of State-Chartered School: **La Academia Dolores Huerta Charter Middle School** Current Number of Governing Body Members: **8**

Date submitted: **4/9/2018** Submitter Name: **Steve R. Pereira**

Governing Board Member Name	Governing Board Member's Current Personal Contact Information: Address/Phone Number/Email Address	Action	Date of Action	Reason for removal or resignation	Term of Service
Elaine Palma	6520 Vista de Oro 88007, Las Cruces, NM 88007 575-680-6236 dtselaine@gmail.com	Designation	9/7/2017	GC Member resigned due to personal reasons regarding family time.	From: 9/7/2017 To: Present
Sarah Luz Ramos	301 N Roadrunner Pkwy 1108, Las Cruces, NM 88011 312-607-2833	Resignation	2/21/2018	GC member resigned due to personal matters.	From: 8/11/2016 To: 2/21/2018
Michelle Saenz-Adames	Sramos90@nmsu.edu 3674 Santa Marcela Ave., Las Cruces, NM 88012 575-639-0652 Michelle_adames@yahoo.com	Resignation	2/21/2018	GC member fulfilled 3-year term	From: 7/11/2017 To: 2/21/2018

Original Signature of Governing Council President or Designee: _____ Date: 4/9/2018

Printed Name of Governing Council President or Designee: Steve R. Pereira

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Name of State-Chartered School: **La Academia Dolores Huerta Charter Middle School** Current Number of Governing Body Members: **8**

Date submitted: **4/9/2018** Submitter Name: **Steve R. Pereira**

Governing Board Member Name	Governing Board Member's Current Personal Contact Information: Address/Phone Number/Email Address	Action	Date of Action	Reason for removal or resignation	Term of Service
Michael Sena	5121 Calle Verde Las Cruces, NM 88012 575-496-0653	Designation	2/21/2018	Click here to enter board member name.	From: 2/21/2018 To: Present
Patty Montoya	Michael.a.sena@gmail.com 140 S. Virginia St. Las Cruces, NM 88001 575-932-8227	Designation	2/21/2018	Click here to enter board member name.	From: 2/21/2018 To: Present
Robert Palacios	patmonto@nmsu.edu 1005 2 nd St. Las Cruces, NM 88005 575-649-0378	Designation	2/21/2018	Click here to enter board member name.	From: 2/21/2018 To: Present
	lcmcro@outlook.com				

Original Signature of Governing Council President or Designee: _____ Date: 4/9/2018

Printed Name of Governing Council President or Designee: Steve R. Pereira

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, Room 301, 300 Don Gaspar, Santa Fe, NM 87501

Name of State-Chartered School: La Academia Dolores Huerta Charter Middle School Current Number of Governing Body Members: 8

Date submitted: 4/9/2018 Submitter Name: Steve R. Pereira

Governing Board Member Name	Governing Board Member's Current Personal Contact Information: Address/Phone Number/Email Address	Action	Date of Action	Reason for removal or resignation	Term of Service
Yoli Silva	527 N. Tornillo Las Cruces, NM 88001 575-649-0003	Designation	2/21/2018	Click here to enter Board Member name.	From: 2/21/2018 To: Present
Adrian Gaytan	Yasilva64@hotmail.com 995 Lees Las Cruces NM 88001 575.621.4082 agaytan@lcps.net	Designation	2/21/2018	Click here to enter Board Member name.	From: 2/21/2018 To: Present
Clara Lopez	1720 Altura Ave. Las Cruces, NM, 88001 (575) 621-2240 clopez@lcps.net	Resignation	9/4/2017	Clara Lopez notified the GC of her resignation on 9/4/2017. Lopez determined to resign due to inability to attend future trainings. i	From: 2/12/2015 To: 9/4/2017

Original Signature of Governing Council President or Designee: _____ Date: _____

Printed Name of Governing Council President or Designee: _____

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

Name of State-Chartered School: **La Academia Dolores Huerta Charter Middle School** Current Number of Governing Body Members: **8**

Date submitted: **4/9/2018** Submitter Name: **Steve R. Pereira**

Governing Board Member Name	Governing Board Member's Current Personal Contact Information: Address/Phone Number/Email Address	Action	Date of Action	Reason for removal or resignation	Term of Service
Yoli Silva	527 N. Tornillo Las Cruces, NM 88001 575-649-0003	Designation	2/21/2018	Check here to enter Board Member name	From: 2/21/2018 To: Present
Adrian Gaytan	Yasilva64@hotmail.com 995 Lees Las Cruces NM 88001 575.621.4082 agaytan@lcps.net	Designation	2/21/2018	Check here to enter Board Member name	From: 2/21/2018 To: Present

Original Signature of Governing Council President or Designee: _____ Date: 4/9/2018

Printed Name of Governing Council President or Designee: Steve R. Pereira



Reply all ▾ Delete Junk ▾ ⋮

Inbox

Mr. Pereira,

Here's a copy of the message that was sent:

From: Carmen Gallegos-Marrujo
Sent: Saturday, September 02, 2017 7:28 PM
To: Spencer Herrera <spencer@nmsu.edu>
Cc: gc@ladh.org; Melissa Miranda <mmiranda@ladh.org>; Mirna Rodriguez <mrodriguez@academianm.org>; Juliette Sanchez <JuliettePadilla@live.com>; Chris Burns <chris@stooney.com>
Subject: Re: GC agenda

Dr. Herrera and Colegas,

I have not heard from any other parents that are interested in forming part of the Governing Council. Perhaps Steve or Sarah have heard from parents but I haven't.

In addition, I would like to let you all know that with a heavy heart I am stepping down from my Member-at-large position on the Governing Council due to some personal responsibilities. It has been a real pleasure working with all of you and I wish you all the best!

Sincerely,

Carmen Gallegos-Marrujo

Sent from my iPhone

Sent from my iPhone

September 4, 2017

Dear Dr. Spencer Herrera,

This letter is to inform you, as of today, I am resigning as a member of the Governing Council for La Academia Dolores Huerta. After much consideration, I feel it would be best to let you know of my decision before the upcoming meeting where the GC will be nominating officers. My three-year term will end sometime soon and I do not have future plans to remain on the board. Currently, I am not able to fulfill the requirements of the GC membership as I have not been able to attend the training necessary to remain a member due to schedule conflicts. As you may know, my granddaughter is in my care every Saturday at which time most trainings and retreats take place. Also, I am not able to attend any out of town trainings that would require absence from my job.

It has been a pleasure to serve as a Governing Council member. It has been a great learning experience for me and has made me aware of some of the many functions of a Charter School. After the intense changes that took place recently at LADH, I feel confident that the school is in the hands of good leadership.

Thank you for the opportunity of letting me serve as a member of the Governing Council for LADH. I take away from this experience, a better understanding of a school community. I am most appreciative of the hard work and dedication of all those, such as yourself, who contribute their time and expertise to ensure the best education for the students attending La Academia Dolores Huerta. I wish LADH much success!

Respectfully,

Clara Lopez

Reply all | Delete | Junk | ...

stepping down

 **Mariaelena De la Rosa** <mdlr@ad.nmsu.edu>
Fri 11/3/2017, 3:24 PM
Elaine Palma <dtselaine@gmail.com>; gc@ladh.org

Inbox

Hello GC members,

I would like to inform you that because of professional and personal responsibilities, I unfortunately must step down from my member-at-large position on the Governing Council. I learned a lot during the brief time that I spent as a GC member, and it has been a pleasure working with you.

All the best!

Mariaelena de la Rosa
Collections Coordinator
New Mexico State University Library
P.O. Box 30006 / MSC 3475
mdlr@nmsu.edu (575) 646-6087



👍 Reply all



Reply all Delete Junk

Fwd: February LADH GC Meeting



Sarah Ramos <siramos90@gmail.com>

Mon 1/29, 3:29 PM

Steve Pereira

Reply all

Deleted Items

----- Forwarded message -----

From: Sarah Ramos <siramos90@gmail.com>

Date: Mon, Jan 22, 2018 at 5:26 PM

Subject: Re: February LADH GC Meeting

To: Steve Pereira <spereira@nmsu.edu>

Hi Steve,

I hope this email finds you well. I am writing to inform you that after much deliberation I am submitting this as my resignation from my governing council position at LADH. I have been honored to be a part of the community at LADH and provide my support, but due to other commitments I will be unable to be as present as is required. I hope LADH all the best and I continue to strongly believe in the work the school is doing for the students and surrounding community.

Sincerely,

Sarah Ramos

On Mon, Jan 22, 2018 at 2:47 PM, Steve Pereira <spereira@nmsu.edu> wrote:

Dear GC,

I hope this message finds all of you doing well.

Please consider the following to be a recommendation of revision.

Browser tabs: f Pereira Ruiz - x, Home - LookingGlass, Mail - spereira@nmsu.edu, Michelle Saenz-Adames Resignation x
Address bar: Microsoft Corporation [US] https://outlook.office.com/owa/projection.aspx

Reply all Delete Junk ...

