

AGENDA ITEM EXECUTIVE SUMMARY

I. Public Education Commission Meeting Date: June 15, 2018

II. Item Title:

Discussion and Possible Action on Governance Changes and Reporting Policy Non-Compliance

III. Proposed Motion:

- Move to direct CSD to send a formal Notice of Noncompliance to the governing bodies of the following schools:
 - o Dream Diné
 - o New American School – New Mexico
 - o New Mexico Connections Academy
 - o Roots and Wings Charter School
 - o Student Athlete Headquarters Academy
 - o Turquoise Trail

because these schools have failed to comply with the reporting requirements in Section 6, 8.10(b) of the charter contract.

IV. Executive Summary:

Please see attached documents.

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	42979	Y
Dream Diné Charter School	Resignation	Lance Whitehair	4/9/2018	N	1	Y	1	N		N		Not filled as of 6/11/18	N	18					6	N		
Dream Diné Charter School	Resignation	Sierra Frank-Ignacio	4/12/2018	Y		Y		N		N		Not filled as of 6/11/18	N	15					5	N		
Dzit Dit'Looi School of Empowerment Action and Perseverance (DEAP)	Removal	Ryan Dennison	3/7/2018	N	5	Y		N		N	Delmaline Muskett	4/27/2018	N	6	N	11	N	34	5	Y		Unknown
Estancia Valley Classical Academy											Deron Knoner	4/12/2018	N/A		Y		Y		6	Y		
La Academia Dolores Huerta	Resignation	Michelle Saenz-Adames	1/30/2018	N	40	Y	30	Y	Y			5/16/2018										
La Academia Dolores Huerta	Resignation	Steve Pereira	5/8/2018	Y		N		Y	Y			5/16/2018										
La Tierra Montessori School of the Arts & Sciences	Resignation	Marcie Davis	1/12/2018		14	Y	0	N		N	Steven Lujan	5/22/2018	N	85	Y		Y		4	N	85	Unknown
La Tierra Montessori School of the Arts & Sciences	Resignation	Ben Sandoval	3/23/2018	Y	0	Y		N		N	Erwin Rivera	5/22/2018	N	15	Y		Y		5	Y		Unknown
La Tierra Montessori School of the Arts &											Amanda Goertz	5/22/2018	N/A		Y		Y		6	Y		Unknown
McCurdy Charter School											Marcie Davis	1/12/2018	Unk		N	113	Y				43067	N/A
McCurdy Charter School											Adán Trujillo	2/15/2018	Unk		N	79	Y	0			43101	N
McCurdy Charter School											Juan Valdez	3/1/2018	Unk		N	65	Y	0			43115	N
New Mexico Connections Academy	Resignation	Maria-Guadalupe Salomé Gurulé	1/29/2018	N	72	Y		Y	N			5/29/2018					N					
Roots and Wings Community School	Resignation	Jules Epstein	9/27/2017	N	195	N		N		N	Erica Lannon	9/27/2017	Y		N	195	N		5	Y		N
Roots and Wings Community School	Resignation	Heidi Martinez	2/1/2018	N	68	N				N	Keaton Karvis	2/28/2018	Y		N	41	N		5	Y		Unknown
Roots and Wings Community School		New Position									Robin Mayo	4/18/2018	N/A		Y		N		6	Y		Unknown

Six Directions Indigenous School	Resignation	Ben Soce	5/9/2018	Y		Y		N		N												
Student Athlete Headquarters Academy	Resignation	Bettina Eklund	4/16/2018	N	2	Y		N		N	Donna Trujillo	4/13/2018	Y		N	5	N		5	Y		N
Student Athlete Headquarters Academy		New Position									Shawn Fisher	4/13/2018	N/A		N	5	N		6	Y		N
Student Athlete Headquarters Academy	Resignation	Shawn Fisher	5/21/2018	Y		Y		N		N	Lonnie Neal	5/18/2018	Y		Y		N		5	Y		Unknown
Student Athlete Headquarters Academy	Resignation	David Beach	5/31/2018	Y		Y		N		N	Ian Sunderland?											
The MASTERS Program	Resignation	Monique Anair	3/27/2018	Y	0	Y		N		Y	Shalimar Krebs	5/8/2018	Y		Y		Y		7	Y		Unknown
The MASTERS Program	Resignation	Bernadette Jacobs	5/31/2018	Y		Y		N		Y												
The New America School-Las Cruces	Resignation	Toby Rue	5/10/2018	Y				N		N												
The New America School-New Mexico	Resignation	Rick Bela	5/12/2018	Y		Y		N		N	Antoni Baca	4/11/2018	Y		N	4	Y	0	7	Y		N
Turquoise Trail Community Charter		Originally thought to be									Mira Burack	8/17/2017					N					
Turquoise Trail Community Charter		Originally thought to be									German Franco	8/17/2017					N					
Turquoise Trail Community Charter	Resignation	German Franco	3/15/2018	Y		N					Jennifer Trujillo	3/15/2018	Y		N	43	Y		7	Y		Unknown
Turquoise Trail Community Charter	Removal	Kenney Valdez	3/15/2018	Y		N																
Turquoise Trail Community Charter	Removal	George Wallace	3/15/2018	Y		N																
Turquoise Trail Community Charter	Resignation	Isabelle Sandoval	4/17/2018	N	18	Y		N		N									6	N		



