

AGENDA ITEM EXECUTIVE SUMMARY

- I. Public Education Commission Meeting Date: July 18, 2018
- II. Item Title: Discussion and Possible Action on Governance Changes and Reporting Policy Non-Compliance
 - A. Albuquerque Institute of Math and Science at UNM
 - B. The New America School-Las Cruces
 - C. Student Athlete Headquarters (SAHQ)
 - D. Turquoise Trail Community Charter School
 - E. Roots and Wings Community School
 - F. Dził Dítł'ooi School of Empowerment, Action and Perseverance (DEAP)
- III. Summary and Proposed Motions:

Issue(s):

- A. Albuquerque Institute of Math and Science at UNM has added a board member, but has not reported that designation. It is unclear if there was an accompanying resignation.
- B. The New America School-Las Cruces compliance concerns have been resolved.
- C. Student Athlete Headquarters (SAHQ) has had four (4) designations, and two (2) resignations. No documentation has been provided.
- D. Turquoise Trail Community Charter School compliance concerns have been resolved.
- E. Roots and Wings Community School has had four (4) resignations and three (3) designations. The school has not provided complete documentation for any of these changes. The school has not provided notice for two of these changes.
- F. Dził Dítł'ooi School of Empowerment, Action and Perseverance (DEAP) has had one (1) designation for which the school has failed to provide complete documentation.

Proposed Motion(s):

School Governance Change

Albuquerque Institute for Mathematics and Science (AIMS)

On November 9, 2017, a new member, Dr. Sandy Whisler, was designated to the governing board. No notification or documentation has been provided by the school.

Since notification was not provided, it is unclear whether Dr. Whisler filled a vacancy on the board, or if the position was new.

As per minutes from an April 12, 2018 board meeting, Dr. Whistler voted prior to training. Her Introductory training was completed on May 22, 2018. As per those same minutes, the board currently has 8 seated members.

The school has failed to provide the necessary notification and documentation and is out of compliance with its charter contract and PEC policy.



Regular Meeting

Albuquerque Institute for Mathematics and Science Governing Council

Date: **November 9, 2017**

Time: 11:30 am

Location: First floor conference room, 933 Bradbury SE

Meeting Type: Regular Special Proposed Approved

Attendance:

Members:	Present	Absent
Bob Walton, Vice President	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dr. Kathryn Watkins, President	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joe Fortuin, member	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dr. David Dunlap	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dr. Joe Ho	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Steven Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ganesh Balakrishnan	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Other Attendees: Kathy Sandoval-Snider, Jolene Jaramillo, Martin Esquivel, Pete Spokus
 Meeting was brought to order at 11:40 am

I. **Approval of October Minutes** Watkins

Action Requested: Approve October Minutes
Motion: Dunlap
Second: Ho
No correction or objection: unanimously approved

II. **Approval of Agenda:** Watkins

Action Requested: Approval of agenda .
Motion: Balakrishnan
Support: Ho
As amended- unanimously approved

III. **Comments from the community: none**

A copy of the meeting minutes are available for public inspection at Albuquerque Institute for Math and Science at 933 Bradbury SE, Albuquerque, NM 87106, within 10 calendar days for proposed minutes and 2 calendar days of approval for approved minutes.

The AIMS@UNM shall comply with subtitle A of Title II of the Americans with Disabilities Act of 1990. Should you require specific accommodation(s) please contact Katharina Sandoval-Snider at (505) 559-4249 5 business days prior to the meeting



IV. Finance Committee Report: Financial Items: Regular Jaramillo and Sandoval

Finance committee examined vouchers, including a sample of five warrants. They also examined payroll and liabilities for October 2017 and found them to be in order. Dunlap and Smith reviewed and recommend approval.

Monthly items (vouchers, BAR's, etc.)

BAR 1718-0010-M Change to reflect actual cost of Marketing

Action Requested: Approval of BARS as presented

Motion : Smith

Support: Dunlap

Ayes: 7 Nays: 0

Action Requested: Approval of Payroll and Vouchers as presented

Motion : Smith

Support: Dunlap

Ayes: 7 Nays: 0

Update of Audit:

Jaramillo

An exit conference was held with Smith, Cordova, and Sandoval. No details were given. When audit is released by State Auditor, a report will be given to the Board.

V. Review of Dr. S. Whisler for membership on AIMS Governance Council. Sandoval

Dr. Whisler's vitae was presented to the Governance Council. Walton and Dunlap stated how impressive was Dr. Whisler's background and encouraged approval.