Michelle Saenz-Adames Resignation

 Michelle Adames <michelle_adames@yahoo.com>
Tue 1/30, 8:16 AM
Steve Pereira, gc@ladh.org

Reply all

Inbox

Action Items

Dear Mr. Pereira,

Please accept this correspondence as my formal resignation from the Governing Council of La Academia Dolores Huerta. I have enjoyed working alongside the GC members, and learning about the mission, vision, activities and academics pertaining to the Students, Faculty and Administration at LADH. I wish the entire school well as you move forward with the many initiatives ahead.

Warm Regards,
Michelle Saenz-Adames

AFFIDAVIT OF GOVERNING BODY MEMBER

STATE OF NEW MEXICO)

COUNTY OF)

I, Yolanda A Silva, after being duly sworn, state:

1. My name is Yolanda A Silva and I reside in Las Cruces, New Mexico.

2. I am a member of the governing body of the [insert name of school] in La Academia Dolores Huerta, New Mexico.

3. I attest that I am currently not a current governing body member of any other charter school authorized in the state of New Mexico.

4. I have never been a governing body member of a charter school that was suspended or failed to receive or maintain their board of finance designation.

5. I understand that as a member of the [insert name of school]'s governing body, I am entrusted with oversight of expenditure of public funds in accordance with all applicable laws, regulations and rules, including but without limitation any laws or rules pertaining to conflicts of interest, public school finance, and procurement.

Yolanda A Silva
[Signature]

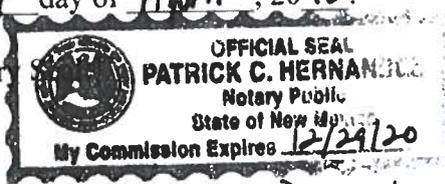
4.9.18
Date

Yolanda A Silva
[Print]

VERIFICATION

The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 9 day of April, 2018.

[Notary Seal]



Patrick Hernandez
NOTARY PUBLIC

My commission expires: December 29, 2020.

R

AFFIDAVIT OF GOVERNING BODY MEMBER

STATE OF NEW MEXICO)

)
COUNTY OF)

I, Robert Palacios, after being duly sworn, state:

1. My name is Robert Palacios and I reside in Las Cruces, New Mexico.

2. I am a member of the governing body of the [insert name of school] in la Academia Dolores Heredia
Las Cruces, New Mexico.

3. I attest that I am currently not a current governing body member of any other charter school authorized in the state of New Mexico.

4. I have never been a governing body member of a charter school that was suspended or failed to receive or maintain their board of finance designation.

5. I understand that as a member of the [insert name of school]'s governing body, I am entrusted with oversight of expenditure of public funds in accordance with all applicable laws, regulations and rules, including but without limitation any laws or rules pertaining to conflicts of interest, public school finance, and procurement.

Robert Palacios
[Signature]

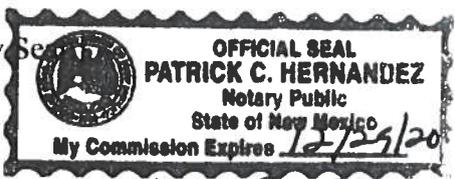
4/9/18
Date

Robert Palacios
[Print]

VERIFICATION

The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 9 day of April, 2018.

[Notary Seal]



Patrick Hernandez
NOTARY PUBLIC

My commission expires: 12-29, 2020.

AFFIDAVIT OF GOVERNING BODY MEMBER

STATE OF NEW MEXICO)

COUNTY OF)

I, Michael A Sears, after being duly sworn, state:

1. My name is Michael A Sears and I reside in Los Cruces, New Mexico.

2. I am a member of the governing body of the La Academia Dobras Hertha [insert name of school] in Los Cruces, New Mexico.

3. I attest that I am currently not a current governing body member of any other charter school authorized in the state of New Mexico.

4. I have never been a governing body member of a charter school that was suspended or failed to receive or maintain their board of finance designation.

5. I understand that as a member of the [insert name of school]'s governing body, I am entrusted with oversight of expenditure of public funds in accordance with all applicable laws, regulations and rules, including but without limitation any laws or rules pertaining to conflicts of interest, public school finance, and procurement.

[Signature]
[Signature]

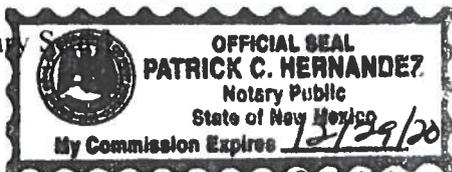
4-9-18
Date

Michael A Sears
[Print]

VERIFICATION

The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 9 day of April, 2018.

[Notary Seal]



[Signature]
NOTARY PUBLIC

My commission expires: 12/29, 2020.

AFFIDAVIT OF GOVERNING BODY MEMBER

STATE OF NEW MEXICO)
)
COUNTY OF)

I, ADRIAN R. GAYTAN, after being duly sworn, state:

1. My name is ADRIAN GAYTAN and I reside in LAS CRUCES, New Mexico.

2. I am a member of the governing body of the [insert name of school] in LA ACADEMIA Dolores Huerta, New Mexico.

3. I attest that I am currently not a current governing body member of any other charter school authorized in the state of New Mexico.

4. I have never been a governing body member of a charter school that was suspended or failed to receive or maintain their board of finance designation.

5. I understand that as a member of the [insert name of school]'s governing body, I am entrusted with oversight of expenditure of public funds in accordance with all applicable laws, regulations and rules, including but without limitation any laws or rules pertaining to conflicts of interest, public school finance, and procurement.

[Handwritten Signature]
[Signature]

4/5/18
Date

ADRIAN R. GAYTAN
[Print]

VERIFICATION

The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 9 day of April, 20 18.

[Notary Seal]



My commission expires: 12/29, 20 20

[Handwritten Signature]
NOTARY PUBLIC

STATEMENT OF GOVERNING BODY TO CONSULT WITH PED

We, the undersigned, make up the governing body of the La Academia Dolores Huerta, located in Las Cruces, 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 [insert name of 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 La Academia Dolores Huerta [INSERT NAME OF SCHOOL] GIVE THE FOREGOING STATEMENT THIS April DAY OF 2018.

1. [Signature]
[signature]
Robert Palacios
[print]
2. [Signature]
[signature]
MIRIAM R. GAYTAN
[print]
3. [Signature]
[signature]
Yolanda A Silva
[print]
4. [Signature]
[signature]
Elaine Palma
[print]
5. [Signature]
[signature]
Michael A. Sans
[print]

Attach additional pages if membership exceeds five.

STATEMENT OF GOVERNING BODY TO CONSULT WITH PED

We, the undersigned, make up the governing body of the [insert name of school], located in _____, 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 [insert name of 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 [INSERT NAME OF SCHOOL] GIVE THE FOREGOING STATEMENT THIS ___ DAY OF _____, 2011.

1. Patricia M. Montoya
[signature]
PATRICIA G. MONTAYA
[print]
2. [Signature]
[signature]
Steve R. Pereira
[print]
3. _____
[signature]

[print]
4. _____
[signature]

[print]
5. _____
[signature]

[print]

Attach additional pages if membership exceeds five.

STATEMENT OF GOVERNING BODY TO CONSULT WITH PED

We, the undersigned, make up the governing body of the [insert name of school], located in _____, 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 [insert name of 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 [INSERT NAME OF SCHOOL] GIVE THE FOREGOING STATEMENT THIS ___ DAY OF _____, 2011.

1. 
[signature]

[print]
2. _____
[signature]

[print]
3. _____
[signature]

[print]
4. _____
[signature]

[print]
5. _____
[signature]

[print]

Attach additional pages if membership exceeds five.



Dolores Huerta

“A Dual Language Charter Middle School”
1480 N. Main Street
Las Cruces, NM 88001
Phone: 575/526-2984 • Fax: 575/523-5407

Governing Council Meeting Minutes

Thursday, September 7, 2017 at La Academia Dolores Huerta

1) **Call to order** at 6:04 p.m.

2) **Roll call and establish quorum.**

Present: Dr. Spencer Herrera; Dr. Michelle Saenz-Adames; Maríaelena de la Rosa; Dr. Michael Gutiérrez.

Absent: Elena Hinderlich; Steve Pereira; Clara Lopez; Sarah Ramos.

Resignation: Carmen Gallegos-Marrujo.

Dr. Herrera reported that Ms. Gallegos-Marrujo had submitted her resignation on September 2, 2017. A discussion among present members determined a quorum could be established to proceed with voting on action items listed on the meeting agenda.

3) **Approval of agenda:** Approved unanimously by all GC members present.

4) **Approval of August 10, 2017 meeting minutes:** Approved unanimously by all GC members present.

5) **Open forum-public input:** Melissa Miranda and Mirna Rodriguez were present. No public input.

New Business: Discussion Items Only – No Action Will Be Taken

6) **Principal’s Report by Ms. Melissa Miranda:** Ms. Miranda reported that enrollment was currently at 166 students. LADH also hired two new long-term substitutes for Physical Education, Logan Howard, and for Special Education, April Carrillo. Ms. Miranda further reported on the good turnout for LADH Open House held on September 6, 2017.