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CHRISTOPHER N. RUSZKOWSKI
SECRETARY OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

June 12, 2018

Telletha Valenski
Dream Diné Community 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

Below is a list of your school's current violations of the above provisions of law and contract:

1. On December 18, 2017, Lance Whitehair joined the board.
 - a. Notification of the designation was due on or before January 17, 2018.

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 of the designation was received by the CSD on April 4, 2018, which was 107 days after the notice of resignation. The Affidavit signed by Mr. Whitehair has not yet been received.
 - ii. The school failed to provide notification and documentation of the change within 30 days.
 - b. Mr. Whitehair failed to complete mandatory training prior to voting.
 - i. The school failed to fulfill training required by 6.80.5.8.B NMAC prior to voting and did not submit a waiver as per 6.80.8.C (2) NMAC.
2. On April 9, 2018 a letter of resignation was received from Lance Whitehair.
 - a. Notification of the resignation was due on or before May 9, 2018
 - i. Notification and supporting documentation of this change was received on May 10, 2018, which was 31 day 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 May 24, 2018. The position has not been filled and has been vacant 64 days.
 - 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.
3. On April 12, 2018, a letter of resignation was received by Sierra Frank-Ignacio.
 - a. The vacancy created by this change in membership was required to be filled on or before May 27, 2018. The position has not been filled and has been vacant 61 days.
 - i. No request for an extension to fill the vacancy was received.
 - ii. This position was not filled within the 45 days required by charter contract.

Although notifications 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 provide any missing documentation and review regulations governing the proper training of governing board members. Also, 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 Division

cc: Stephanie Vicente, Head Administrator



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CHRISTOPHER N. RUSZKOWSKI
SECRETARY OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

June 12, 2018

Juan Vigil
The New America School-New Mexico
1734 Isleta Blvd., SW
Albuquerque, NM 87105

Dear Mr. Vigil:

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

Below is a list of your school's current violations of the above provisions of law and contract:

1. On April 11, 2018, Antoni Baca joined the board.
 - a. Notification of the designation was due on or before May 11, 2018.
 - i. Notification of the designation was received by the CSD on May 15, 2018, which was 34 days after the notice of resignation.

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.

- ii. The school failed to provide notification and documentation of the change within 30 days.
- b. Mr. Baca failed to complete mandatory training prior to voting.
 - i. The school failed to fulfill training required by 6.80.5.8.B NMAC prior to voting and did not submit a waiver as per 6.80.8.C (2) NMAC.

Although notification and 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 review regulations governing the proper training of governing board members. Also, 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 Division

cc: LaTricia Mathis, Principal



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CHRISTOPHER N. RUSZKOWSKI
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SUSANA MARTINEZ
GOVERNOR

June 12, 2018

Senator Mark Boitano
New Mexico Connections Academy
4001 Office Court, Suite 201-204
Santa Fe, NM 87507

Dear Senator Boitano:

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 19, 2018, a letter of resignation was received from Maria-Guadalupe Salomé Gurulé.
 - a. Notification of the resignation was due on or before February 28, 2018.
 - i. Notification of the resignation was received by the CSD on May 11, 2018, which was 102 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."

- b. The vacancy created by this resignation was required to be filled or closed on or before March 15, 2018.
 - i. No request for an extension to fill the vacancy was received.
 - ii. This position was not filled within the 45 days required by charter contract.
 - iii. On May 29, 2018, his position was closed by vote in an open meeting, which was 120 days after the resignation. Supporting documentation has not been received.