Action Requested: Approval of Dr. Sandra Whisler for membership on the AIMS@ UNM Governance Council.

Motion : Walton

Support: Smith

Ayes: 7 Nays: 0

A copy of the meeting minutes are available for public inspection at Albuquerque Institute for Math and Science at 933 Bradbury SE, Albuquerque, NM 87106, within 10 calendar days for proposed minutes and 2 calendar days of approval for approved minutes.

The AIMS@UNM shall comply with subtitle A of Title II of the Americans with Disabilities Act of 1990. Should you require specific accommodation(s) please contact Katharina Sandoval Snider at (505) 559 4249 5 business days prior to the meeting.



VI.

School Director Report

Sandoval

1. **Elemental Auction : PTA-wine and cheese. Auction of pieces of art and donations. Wonderful turnout and great event. I spoke briefly at the event.**
2. **Over 2 dozen student inducted into the National Honor Society on Thursday. I attended the event.**
3. **Meeting with Dr. Roth, Chancellor of UNMH. Martin Esquivel and I attended.**
4. **Discussion with Dr. Abdulla and myself about the future of AIMS@UNM. Dr. Abdulla reiterated the support of UNM for AIMS.**
5. **Reminder, we have a Facebook page and a twitter account. I encourage Board to subscribe. Can do so through Facebook. Twitter is #AimsUnm and Facebook is AIMS-UNM. These accounts are being monitored by PS Marketing.**
6. **Facebook: GetRealRioRancho: video of support for AIMS. We have decided to speak at the School Board Meeting on 11/13. We will be looking to fill the room and ask people to sign up for public forum to ask the School Board to drop the lawsuit. Let's get as many people as possible to show up.**
7. **Will be moving to "Student Services Building" mid December. We are on the hook for renovations, which will probably be around \$20,000.00. We will be losing 7 classrooms at the main site, however the new facility has more room, and increase in classroom space, and will allow students to be housed in two buildings rather than 4.**

VII.

Closed Session during the regular meeting of the Governance Council, pursuant to Section 10-15-1(h)(7) NMSA 1978 to discuss legal action against Rio Rancho Public Schools

Action Requested: Motion to go in to closed session

Motion : Smith

Support: Walton

Ayes: 7 Nays: 0

A copy of the meeting minutes are available for public inspection at Albuquerque Institute for Math and Science at 933 Bradbury SE, Albuquerque, NM 87106 within 10 calendar days for proposed minutes and 2 calendar days of approval for approved minutes.

The AIMS@UNM shall comply with subtitle A of Title II of the Americans with Disabilities Act of 1990. Should you require specific accommodation(s) please contact Katharina Sandoval Snider at (505) 559-4249 5 business days prior to the meeting.



Albuquerque Institute for Mathematics and Science
933 Bradbury SE Albuquerque, New Mexico 87106
(505) 559-4249 www.aims-unm.org

Action Requested: Motion to go out of closed session

Motion : Smith

Support: Walton

Ayes: 7 **Nays:** 0


School General Council discussed current proceedings with current lawsuit, as well as potential litigation by the school. No business was discussed except that listed as the reason for closed session.

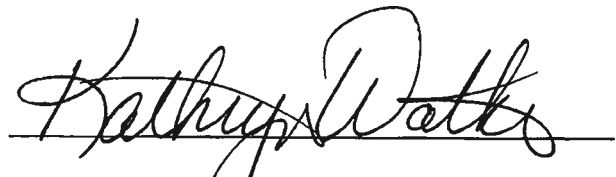
No vote taken.

X. Other Business: none

VI. Adjourn
Meeting adjourned at 1:18 pm

Respectfully Submitted:


Katharina Sandoval-Snyder
Director


Dr. Kathryn Watkins

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The AIMS@UNM shall comply with subtitle A of Title II of the Americans with Disabilities Act of 1990. Should you require specific accommodation(s) please contact Katharina Sandoval Snider at (505) 559-4249 5 business days prior to the meeting.



Regular Meeting
 Albuquerque Institute for Mathematics and Science Governing Council

Date: April 12, 2018

Time: 11:30 am

Location: Sherman McCorkle Conference Room-1155 University Blvd.

Meeting Type: Regular Special Proposed Approved

Attendance:

Members:	Present	Absent
Bob Walton, Vice President	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dr. Kathryn Watkins, President	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joe Fortuin, member	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dr. David Dunlap	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dr. Joe Ho	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Steven Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ganesh Balakrishnan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dr. Sandra Whisler	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Other Attendees: Kathy Sandoval-Snider, Jolene Jaramillo, Martin Esquivel.