Ms. Miranda discussed upcoming professional development, NM DASH Training, and school events, such as parent-teacher conferences, which were held September 14-15, 2017. Additionally, she reported on fundraising and donations.

Also, Ms. Miranda reported LADH was given an F school grade and will be developing a plan to address the issue.

7) **Update on facility process provided by Mr. William Davis:** Mr. William Davis, President, Applied Facility Development, provided an informative history of his involvement with LADH and identifying new facilities.

Mr. Davis' recommendation the need move on the search for new facilities needs to begin soon with either a) search for new building(s) or b) refurbishing the existing building.

Mr. Davis indicated he would be submitting a more detailed report at a later date that would include a facilities master plan. He also stated that the LADH was first rated worse school which would assist with obtaining matching funds from the state.

His report would also include certain recommendations for the GC to consider, including a) putting the issue on a future general bond initiative and b) looking at a land swap. His overall recommendation was for the GC to get on the bandwagon along with the parents and LADH community and further requested his firm be given an additional 18 months to assist LADH with its facilities/building issues.

- 8) **GC retreat:** The retreat was canceled until new members are added to the Governing Council.

Action Items

- 9) **GC candidacy of Ms. Elain Palma for three-year term:** All GC members present voted to approve her candidacy as member-at-large.

- 10) **GC officers (president, vice-president, secretary/treasurer) for one-year term:** Steve Pereira was nominated for president; Dr. Saenz-Adames was nominated for vice-president; Sarah Ramos was nominated for secretary/treasurer.

The GC members present voted unanimously to approve Mr. Pereira to be president and Ms. Ramos to the secretary/treasurer.

Dr. Saenz-Adames recused herself from voting for vice-president. Dr. Herrera, Ms. De la Rosa, and Dr. Gutiérrez voted and approved Dr. Saenz-Adames to be vice-president.

- 11) **Spencer Herrera as ex-officio for one-year term:** Dr. Gutiérrez offered a friendly amendment to have Dr. Herrera focus his time as ex-officio on building/facilities issues. The amendment was approved after Dr. Herrera recusing himself from the vote. Dr. Saenz-Adames, Ms. De la Rosa, and Dr. Gutiérrez voted to approve Herrera as ex-officio with an emphasis on building/facilities issues.

- 12) **Elena Hinderlich as ex-officio for one-year term:** All GC members present voted to approve Ms. Hinderlich as ex-officio.

- 13) **Establish 2017-2018 academic calendar of regular meetings and quarterly audits:** After some discussion, the GC agreed to meet monthly on the second Thursday of each month. The following dates were set as meeting dates for the GC: October 19, November 9, December 14, January 11, and February 8. The GC members present voted to approve these meeting dates.

Quarterly audit dates were not discussed or set.

- 14) **NM PED Board of Finance application:** The GC discussed and voted unanimously to table any action until the newly elected GC has the opportunity to meet.

- 15) **4th quarter cash report:** The GC reviewed and voted unanimously to approve the report.

- 16) **May and June check register:** The GC reviewed and voted unanimously to approve the register.
- 17) **Octavio Casillas unused annual leave payout:** The GC discussed and voted unanimously to table any action until the newly elected GC has the opportunity to meet.
- 18) **Adjourn to closed session:** The GC voted unanimously to adjourn into closed session at 7:53 p.m. The GC returned from closed session at 7:59 p.m.
- 19) **Motion to adjourn Governing Council meeting:** The GC voted to adjourn at 8:02 pm.
- 9) **Adjourn to closed session:** To discuss personnel matters relating to any individual employee, including hiring, promotion, demotion, dismissal, resignation, or investigation of complaints or charges against an employee. [10-15-1(H)(2) NMSA 1978]

**Any individual attending a board meeting may sign in to participate in the Public Input section of the Agenda, if any. Such persons may speak on any item after the individual is recognized by the President of the Board and introduces himself/herself at the podium. The Governing Council of La Academia Dolores Huerta will not take action on any item presented under Public Input, until an opportunity to do so is afforded. La Academia Dolores Huerta will provide an interpreter for the Hearing Impaired and simultaneous Spanish translation upon request. Requests should be submitted to the governing council three days prior to the meeting.*

AFFIDAVIT OF GOVERNING BODY MEMBER

STATE OF NEW MEXICO)
)
COUNTY OF)

I, Elaine Palma, after being duly sworn, state:

1. My name is Elaine Palma and I reside in Las Cruces, New Mexico.

2. I am a member of the governing body of the [insert name of school] in La Academia Dolores Huerta Las Cruces, New Mexico.

3. I attest that I am currently not a current governing body member of any other charter school authorized in the state of New Mexico.

4. I have never been a governing body member of a charter school that was suspended or failed to receive or maintain their board of finance designation.

5. I understand that as a member of the [insert name of school]'s governing body, I am entrusted with oversight of expenditure of public funds in accordance with all applicable laws, regulations and rules, including but without limitation any laws or rules pertaining to conflicts of interest, public school finance, and procurement.

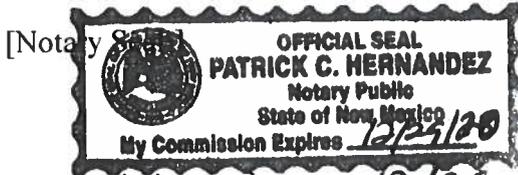
[Signature]
[Signature]

04/05/18
Date

Elaine Palma
[Print]

VERIFICATION

The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 9 day of April, 20 18.



[Signature]
NOTARY PUBLIC

My commission expires: 12/25, 20 20.



La Academia Dolores Huerta Charter Middle School

"A Dual Language Charter Middle School"

1480 N. Main Street

Las Cruces, NM 88001

Phone: 575-526-2984

Fax: 575-5235407

GOVERNING COUNCIL MEETING AGENDA

Thursday, December 14, 2017 at 5:30 PM, LADH

- 5) 1) Roll call and establish quorum:
- a. Present: Steve R. Pereira, Dr. Michael Gutierrez, Dr. Michelle Saenz-Adames, Elaine Palma
 - b. Absent: Sarah Ramos
- 2) Approval of agenda:
- a. Approved unanimously by all GC members present.
- 3) Approval of October 19, 2017 meeting minutes:
- a. Approved unanimously by all GC members present.
- 4) Open forum-public input*
- a. Melissa Miranda and Mirna Rodriguez were present. No public input.

Public comments and observations regarding education policy and governance issues, as well as the strategic planning are heard at this time. Time limit per presenter may be imposed by Chair

NEW BUSINESS: DISCUSSION ITEMS ONLY – NO ACTION WILL BE TAKEN

- 5) Principal's Report by Melissa Miranda
 - a. Ms. Miranda reported on all upcoming events for LADH Spring 2018 academic semester.
- 6) GC Director Search Committee
 - a. Steve
 - i. End of January establish a search committee comprised of 4 members (2 GC and 2 Faculty/Staff of LADH
 - ii. End of February finalize job description and interview questions
 - iii. Beginning to middle of month March open search
 - iv. End of March close search
 - v. Beginning to middle of April interviewees
 - vi. End of April, hire new principal

ACTION ITEMS

- 7) School Wellness Policy

- a. Approved unanimously by all GC members present.
- 8) Adjourn to closed session:
- a. Approved unanimously by all GC members present.

To discuss personnel matters relating to any individual employee, including hiring, promotion, demotion, dismissal, resignation, or investigation of complaints or charges against an employee. [10-15-1(H)(2) NMSA 1978]

**Any individual attending a board meeting may sign in to participate in the Public Input section of the Agenda, if any. Such person may speak on any item after the individual is recognized by the President of the Board and introduces himself/herself at the podium. The Governing Council of La Academia Dolores Huerta will not take on any item presented under Public Input, until an opportunity to do so is afforded. La Academia Dolores Huerta will provide an interpreter for the hearing impaired and simultaneous Spanish translation upon request. Requests should be submitted to the governing council three days prior to the meeting.*



La Academia Dolores Huerta Charter Middle School

"A Dual Language Charter Middle School"

1480 N. Main Street

Las Cruces, NM 88001

Phone: 575-526-2984

Fax: 575-523-5407

GOVERNING COUNCIL MEETING AGENDA

Wednesday, February 21, 2018 at 5:00 PM, LADH

- 1) Call to order: 5:00pm
- 2) Roll call and establish quorum:
 - a. Present: Steve R. Pereira, President; Mrs. Elaine Palma; Dr. Michael Gutierrez
 - b. Resignations: Sarah Luz Ramos, Secretary; Dr. Michelle Saenz-Adames
- 3) Approval of agenda:
 - a. GC members voted unanimously to approve agenda.
- 4) Approval of December 14, 2018 meeting minutes:
 - a. GC members voted unanimously to approve December 14, 2018 meeting minutes.
- 5) Open forum-public input*
 - a. Introductions of all prospective GC applicants shared their interest in wanting to serve on the board of LADH; Robert Palacios, Adrian Gaytan, Yoli Silva; Patty Montoya; and Michael Sena presented reasons to be on the board.