Although notification has 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: Ramoncita Arguello, Principal



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SECRETARY OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

June 12, 2018

Michael Rael
Roots and Wings Community School
HC 81 box 72
35 La Lama Road
Questa, NM 87556

Dear Judge Rael:

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

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 September 27, 2017, the resignation of Jules Epstein was accepted. No letter of resignation has been submitted; the actual date of resignation is unknown.

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.

- a. Notification of the resignation was due on or before October 27, 2017.
 - i. Notification of the resignation was received by the CSD on May 10, 2018, which was 225 days after the acceptance of resignation. Supporting documentation has not been received.
 - ii. The school failed to provide notification of the change within 30 days.
2. On September 27, 2017 a new member, Erica Lannon was designated. Supporting documentation has not been provided.
 - a. Notification of the change in membership was due on or before October 27, 2017.
 - i. Notification and supporting documentation of this change was received on May 10, 2018, which was 225 days after the change in membership.
 - ii. The school failed to provide notification of the change within 30 days.
 - b. Ms. Lannon failed to complete mandatory training prior to voting.
 - i. The school failed to fulfill training required by 6.80.5.8.B NMAC prior to voting and did not submit a waiver as per 6.80.8.C (2) NMAC.
3. On February 1, 2018, the resignation of Heidi Martinez was accepted. No letter of resignation has been submitted; the actual date of resignation is unknown.
 - a. Notification of the change in membership was due on or before March 3, 2018.
 - i. Notification and supporting documentation of this change was received on May 10, 2018, which was 98 days after the change in membership.
 - ii. The school failed to provide notification of the change within 30 days.
4. On February 28, 2018, a new member, Keaton Karvis was designated. Supporting documentation has not been provided
 - a. Notification of the change in membership was due on or before March 30, 2018.
 - i. Notification and supporting documentation of this change was received on May 10, 2018, which was 71 days after the change in membership.
 - ii. The school failed to provide notification of the change within 30 days.
 - b. Mr. Karvis failed to complete mandatory training.
 - i. The school failed to fulfill training required by 6.80.5.8.B NMAC and did not submit a waiver as per 6.80.8.C (2) NMAC.
5. On April 18, 2018 a new member, Robin May, was designated to serve on the board.
 - a. Ms. Mayo failed to complete mandatory training prior to voting.
 - i. The school failed to fulfill training required by 6.80.5.8.B NMAC prior to voting and did not submit a waiver as per 6.80.8.C (2) NMAC.
6. Information was received by the PED that Mr. Karvis has left the board.

- i. Notification and supporting documentation of this change has not yet been received.
- ii. The school failed to provide notification of the change within 30 days.

Although notifications 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 provide any missing documentation and review regulations governing the proper training of governing board members. Also, 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 Division

cc: Randy Green, Director



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SECRETARY OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

June 12, 2018

Gary Stepic
Student Athlete Headquarters Academy (SAHQ)
1404 Lead, SE
Albuquerque, NM 87106

Dear Mr. Stepic:

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. On April 13, 2018, a new member, Donna Trujillo, was designated. Supporting documentation has not been provided.
 - a. Notification of this change in membership was due on or before May 13, 2018.

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 of the change was received by the CSD on May 18, 2018, which was 35 days after the change in membership. Supporting documentation has not been received.
 - ii. The school failed to provide notification of the change within 30 days.
 - b. Ms. Trujillo failed to complete mandatory training prior to voting.
 - i. The school failed to fulfill training required by 6.80.5.8.B NMAC and did not submit a waiver as per 6.80.8.C (2) NMAC.
2. On April 13, 2018, a new member, Shawn Fisher, was designated. Supporting documentation has not been provided.
 - a. Notification of the change in membership was due on or before May 13, 2018.
 - i. Notification and supporting documentation of this change was received on May 18, 2018, which was 35 days after the resignation.
 - ii. The school failed to provide notification of the change within 30 days.
 - b. Mr. Fisher failed to complete mandatory training prior to voting.
 - i. The school failed to fulfill training required by 6.80.5.8.B NMAC prior to voting and did not submit a waiver as per 6.80.8.C (2) NMAC.
3. On April 16, 2018, the school received the resignation of Bettina Eklund.
 - a. Notification of the change in membership was due on or before May 16, 2018.
 - i. Notification and supporting documentation of this change was received on May 18, 2018, which was 32 days after the change in membership.
 - ii. The school failed to provide notification of the change within 30 days.
4. On April 18, 2018 a new member, Robin May, was designated to serve on the board.
 - a. Ms. Mayo failed to complete mandatory training prior to voting.
 - i. The school failed to fulfill training required by 6.80.5.8.B NMAC prior to voting and did not submit a waiver as per 6.80.8.C (2) NMAC.