Meeting was brought to order at 11:35 am

I. **Approval of February Minutes** Watkins

Action Requested: Approve November Minutes
Motion: Walton
Second: Fortuin
No correction or objection: unanimously approved

II. **Approval of Agenda:** Watkins

Action Requested: Approval of agenda .
Motion: Smith
Support: Walton
No correction or objection- unanimously approved

III. **Comments from the community: none**

A copy of the meeting minutes are available for public inspection at Albuquerque Institute for Math and Science at 933 Bradbury SE Albuquerque, NM 87106, within 10 calendar days for proposed minutes and 2 calendar days of approval for approved minutes.

The AIMS@UNM email complies with subtitle A of Title II of the Americans with Disabilities Act of 1990. Should you require specific accommodations please contact Katharina Sandoval Snider at (505) 559-4249 3 business days prior to the meeting.



IV. Finance Committee Report: Financial Items: Regular Jaramillo and Sandoval

Finance committee examined vouchers, including a sample of five warrants. They also examined payroll and liabilities for March and April 2018 and found them to be in order. Dunlap and Smith reviewed and recommend approval.

Monthly items (vouchers, BAR's, etc.)

BAR 1718-0014-M	11000-Operational	\$-
BAR 1718-0015-M	11000-Operational	\$-
BAR 1718-0016-M	31600-HB-33	\$-
BAR 1718-0019-I	24154-Title II	\$888

Action Requested: Approval of BARS as presented

Motion : Smith

Support: Dunlap

Ayes: 8 Nays: 0

Action Requested: Approval of Payroll and Vouchers as presented

Motion : Smith

Support: Dunlap

Ayes: 8 Nays: 0

- Next meeting is May 10, which is the budget meeting.
- Jaramillo also passed around the signature sheet of the lease assistance application for Board member signature.
- Jaramillo is preparing an RFP for legal and marketing services.

V. School Director Report Sandoval

Sandoval differed her report to allow for greater time in closed session. She will send out a separate report to Board members at a later date, to be posted on the website.

VI. Closed Session to discuss limited personnel matters and report of investigation by M. Esquivel pursuant to Section 10-15-1 (H)(7) NMSA 1978.

Prior to going in to closed session, Dr. Dunlap cited a conflict of interest and left the meeting.

A copy of the meeting minutes are available for public inspection at Albuquerque Institute for Math and Science at 933 Bradbury SE, Albuquerque, NM, 87106, within (1) calendar days for proposed minutes and 2 calendar days of approval for approved minutes.

The AIMSE/ISM shall comply with subtitle A of Title II of the Americans with Disabilities Act of 1990. Should you require specific accommodations please contact: Katharina Sandoval-Solter at (505) 559-4249 5 business days prior to the meeting.



Action Requested: Motion to go in to closed session

Motion : Walton

Support: Fortuin

Ayes: 7 Nays: 0

Dr. Ho left meeting at 12:45 pm due to another appointment.

Action Requested: Motion to go out of closed session

Motion : Walton

Support: Whisler


Ayes: 6 Nays: 0

School General Council presented board with results of his investigation. No business was discussed except that listed as the reason for closed session.

No vote taken.

- | | | |
|-------------|--|-----------------|
| VII | New Mexico Charter School Sub-grant
Deferred until next meeting | Sandoval |
| VIII | Electronic Equipment Policy Approval
Deferred until next meeting. | Sandoval |
| IX. | New Business
Walton discussed potential new Board member. He will send a vitae to the Board next week. | |
| VI. | Adjourn
Meeting adjourned at 1:15 pm | |

Respectfully Submitted:


Katharina Sandoval-Sneider
Director

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The AIMS@UNM shall comply with subtitle A of Title II of the Americans with Disabilities Act of 1990. Should you require specific accommodations please contact Katharina Sandoval-Sneider at (505) 559-4249 5 business days prior to the meeting.