Public comments and observations regarding education policy and governance issues, as well as the strategic planning are heard at this time. Time limit per presenter may be imposed by Chair

NEW BUSINESS: DISCUSSION ITEMS ONLY – NO ACTION WILL BE TAKEN

- 6) Principal's Report by Melissa Miranda
 - a. Ms. Miranda reported on all recent LADH news: career fair, performances, fieldtrips and professional development for staff. In addition, she presented on upcoming events at LADH: local high school visits to interview LADH students, NABE performance, open house, and fundraisers. Lastly, philanthropic contributions and community collaborations have been scheduled for all LADH engagement.
 - b. Mr. Gutierrez requested that principal's report include a brief description of each presented item.
- 7) Cash Report Updates
 - a. Mirna Rodriguez presented on financial budget and expenditures to date. Discussion on cash reports and check registers was presented to orient GC members duties to create a financial committee for LADH
 - b. GC member, Elaine Palma, requested to present more detailed financial reports and budgets in next meeting.

- c. Mirna to send out most recent check register and cash report before next meeting.
- 8) Update on GC Director Search Committee
- a. GC President, Steve Pereira, discussed that Ms. Miranda and he are identifying job description details that specifically pertain to LADH's future responsibilities and duties for the upcoming school year that applicants need to be informed about when considering applying.
 - b. Ms. Miranda has reached out to local charter schools to know how they have developed their job descriptions for hiring a new principal.

ACTION ITEMS

- 9) Establish 2018 academic calendar of regular meetings to meet every second Wednesday of each month at 5:00PM
- a. GC members voted unanimously to approve the 2018 academic calendar of regular meetings to meet every second Wednesday of each month at 5:00PM
- 10) Approval of GC candidate Mr. Michael Sena
- a. GC members voted unanimously to approve Michael Sena as GC member
- 11) Approval of GC candidate Mrs. Patty Montoya
- a. GC members voted unanimously to approve Patty Montoya as GC member
- 12) Approval of GC candidate Mr. Robert Palacios
- a. GC members voted unanimously to approve Robert Palacios as GC member
- 13) Approval of GC candidate Mrs. Yoli Silva
- a. GC members voted unanimously to approve Yoli Silva as GC member
- 14) Approval of GC candidate Mr. Adrian Gaytan
- a. GC members voted unanimously to approve Adrian Gaytan as GC member

15) Adjourn to closed session: 5:50pm

To discuss personnel matters relating to any individual employee, including hiring, promotion, demotion, dismissal, resignation, or investigation of complaints or charges against an employee. [10-15-1(H)(2) NMSA 1978]

**Any individual attending a board meeting may sign in to participate in the Public Input section of the Agenda, if any. Such person may speak on any item after the individual is recognized by the President of the Board and introduces himself/herself at the podium. The Governing Council of La Academia Dolores Huerta will not take on any item presented under Public Input, until an opportunity to do so is afforded. La Academia Dolores Huerta will provide an interpreter for the hearing impaired and simultaneous Spanish translation upon request. Requests should be submitted to the governing council three days prior to the meeting.*



STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
300 DON GASPAR
SANTA FE, NEW MEXICO 87501-2786
Telephone (505) 827-5800
www.ped.state.nm.us

CHRISTOPHER N. RUSZKOWSKI
SECRETARY OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

April 25, 2018

Steve Pereira
La Academia Dolores Huerta
1480 North Main
Las Cruces, NM 88001

Dear Mr. Pereira:

Thank you for your notification of a governing body resignation and a governing body designation dated April 18, 2018 in which La Academia Dolores Huerta provided notification to the Public Education Commission (PEC) of the resignations of Mariaelena De la Rosa, Clara Lopez, Carmen Gallegos-Marrujo, Sarah Luz Ramos, and Michelle Saenz-Adames, the end of term for Spencer Herrera and Elena Hinderlich, and the designations of Elaine Palma, Adrian Gaytan, Michael Sena, Patty Montoya, Yolanda Silva, and Robert Palacios. All documentation has now been received.

Please be advised the school's contract with the PEC requires that the school fill the vacancy on its governing body created by this resignation no later than 45 days from the date of the vacancy or seek an extension for such appointment from the Authorizer in writing. No request for an extension was received; therefore La Academia Dolores Huerta was required to designate a new member to fill the vacancy created by the resignation of Michelle Saenz-Adames by March 16, 2018.

If the school cannot, or does not want to fill the vacancy, the governing board may vote to close the position in an open meeting. If the board chooses this option, the position will remain closed for the remainder of the fiscal year, at which point, the school may choose to reopen the vacancy.

Since we have received neither notification of a designation or closure of the position, the school is out of compliance with PEC policy Section A.4 (revised March 16, 2018) which states:

"If a board member resigns or is removed, that member must be replaced within 45 days, or within 75 days if the school is granted an extension. Alternatively, the board may vote to not replace that member."

If the vacancy is not filled and the position is not closed, the school will be added to the PEC's agenda for consideration and potential corrective action.

This notification of a governing body resignation will be presented to the PEC at the meeting on May 11, 2018. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Laurel Pierce". The signature is written in a cursive style with a large, prominent initial 'L'.

Laurel Pierce
Options for Parents and Families



STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
300 DON GASPAR
SANTA FE, NEW MEXICO 87501-2786
Telephone (505) 827-5800
www.ped.state.nm.us

CHRISTOPHER N. RUSZKOWSKI
SECRETARY OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

April 4, 2018

Steve Pereira
La Academia Dolores Huerta
1480 North Main
Las Cruces, NM 88001

Dear Mr. Pereira:

Thank you for your notification of a governing body resignation and a governing body designation dated March 9, 2018 in which La Academia Dolores Huerta provided notification to the Public Education Commission (PEC) of the resignation of five of your governing board members and the designation of five new governing board members.

The notification did not contain all required information, please provide a Governing Body Membership Change Form for all members that have left the board and been designated to the board, the letters of resignation for all members that have left the board, or minutes wherein the members were removed, signed and notarized Affidavits for all new members, a Statement to Consult with the PED signed by all current governing board members, and the minutes wherein the designations were approved no later than April 9, 2018. If the required information is not timely provided, the school will be added to the PEC's agenda for consideration and potential corrective action.

This notification will be presented to the PEC at the meeting on April 13, 2018. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Laurel Pierce".

Laurel Pierce
Options for Parents and Families



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CHRISTOPHER N. RUSZKOWSKI
SECRETARY OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

April 10, 2018

Steve Pereira
La Academia Dolores Huerta
1480 North Main
Las Cruces, NM 88001

Dear Mr. Pereira:

Thank you for your notification of a governing body designation received on April 10, 2018 in which La Academia Dolores Huerta provided notification to the Public Education Commission (PEC) of the designation of Elaine Palma, Michael Sena, Patty Montoya, Robert Palacios, Yolanda Silva, and Adrian Gaytan. The notification did not contain all required information; please provide a Statement to Consult with PED no later than April 20, 2018.

Information regarding another resignation has not yet been provided. Please provide a Governing Body Membership Change Form and a letter of resignation for Clara Lopez, who appears to have left the board in September or October of 2017.

If the required information is not timely provided, the school will be added to the PEC's agenda for consideration and potential corrective action.

This notification of a governing body designation will be presented to the PEC at the meeting on April 13, 2018. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Laurel Pierce".

Laurel Pierce
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CHRISTOPHER N. RUSZKOWSKI
SECRETARY OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

April 25, 2018

Steve Pereira
La Academia Dolores Huerta
1480 North Main
Las Cruces, NM 88001

Dear Mr. Pereira:

Thank you for your notification of a governing body resignation and a governing body designation dated April 18, 2018 in which La Academia Dolores Huerta provided notification to the Public Education Commission (PEC) of the resignations of Mariaelena De la Rosa, Clara Lopez, Carmen Gallegos-Marrujo, Sarah Luz Ramos, and Michelle Saenz-Adames, the end of term for Spencer Herrera and Elena Hinderlich, and the designations of Elaine Palma, Adrian Gaytan, Michael Sena, Patty Montoya, Yolanda Silva, and Robert Palacios. All documentation has now been received.

Please be advised the school's contract with the PEC requires that the school fill the vacancy on its governing body created by this resignation no later than 45 days from the date of the vacancy or seek an extension for such appointment from the Authorizer in writing. No request for an extension was received; therefore La Academia Dolores Huerta was required to designate a new member to fill the vacancy created by the resignation of Michelle Saenz-Adames by March 16, 2018.

If the school cannot, or does not want to fill the vacancy, the governing board may vote to close the position in an open meeting. If the board chooses this option, the position will remain closed for the remainder of the fiscal year, at which point, the school may choose to reopen the vacancy.

Since we have received neither notification of a designation or closure of the position, the school is out of compliance with PEC policy Section A.4 (revised March 16, 2018) which states:

"If a board member resigns or is removed, that member must be replaced within 45 days, or within 75 days if the school is granted an extension. Alternatively, the board may vote to not replace that member."