Although notifications 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 provide any missing documentation and review regulations governing the proper training of governing board members. Also, 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 Division

cc: Amy Jaramillo, Director



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SECRETARY OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

June 12, 2018

Floyd Trujillo
Turquoise Trail Community Charter School
13A San Marcos Loop
Santa Fe, NM 87508

Dear Mr. Trujillo:

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 May 4, 2017, Mr. Kenney Valdez should have been removed from the governing board due to non-attendance, as per the school's bylaws.
 - a. Minutes indicate his lack of attendance until March 15, 2018 when the school voted to establish its governing board, which was 315 days after the required removal date. No formal vote to remove Mr. Valdez was taken.
 - i. The school failed to follow policy established in its bylaws³.
2. On September 21, 2017, Mr. George Wallace should have been removed from the governing board due to non-attendance, as per the school's bylaws.
 - a. Minutes indicate his lack of attendance until March 15, 2018 when the school voted to establish its governing board, which was 175 days after the required removal date. No formal vote to remove Mr. Wallace was taken.
 - i. The school failed to follow policy established in its bylaws.
3. On August 17, 2017, a new board member, Mira Burak, joined the board. A Statement to Consult with PED was never submitted.
 - a. The school failed to provide supporting documentation of the change.
4. On August 17, 2017, a new board member, German Franco, joined the board. A Statement to Consult with PED was never submitted.
 - a. The school failed to provide supporting documentation of the change.
5. On January 4, 2018, Mr. German Franco should have been removed from the governing board due to non-attendance, as per the school's bylaws.
 - a. Minutes indicate his lack of attendance until March 15, 2018 when the school voted to establish its governing board, which was 70 days after the required removal date. No formal vote to remove Mr. Franco was taken.
 - i. The school failed to follow policy established in its bylaws.
6. The failure to remove Mr. Valdez, Mr. Wallace, and Mr. Franco in a timely manner caused the board membership to increase to eight members in October. Three meetings were subsequently conducted with only four members.
 - a. The school's bylaws indicate a simple majority constitutes a quorum. A simple majority of eight members is five members. No quorum was established.
 - i. The school failed to follow policy established in its bylaws.
7. On March 15, 2018, the school voted on membership for the board, including a new member, Jennifer Trujillo. No formal vote to designate Ms. Trujillo was taken. Board membership included seven seated members.

³ Available here: <https://echalk-slate-prod.s3.amazonaws.com/private/schools/2246/resources/32888ca2-32c0-4db6-b295-757e164bd2c0?AWSAccessKeyId=AKIAJSZKIBPXGFLSZTYQ&Expires=1812368101&response-cache-control=private%2C%20max-age%3D31536000&response-content-disposition=%3Bfilename%3D%22TTCSBylaws2009.pdf%22&response-content-type=application%2Fpdf&Signature=pMMfxKTbbIc1AUaq0tg1TL5Uvp0%3D>

- a. No training has been completed by Ms. Trujillo up to this date.
 - i. The school failed to fulfill training required by 6.80.5.8.B NMAC prior to voting and did not submit a waiver as per 6.80.8.C (2) NMAC.
- 8. On April 17, 2018, the school received a letter of resignation from Isabelle Sandoval.
 - a. Notification of the change of membership was due on or before May 17, 2018.
 - i. Notification was provided on June 4, 2018, which was 48 days after the change of membership.
 - 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 June 1, 2018.
 - i. No request for an extension to fill the vacancy was received.
 - ii. This position was not filled within the 45 days required by charter contract.
 - c. With the resignation of Ms. Sandoval, board membership dropped to 6 members. The school's bylaws state the board shall have "no less than 7 members".
 - i. The school failed to follow policy established in its bylaws.

Although notifications and 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 review regulations governing the proper training of governing board members. Also, 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 Division

cc: Dr. Ray Griffin, Head Administrator