If the vacancy is not filled and the position is not closed, the school will be added to the PEC's agenda for consideration and potential corrective action.

This notification of a governing body resignation will be presented to the PEC at the meeting on May 11, 2018. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Laurel Pierce". The signature is written in black ink and is positioned below the word "Sincerely,".

Laurel Pierce
Options for Parents and Families



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CHRISTOPHER N. RUSZKOWSKI
SECRETARY OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

May 7, 2018

Steve Pereira, Governing Board President
La Academia Dolores Huerta
1480 North Main
Las Cruces, NM 88001

Dear Mr. Pereira:

This is a formal notification of non-compliance regarding your school's Governing Board.

Please use this notification as an opportunity to evaluate your governance reporting and management processes and implement new systems and protocols to maintain compliance with your contractual and statutory requirements related to timely notification, timely filling board vacancies, and board training requirements.

Pursuant to Section 8.10(b) of the charter contract, schools must notify their authorizer *within 30 days* when any change to governing board membership takes place. All vacancies must be filled within 45 days, or an extension requested.¹

In addition, pursuant to Section 6.80.5.8(B) NMAC all new board members must complete a seven (7) hour introductory training provided by the NMPED **before** they vote on any governing body business.²

Finally, Section 22-8B-4(B) NMSA 1978 requires all charter school boards to have at least five (5) members; this requirement is also included in Section 8.10(a) of the charter contract. The school's own by-laws also designate a specific number or range of the number of board members; the school should ensure it complies with its own bylaws.

Below is a list of your school's violations of the above provisions of law and contract in the 2017-18 school year:

¹ Per charter contract Section 8.10(b): "The School will notify the Authorizer within 30 (thirty) days of a member's resignation or designation of a new member and shall sign the appropriate forms to ensure that the governing body continues to qualify as a board of finance. The School shall fill any vacancy on its governing body no later than 45 days from the vacancy or shall seek an extension for such appointment from the Authorizer in writing. The new member must execute the required statements for Board of Finance designation to the NMPED."

² Unless the board member completes the short term waiver process outlined in Section 6.80.5.8(C) NMAC.

1. On September 2, 2017, a letter of resignation was received from Carmen Gallegos-Marrujo.
 - a. Notification of the resignation was due on or before October 2, 2017.
 - i. Notification of the resignation was received by the CSD on April 10, 2018, which was 190 days after the notice of resignation. Supporting documentation was received on April 11, 2018.
 - ii. The school failed to provide notification of the change within 30 days.
2. On September 4, 2017 a letter of resignation was received from Clara Lopez.
 - a. Notification of the resignation was due on or before October 4, 2017.
 - i. Notification and supporting documentation of this change was received on April 11, 2018, which was 219 days after the resignation.
 - ii. The school failed to provide notification of the change within 30 days.
 - b. The vacancy created by this resignation was required to be filled on or before October 19, 2017.
 - i. No request for an extension to fill the vacancy was received.
 - ii. This position was filled by Adrian Gaytan on February 21, 2018, which was 170 days after the vacancy was created.
 - iii. This position was not filled within the 45 days required by charter contract.
3. On September 7, 2017, board member Spencer Herrera's term ended.
 - a. Notification of the change in membership was due on or before October 7, 2017.
 - i. Notification and supporting documentation of this change was received on April 10, 2018, which was 215 days after the change in membership.
 - ii. The school failed to provide notification of the change within 30 days.
 - b. The vacancy created by this change in membership was required to be filled on or before October 22, 2017.
 - i. No request for an extension to fill the vacancy was received.
 - ii. This position was filled by Michael Sena on February 21, 2018, which was 167 days after the vacancy was created.
 - iii. This position was not filled within the 45 days required by charter contract.
4. On September 7, 2017, board member Elena Hinderlich's term ended.
 - a. Notification of the change in membership was due on or before October 7, 2017.
 - i. Notification and supporting documentation of this change was received on April 10, 2018, which was 215 days after the change in membership.
 - ii. The school failed to provide notification of the change within 30 days.

- b. The vacancy created by this change in membership was required to be filled on or before October 22, 2017.
 - i. No request for an extension to fill the vacancy was received.
 - ii. This position was filled by Patty Montoya on February 21, 2018, which was 167 days after the vacancy was created.
 - iii. This position was not filled within the 45 days required by charter contract.
- 5. On September 7, 2017, a new member, Elaine Palma, was designated to serve on the board.
 - a. Notification of the designation was due on or before October 7, 2017.
 - i. Notification of the designation was received by the CSD on April 10, 2018, and final documentation was received on April 18, 2018, which was 223 days after the designation.
 - ii. The school failed to provide notification of the change within 30 days.
 - b. At this point, board membership had dropped to 6 members and the school was in violation of their bylaws.³
 - c. On October 19, 2017, according to minutes posted on the school’s website, Ms. Palma began voting in violation of the regulation governing training requirements for new governing board members.⁴
- 6. On November 3, 2017, a letter of resignation was received from Mariaelena de la Rosa.
 - a. Notification of the resignation was due on or before December 3, 2017.
 - i. Notification and supporting documentation of this change was received on April 18, 2018, which was 166 days after the resignation.
 - ii. The school failed to provide notification of the change within 30 days.
 - b. The vacancy created by this resignation was required to be filled on or before December 18, 2017.
 - i. No request for an extension to fill the vacancy was received.
 - ii. This position was filled by Yolanda Silva on February 21, 2018, which was 110 days after the vacancy was created.
 - iii. This position was not filled within the 45 days required by charter contract.
 - c. With the resignation of Ms. De la Rosa, board membership dropped to 5 members and the school was in violation of their bylaws.
- 7. On January 22, 2018, a letter of resignation was received from Sarah Luz Ramoz.

⁴ Per 6.80.5(B) NMAC: “No new governing body member may attend a governing body meeting and vote on any governing body business without first completing the seven hours of required training described below through an in-person training provided by the department.” Minutes are available on the school website here: <http://ladh.org/index.php?d=Gc>.

- a. Notification of the resignation was due on or before February 21, 2018
 - i. Notification and supporting documentation of this change was received on April 10, 2018, which was 48 days after the resignation.
 - ii. The school failed to provide notification of the change within 30 days.
 - b. With the resignation of Ms. Luz Ramoz, board membership dropped to 4 members and the school was in violation of their charter contract and statute.⁵
8. On January 30, 2018, a letter of resignation was received from Michelle Saenz-Adames.
- a. Notification of the resignation was due on or before March 1, 2018.
 - i. Notification and supporting documentation of this change was received on April 10, 2018, which was 40 days after the resignation.
 - ii. The school failed to provide notification of the change within 30 days.
 - b. The vacancy created by this resignation was required to be filled on or before March 16, 2018.
 - i. No request for an extension to fill the vacancy was received.
 - ii. No vote was taken to close the position.
 - iii. This position was not filled within the 45 days required by charter contract.
 - c. With the resignation of Ms. Saenz-Adames, board membership dropped to 3 members and the school was in violation of their charter contract and statute.
9. On February 21, 2018, five new governing board members were designated.
- a. Notification of the designations was due on or before March 23, 2018.
 - i. Notification was provided on April 10, 2018, which was 48 days after the designations. Final documentation was received on April 18, 2018, which was 56 days after the designations.
 - ii. The school failed to provide notification of the change within 30 days.

Although notification and supporting documentation have been received, the Public Education Commission (PEC) and the Charter Schools Division (CSD) encourage your school to review your current policies and practices regarding governing board membership changes. Please ensure the proper procedures are in place and a member has been designated to oversee and report all governing board changes to ensure the school can meet its responsibilities in the future.

Sincerely,

Katie Poulos
 Director, Options for Parents and Families

⁵ Per charter contract Section 8.10(a): “The School’s governing body shall have at least 5 (five) members.”

cc: Melissa Miranda, School Administrator

School Governance Change

Explore Academy

On October 28, 2017, a vacancy was created on the board by the resignation of Gloria Lueras-Kidd. The information was not submitted timely, but all documentation has been received.

On November 14, 2017, the vacancy was filled by the designation of John Garletts. The vacancy was filled in a timely manner, but notification and documentation was not provided timely. The Affidavit from Mr. Garletts has not been received.

Mr. Garletts has received no training since his designation. Since minutes are not available via the website, they have been requested of the school to determine if Mr. Garletts has voted prior to training.

The board has 6 currently seated board members, which contradicts the statement on their website denoting "The Explore Academy is managed by its Governance Council (its school board), which consists of an independent panel of five individuals who convene each month to provide general oversight in the school's operation. "

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, Room 301, 300 Don Gaspar, Santa Fe, NM 87501

Name of State-Chartered School: Explore Academy Current Number of Governing Body Members: 6

Date submitted: 4/30/2018 Contact Name: Justin Baiardo E-mail: baiardo@exploreademy.org

Governing Board Member Name	Governing Board Member's Current Personal Contact Information: Address/Phone Number/Email Address	Action	Date of Action	Reason for removal or resignation	Term of Service
Gloria Lueras-Kidd	Click here to enter address. Click here to enter phone number.	Resignation	10/28/2017	Increasing demand, decreasing time availability	From: 12/1/2013 To: 11/1/2017
John Garletts	Glkidd77@comcast.net Click here to enter address. Click here to enter phone number.	Designation	11/14/2017	Click here to enter Board Member name.	From: 11/14/2017 To: Present
Click here to enter Board Member name.	johngarletts@gmail.com Click here to enter address. Click here to enter phone number. Click here to enter email address.	Choose an action.	Click here to enter a date.	Click here to enter Board Member name.	From: Click here to enter a date. To: Click here to enter a date.

Original Signature of Governing Council President or Designee:  Date: 4/30/18

Printed Name of Governing Council President or Designee: Justin Baiardo

STATE CHARTER SCHOOL CHANGE OF GOVERNING BODY MEMBERSHIP FORM

Instructions:

- Please complete and submit this form to: Charter Schools Division, Public Education Department, charter.schools@state.nm.us, Room 301, 300 Don Gaspar, Santa Fe, NM 87501
- Complete ALL fields about the school. Incomplete forms will be rejected.
- Complete ALL fields for each board member for whom action was taken. Incomplete forms will be rejected.
- Include all required attachments as described below. Submissions not containing all required materials will be rejected.

Required Attachments:

Submission of this form MUST be accompanied by each of the following, as applicable:

- 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;
- Notices of Designation:**
 - a. An updated "STATEMENT OF GOVERNING BODY TO CONSULT WITH PED" signed by all current governing body members,
 - b. An "AFFIDAVIT OF GOVERNING BODY MEMBER" signed by the new governing body member and verified by a notary public, and
 - c. The governing body minutes showing the vote to designate the member

From: [Justin Baiardo](#)
To: [Justin Baiardo](#)
Subject: FW: Board member
Date: Tuesday, May 1, 2018 11:09:44 AM

Justin Baiardo

Founder, Director
Explore Academy
5100 Masthead NE, Albuquerque NM 87109
baiardo@exploreacademy.org
w: 257-5244

From: glkidd77@comcast.net [mailto:glkidd77@comcast.net]

Sent: Saturday, October 28, 2017 8:42 PM

To: Baiardo, Justin <baiardo@exploreacademy.org>

Subject: Board member

Hi Justin,

I wanted to officially submit my intention to resign from Explore Academy's board. It's been a great honor to serve since before the school opened, but there is too much to handle at work right now. Thank you for the opportunity to serve.

On another note, I spoke to John Garletts today about a potential board position.

He's interested. Is he ok? Kristen's husband? If so, I'll get him to submit a resume for you all to review.

Thanks,
Gloria

STATEMENT OF GOVERNING BODY TO CONSULT WITH PED

We, the undersigned, make up the governing body of the Explore Academy located in Albuquerque, New Mexico.

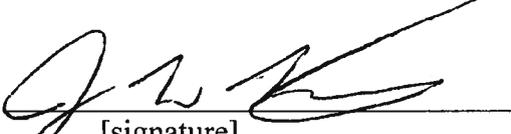
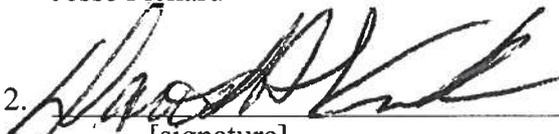
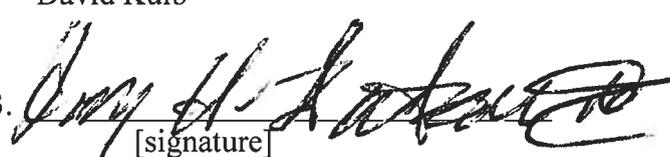
In accordance with 6.80.4.16 NMAC, we agree to consult with the New Mexico Public Education Department on any matter not covered by the manual of accounting and budgeting before taking any action related to funds held as a board of finance.

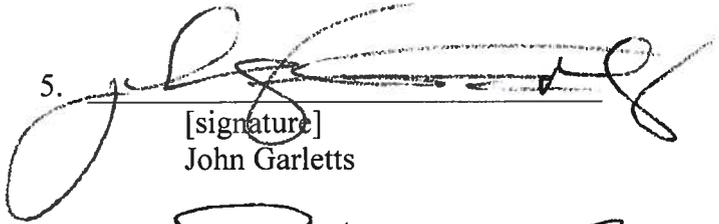
We make this statement as part of Explore Academy's application to the Public Education Commission for status as a board of finance under 6.80.4.16 NMAC.

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 EXPLORE ACADEMY GOVERNING COUNCIL GIVE THE FOREGOING STATEMENT THIS 12th DAY OF July, 2016.

1. 
[signature]
Jesse Pickard
2. 
[signature]
David Kulb
3. 
[signature]
Ray Barton
4. 
[signature]
Ralph Montano

5. 
[signature]
John Garletts

6. 
[signature]
Shane Mulligan

MINUTES

GOVERNANCE COUNCIL MEETING



5100 Masthead St. NE, Albuquerque, NM 87109

Tuesday, November 14, 2017

5:30 p.m.

GENERAL SESSION

PART I – PRELIMINARY

- A. Call to Order – meeting called to order at 5:30 pm
 - a. Pledge of Allegiance – pledge was recited by all members
- B. Ascertain Quorum
 - a. Attending members: Jesse Pickard, Gloria Lueras-Kidd; Shane Mulligan, Ralph Montano, Ray Barton, David Kulb
 - b. Staff in attendance: Justin Baiardo and Ashley Wolfel
 - c. All members signed in
- C. Welcome
 - a. Council president, Jesse Pickard welcomed everyone in attendance
- D. Approval of Minutes
 - a. Ray Barton moved for approval of the October 2017 minutes; Shane Mulligan seconded the motion; Vote to approve (4-0)
- E. Approval of Agenda
 - a. Ralph Montano moved for approval of agenda; Shane Mulligan seconded the motion; Vote was to approve (4-0)

PART II – BUSINESS

- A. Potential New Board Member – John Gartletts
 - a. John Gartletts presented his resume
 - b. Questions were asked of John Gartletts and he was able to ask questions regarding the board position that will be open with Gloria Lueras-Kidd's resignation from the Governance Council.
 - c. John was asked to leave while the board discussed his addition to the board
 - d. Shane Mulligan moved for approval of John Gartletts as a new Governance Council member; David Kulb seconded the motion; Vote to approve (5-0)
- B. Appointment of board of Explore Academy Education Foundation
 - a. PTO can become the foundation
 - b. The bylaws have been rewritten; submitted for first reading
 - c. Requires a second meeting to approve the rewritten bylaws
 - d. Applying for tax exemption; Foundation EIN
 - e. Request immediately to restore PTO foundation
 - i. Should know by Friday, November 17; if not, will need to reapply and pay a fee
 - f. Ray Barton moved that the Governance Council approve the Academy Foundation; Ralph Montano seconded the motion; Vote to approve (5-0)

PART III – Budget

- A. Budget
 - a. Revenue
 - i. Ashley Wolfel presented and reviewed the financial statements for October 2017
 - ii. Expenditure report
 - 1. Shows negative items due to underfunding
 - 2. Lease assistance funding
 - b. BARS
 - i. BARS represent revenues school has received (supplies, etc)
 - ii. David Kulb moved for approval of BARS and the financial report as stated in the agenda (0008-00012); Ralph Montano seconded the motion; Vote to approve (5-0)

PART IV – REPORTS

- A. Update on Bond Deal
 - a. Michelle has finished the paperwork on Estancia Valley School; should make progress this week on Explore Academy paperwork
 - b. Request that we continue to pursue parallel paths with Mark Valenzuela, RPM and John with the Ziegler group.
 - c. The goal is to try to close by December 31, 2017

Adjournment – 6:35 p.m.; Next meeting December 12, 2017; 5:30 p.m.

(All GC votes are unanimous unless otherwise stated)

GOVERNANCE COUNCIL MEMBERS

EXPLORE ACADEMY



MEMBER NAME	EMAIL	PHONE
Jesse Pickard (President)	jpickard@apicnm.com	306-4511
Ralph Montano	ralphrmontano@outlook.com	250-3546
Shane Mulligan	shane.patrick314@gmail.com	328-3172
Ray Barton III	rbarton3@aol.com	366-4190
David Kulb	dakookiemonster@msn.com	321-7300
John Garletts	johngarletts@gmail.com	459-2988



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CHRISTOPHER N. RUSZKOWSKI
SECRETARY OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

April 24, 2018

Justin Baiardo
Explore Academy
5100 Masthead Street, NE
Albuquerque, NM 87109

Dear Mr. Baiardo:

Thank you for your email of April 14, 2018 that included a list of your current governing board members. The list denotes changes in your board which have not been reported. Information regarding the resignation or removal of Gloria Lueras-Kidd and the designation of John Garletts has not been received and the school is currently out of compliance. Please be aware, as per your charter contract Section 8.10(b):

The School will notify the Authorizer within 30 (thirty) days of a member's resignation or designation of a new member and shall sign the appropriate forms to ensure that the governing body continues to qualify as a board of finance. The School shall fill any vacancy on its governing body no later than 45 days from the vacancy or shall seek an extension for such appointment from the Authorizer in writing. The new member must execute the required statements for Board of Finance designation to the NMPED.

Please provide a Change of Governing Body Membership form for Ms. Lueras-Kidd and Mr. Garletts, a signed and notarized Affidavit from Mr. Garletts, a Statement to Consult with PED signed by all current governing board members, and the minutes wherein Mr. Garletts' designation was accepted no later than May 1, 2018. If the required information is not timely provided, the school will be added to the PEC's agenda for consideration and potential corrective action.

This notification will be presented to the PEC at the meeting on May 11, 2018. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Laurel Pierce".

Laurel Pierce
Options for Parents and Families



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CHRISTOPHER N. RUSZKOWSKI
SECRETARY OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

May 1, 2018

Jesse Pickard
Explore Academy
5100 Masthead Street, NE
Albuquerque, NM 87109

Dear Mr. Pickard:

Thank you for your notification of a governing body resignation and a governing body designation dated May 1, 2018 in which Explore Academy provided notification to the Public Education Commission (PEC) of the resignation of Gloria Lueras-Kidd and the designation of John Garletts.

The notification did not contain all required information; please provide a signed and notarized Affidavit from Mr. Garletts no later than May 4, 2018. If the required information is not timely provided, the school will be added to the PEC's agenda for consideration and potential corrective action.

This notification will be presented to the PEC at the meeting on May 11, 2018. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Laurel Pierce".

Laurel Pierce
Options for Parents and Families

School Governance Change

Health Leadership High School

On March 23, 2018, the school provided governance membership contact information. At that time, it was noted that a member currently listed on the PED files, was not included. Further communication with the school leader confirmed that Melissa Steffan was no longer seated on the board, but had resigned due to family obligations. A change form and supporting documentation was requested at that time. The documentation was submitted on April 6, 2018. The school is out of compliance with reporting requirements. The seat has not been filled and no vote has been taken to close the position.

The board currently has 7 seated members.



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CHRISTOPHER N. RUSZKOWSKI
SECRETARY OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

April 23, 2018

Blanca Lopez
Health Leadership High School
1900 Randolph Road, SE
Albuquerque, NM 87106

Dear Ms. Lopez:

Thank you for your notification of a governing body resignation dated March 23, 2018 in which Health Leadership High School provided notification to the Public Education Commission (PEC) of the resignation of Melissa Steffan. The notification contained all required information.

Please be advised the school's contract with the PEC requires that the school fill the vacancy on its governing body created by this resignation no later than 45 days from the date of the vacancy or seek an extension for such appointment from the Authorizer in writing. No request for an extension was received; therefore Health Leadership High School was required to designate a new member to fill the vacancy created by the resignation of Melissa Steffan by November 12, 2017.

If the school cannot, or does not want to fill the vacancy, the governing board may vote to close the position in an open meeting. If the board chooses this option, the position will remain closed for the remainder of the fiscal year, at which point, the school may choose to reopen the vacancy.

Since we have received neither notification of a designation or closure of the position, the school is out of compliance with PEC policy Section A.4 (revised March 16, 2018) which states:

"If a board member resigns or is removed, that member must be replaced within 45 days, or within 75 days if the school is granted an extension. Alternatively, the board may vote to not replace that member."

If the vacancy is not filled and the position is not closed, the school will be added to the PEC's agenda for consideration and potential corrective action.

This notification of a governing body resignation will be presented to the PEC at the meeting on May 11, 2018. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Laurel Pierce". The signature is written in a cursive style with a small dot above the 'i' in "Pierce".

Laurel Pierce
Options for Parents and Families



**STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
300 DON GASPAR
SANTA FE, NEW MEXICO 87501-2786
Telephone (505) 827-5800
www.ped.state.nm.us**

CHRISTOPHER N. RUSZKOWSKI
SECRETARY OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

May 7, 2018

Adriann Barboa, Governing Board President
Health Leadership High School
1900 Randolph Road, SE
Albuquerque, NM 87106

Dear Ms. Barboa:

This is a formal notification of non-compliance regarding your school's Governing Board.

Please use this notification as an opportunity to evaluate your governance reporting and management processes and implement new systems and protocols to maintain compliance with your contractual and statutory requirements related to timely notification, timely filling board vacancies, and board training requirements.

Pursuant to Section 8.10(b) of the charter contract, schools must notify their authorizer *within 30 days* when any change to governing board membership takes place. All vacancies must be filled within 45 days, or an extension requested.¹

Below is a list of your school's violations of the above provisions of law and contract in the 2017-18 school year:

1. On January 27, 2017 a letter of resignation was received from Ryan Harrigan.
 - a. The vacancy created by this resignation was required to be filled on or before March 13, 2017.
 - i. No request for an extension to fill the vacancy was received.
 - ii. This position was filled by Abuko Estrada on May 25, 2017, which was 118 days after the vacancy was created.

¹ Per charter contract Section 8.10(b): "The School will notify the Authorizer within 30 (thirty) days of a member's resignation or designation of a new member and shall sign the appropriate forms to ensure that the governing body continues to qualify as a board of finance. The School shall fill any vacancy on its governing body no later than 45 days from the vacancy or shall seek an extension for such appointment from the Authorizer in writing. The new member must execute the required statements for Board of Finance designation to the NMPED."

- iii. This position was not filled within the 45 days required by charter contract.
2. On May 25, 2017, a new member, Abuko Estrada, was designated to serve on the board.
 - a. Notification of the designation was due on or before June 24, 2017.
 - i. Notification of the designation was received by the CSD on September 6, 2017, which was 104 days after the designation.
 - ii. The school failed to provide notification of the change within 30 days.
3. On October 13, 2017, a letter of resignation was received from Melissa Steffan.
 - a. Notification of the resignation was due on or before November 12, 2017.
 - i. Notification and documentation of the resignation was received by the CSD on April 6, 2018, which was 178 days after the notice of resignation.
 - ii. The school failed to provide notification of the change within 30 days.
 - b. The vacancy created by this resignation was required to be filled on or before November 27, 2017.
 - i. No request for an extension to fill the vacancy was received.
 - ii. No vote was taken to close the position.
 - iii. This position was not filled within the 45 days required by charter contract.

Although notification and supporting documentation have been received, the Public Education Commission (PEC) and the Charter Schools Division (CSD) encourage your school to review your current policies and practices regarding governing board membership changes. Please ensure the proper procedures are in place and a member has been designated to oversee and report all governing board changes to ensure the school can meet its responsibilities in the future.

Sincerely,

Katie Poulos
Director, Options for Parents and Families

cc: Blanca Lopez, School Administrator

School Governance Change

La Tierra Montessori School for the Arts and Sciences

On January 12, 2018, a vacancy was created on the board by the resignation of Marcie Davis. The resignation was not reported timely, but all documentation has been received. The school was advised the position needed to be filled by February 26, 2018 or an extension filed. No extension was filed and the position has not been filled. This resignation dropped the board to 4 members.

On March 23, 2018, a vacancy was created on the board by the resignation of Ben Sandoval. The resignation was reported timely and all documentation has been received. The school has been advised the position needs to be filled by May 7, 2018, or an extension filed. This resignation dropped the board to 3 members.

On March 26, 2018, a letter of interest was submitted to the board by Steven Lujan. The school was contacted and verified that Mr. Lujan joined the board on March 26, 2018 when his letter of interest was accepted. Supporting documentation was not submitted timely.

The vacancy created by the resignation of Mr. Sandoval has not been filled timely, nor has an extension been requested. The board currently has only 4 seated members.

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, Room 301, 300 Don Gaspar, Santa Fe, NM 87501

Name of State-Chartered School: La Tierra Montessori School for the Arts and Sciences Current Number of Governing Body Members: 4
 Date submitted: 4/16/2018 Contact Name: Julie Ann Hill-Clapp E-mail: julieann.hillclapp@montessoriatierra.org

Governing Board Member Name	Governing Board Member's Current Personal Contact Information: Address/Phone Number/Email Address	Action	Date of Action	Reason for removal or resignation	Term of Service
Ben Sandoval	P.O. Box 762 Medanales, NM 87548 (505) 929-0575 (cell) B_sandoval@live.com	Resignation	3/23/2018	Ben resigned his position on the LTMAS board so that he could spend more time with his family	From: 9/1/2014 To: 3/23/2018
Steven Lujan	306 Camino Miramontes Espanola, NM 87532 (505) 489-5498 Stevef.lujan@yahoo.com	Designation	3/26/2018	Steven has sent his letter of interest to serve on the LTMAS board.	From: 3/26/2018 To: Click here to enter a date.
Click here to enter Board Member name.	Click here to enter address. Click here to enter phone number. Click here to enter email address.	Choose an action.	Click here to enter a date.	Click here to enter Board Member name.	From: Click here to enter a date. To: Click here to enter a date.

Original Signature of Governing Council President or Designee: _____ Date: _____

Printed Name of Governing Council President or Designee: _____

STATE CHARTER SCHOOL CHANGE OF GOVERNING BODY MEMBERSHIP FORM

Instructions:

- Please complete and submit this form to: Charter Schools Division, Public Education Department, charter.schools@state.nm.us, Room 301, 300 Don Gaspar, Santa Fe, NM 87501
- Complete **ALL** fields about the school. Incomplete forms will be rejected.
- Complete **ALL** fields for each board member for whom action was taken. Incomplete forms will be rejected.
- Include all required attachments as described below. Submissions not containing all required materials will be rejected.

Required Attachments:

Submission of this form **MUST** be accompanied by 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,
 - b. An "AFFIDAVIT OF GOVERNING BODY MEMBER" signed by the new governing body member and verified by a notary public, and
 - c. The governing body minutes showing the vote to designate the member

Pierce, Laurel, PED

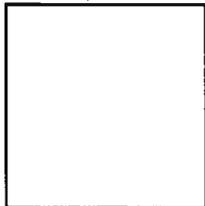
To: Julieann Hillclapp
Subject: RE: LTMAS Governing Council Change

From: Julieann Hillclapp [<mailto:julieann.hillclapp@montessorilatierra.org>]
Sent: Sunday, April 29, 2018 8:19 AM
To: Pierce, Laurel, PED
Subject: Re: LTMAS Governing Council Change

Hi Laurel,
The letter of resignation was sent as an email and not as an attachment. I saved the email and this was the attachment. I have copied and pasted the email as it was sent. Please let me know if you need something different.

Ben Sandoval <ben.sandoval@montessorilatierra.org>

to me, ron.martinez, amy.larsen, Christie



Good afternoon all,

I am writing a brief and to the point letter to you all about a decision I have made. I am resigning from the board of La Tierra Montessori School effective immediately.

I have thought long and hard about this decision. I must make this decision because it is what is best for me and my family. I came to a crossroads that if I was to continue with the board I would remove my students from La Tierra. I think La Tierra is too good of a school to remove them, thereby my decision to resign is going to be the best decision at this time.

I do apologize for any inconvenience that this may bring, but at the same time, there are many that have not respected me in the role as a Governing Council member, I will also no longer stand for that.

I very well know what I am capable of doing and I have a very high standard that many do not appreciate. I will not belabor you all with those matters any further.

I will remain very actively involved as a parent and it is my hope that this decision does not adversely impact my involvement with the students and staff with any presentations and special speaking engagements that may come up.

It has been an honor to serve, I trust that whoever is selected to be my replacement will carry the torch forward.

Lastly, I have not submitted any of my information to be on any signature sheets at any financial institutions in regards to school business. Please know that it is my hope that La Tierra continue to grow and prosper.

Godspeed,

Ben Sandoval

On Thu, Apr 26, 2018 at 2:41 PM, Pierce, Laurel, PED <Laurel.Pierce@state.nm.us> wrote:

Hello Julie Ann,

I received your documents, but was unable to open the letter of resignation (Moving on). Please send that in a different format so that I can prepare it for the PEC meeting in May. Also, I see you attached a Letter of Interest. Has anything moved forward on this designation? I will be sending you a letter of confirmation soon, but I will need the letter of resignation to complete the packet.

Thank you,

Laurel Pierce

Technical Assistance, Training and Support Program Coordinator

Charter Schools Division

505-827-4527

Charter School [Website](#)

Driving student success in New Mexico by supporting excellent authorizing practices and charter schools that provide innovative, quality education.



300 Don Gaspar Ave.

Santa Fe, NM 87501

www.ped.state.nm.us

From: Julieann Hillclapp [mailto:julieann.hillclapp@montessorilatierra.org]

Sent: Monday, April 16, 2018 7:52 PM

To: Pierce, Laurel, PED

Subject: LTMAS Governing Council Change

Good Evening, Laurel,

I am attaching the Governing Council change form that includes a resignation and new member. The LTMAS board understands that the new member will not be a voting member until he has completed the initial 5 hours of governing council training. I have also attached the resignation email and letter of interest for the new member.

Thank you,

Julie Ann Hill-Clapp, LTMAS Governing Council

--

Julie Ann Hill-Clapp, LTMAS Governing Council



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CHRISTOPHER N. RUSZKOWSKI
SECRETARY OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

April 30, 2018

Julie Ann Hill-Clapp
La Tierra Montessori School for the Arts and Sciences
659 Roadrunner Road
Ohkay Owingeh, NM 87532

Dear Ms. Hill-Clapp:

Thank you for your notification of a governing body resignation dated April 16, 2018 in which La Tierra Montessori School for the Arts and Sciences provided notification to the Public Education Commission (PEC) of the resignation of Ben Sandoval. The notification contained all required information.

Please be advised the school's contract with the PEC requires that the school fill the vacancy on its governing body created by this resignation no later than 45 days from the date of the vacancy or seek an extension for such appointment from the Authorizer in writing. Therefore, La Tierra Montessori School for the Arts and Sciences must designate a new member to fill the vacancy created by the resignation of Ben Sandoval, or request an extension, no later than May 7, 2018. If the vacancy is not filled or the school does not request an extension, the school will be added to the PEC's agenda for consideration and potential corrective action.

This notification of a governing body resignation will be presented to the PEC at the meeting on May 11, 2018. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Laurel Pierce".

Laurel Pierce
Options for Parents and Families

October 24, 2017

To La Tierra Governing Council Members,

I am resigning from the Governing Council of La Tierra Montessori Charter School of the Arts and Sciences effective today.

I have enjoyed working with you for the good of the school.

Best regards,

Marcia Brenden



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CHRISTOPHER N. RUSZKOWSKI
SECRETARY OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

May 7, 2018

Julie Ann Hill-Clapp
La Tierra Montessori School for the Arts and Sciences
659 Roadrunner Road
Ohkay Owingeh, NM 87532

Dear Ms. Hill-Clapp:

This is a formal notification of non-compliance regarding your school's Governing Board.

Please use this notification as an opportunity to evaluate your governance reporting and management processes and implement new systems and protocols to maintain compliance with your contractual and statutory requirements related to timely notification, timely filling board vacancies, and board training requirements.

Pursuant to Section 8.10(b) of the charter contract, schools must notify their authorizer *within 30 days* when any change to governing board membership takes place. All vacancies must be filled within 45 days, or an extension requested.¹

Section 22-8B-4(B) NMSA 1978 requires all charter school boards to have at least five (5) members; this requirement is also included in Section 8.10(a) of the charter contract. The school's own by-laws also designate a specific number or range of the number of board members; the school should ensure it complies with its own bylaws.

Below is a list of your school's violations of the above provisions of law and contract in the 2017-18 school year:

1. On October 24, 2017, a letter of resignation was received from Marcia Brenden.
 - a. Notification of the resignation was due on or before November 23, 2017.

¹ Per charter contract Section 8.10(b): "The School will notify the Authorizer within 30 (thirty) days of a member's resignation or designation of a new member and shall sign the appropriate forms to ensure that the governing body continues to qualify as a board of finance. The School shall fill any vacancy on its governing body no later than 45 days from the vacancy or shall seek an extension for such appointment from the Authorizer in writing. The new member must execute the required statements for Board of Finance designation to the NMPED."

- i. Notification of the resignation was received by the CSD on January 17, 2018, which was 85 days after the notice of resignation. All documentation has not yet been received. Ms. Brenden’s letter of resignation has been requested, but has still not been provided.
 - ii. The school failed to provide notification of the change within 30 days.
 - iii. The school failed to provide documentation required by PEC policy.
 2. On January 12, 2018, a letter of resignation was received from Marcie Davis.
 - a. Notification of the resignation was due on or before February 11, 2018.
 - i. Notification and supporting documentation of this change was received on February 25, 2018, which was 44 days after the resignation.
 - ii. The school failed to provide notification of the change within 30 days.
 - b. The vacancy created by this resignation was required to be filled on or before February 26, 2018.
 - i. A request for an extension to fill the vacancy was received, but was outside of the timeframe established by PEC policy, and was therefore denied.
 - ii. This position has not been filled. The school has submitted a letter of intent from Steven Lujan, but no documentation establishing his designation has been provided.
 - iii. This position was not filled within the 45 days required by charter contract.
 - c. With the resignation of Ms. Davis, board membership dropped to 4 members and the school was in violation of their charter contract and statute.²
 3. On March 23, 2018, a letter of resignation was received from Ben Sandoval.
 - a. With the resignation of Mr. Sandoval, board membership dropped to 3 members and the school is in violation of their charter contract and statute.

Although notification has been received, not all documentation has been provided. The Public Education Commission (PEC) and the Charter Schools Division (CSD) encourage your school to review your current policies and practices regarding governing board membership changes. Please ensure the proper procedures are in place and a member has been designated to oversee and report all governing board changes to ensure the school can meet its responsibilities in the future.

Sincerely,

Katie Poulos
Director, Options for Parents and Families

cc: Christie Berg, Head Learner

² Per charter contract Section 8.10(a): “The School’s governing body shall have at least 5 (five) members.”