From: ksandoval@aims-unm.org
To: [Pierce, Laurel, PED](mailto:Pierce_Laurel_PED)
Subject: RE: FW: Governing Board Member Contact Information
Date: Monday, January 22, 2018 1:50:22 PM

Sorry, we've been having some technical difficulties. I'll walk it over to her

-----Original Message-----

From: "Pierce, Laurel, PED" <Laurel.Pierce@state.nm.us>
Sent: Monday, January 22, 2018 1:40pm
To: "Sandoval-Snider, Kathy" <ksandoval@aims-unm.org>
Subject: FW: Governing Board Member Contact Information

Hello Ms. Sandoval-Snider,

I have been trying to reach your governing body president, Kathryn Watkins, but have received an "Undeliverable" message. The email address I have on file is kwatkins@aims-unm.org. I am forwarding this to you to ensure our governing board information is complete and up-to-date. Please return this form as soon as possible so we may update our 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
Sent: Monday, January 22, 2018 12:14 PM
To: Schools, Charter, PED
Subject: Governing Board Member Contact Information

Dear Governing Board President/Chair:

To assist in tracking board membership and training hours, the Public Education Department requests the attached form be filled out and returned.

Please remember that all governing board changes should be reported to the Public Education Commission within 30 days of the event as per Section 8.10(B) of your charter contract. If you have difficulty obtaining the appropriate forms due to website difficulties, please contact me and I will send them to you directly until the website is completely functional. If you have any questions, please let me know.

Thank you,

Laurel Pierce
Technical Assistance, Training and Support Program Coordinator
Charter Schools Division
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Katharina Sandoval-Snider Principal, Albuquerque Institute for Mathematics and Science at UNM

From: [Pierce, Laurel, PED](#)
To: [Sandoval-Snider, Kathy](#)
Subject: Governing Board Addresses
Date: Tuesday, March 20, 2018 1:35:00 PM

Hello Kathy,

After an email to all governing body members had been sent out, we received undeliverable messages on all of your members, except Mr. Balakrishnan, for whom we have no address. I tried to contact Dr. Watkins individually, but neither email address I had for her could be delivered. Would you please confirm email addresses for the following:

David Dunlap ddunlap@aims-unm.org

Joe Fortuin jfortuin@aims-unm.org

Joseph Ho jho@aims-unm.org

Steven Smith ssmith@aims-unm.org

Ganesh Balakrishnan **NO EMAIL ADDRESS ON FILE-PLEASE PROVIDE**

Robert Walton bwalton@aims-unm.org

Kathryn Watkins kwatkins@aims-unm.org

If these are incorrect or have been changed, please let us know the current email addresses so that we may update our files.

Thank you for your assistance,

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

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From: [Pierce, Laurel, PED](#)
To: "kwatkins@aims-unm.org"
Subject: New Board Member
Date: Monday, May 07, 2018 12:06:00 PM

Hello Dr. Watkins,

Dr. Sandra Whisler has registered for the Introductory Training Course to be held on May 22nd. We have no records of membership. Is this a new member on your board?

Thank you,

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

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Santa Fe, NM 87501

www.ped.state.nm.us

From: [Archuleta, Dolores, PED](#)
To: kwatkins@aims-unm.org
Cc: [Sandoval-Snider, Kathy](#); [Pierce, Laurel, PED](#)
Subject: Governing Board status
Date: Thursday, May 17, 2018 4:23:40 PM

Dr. Watkins,

In following up with our Charter Schools regarding governing body disclosures and/or updates, we noticed that on your November 9, 2017 Governing Council Meeting Minutes, that Dr. Sandra Whisler has joined your board. It has been over 30 days since her start date, but we have not received any documentation regarding her designation. Please remember that according to 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 submit documentation for these changes immediately to correct this compliance issue. These changes will be submitted to the PEC for review in June. If you are having difficulty accessing the forms, they may be found here <https://webnew.ped.state.nm.us/bureaus/charter-schools/charter-schools-resources/>

Please feel free to contact me should you have further questions regarding this matter.

Dolores E. Archuleta

**Executive Secretary Administrative Assistant
State of NM Public Education Department
Options for Parents and Families
Charter Schools Division & Home Schools
Jerry Apodaca Education Building
300 Don Gaspar St.
Santa Fe, NM 87501
505-827-6909**

Dolores.archuleta@state.nm.us
<http://ped.state.nm.us/ped/CharterSchoolsIndex.html>

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From: [Pierce, Laurel, PED](#)
To: ["kwatkins@aims-unm.org"](mailto:kwatkins@aims-unm.org)
Cc: [Sandoval-Snider, Kathy](#); [Poulos, Katie, PED](#); [Archuleta, Dolores, PED](#)
Subject: Governing Board Change
Date: Friday, July 06, 2018 12:06:00 PM
Attachments: [Governance Membership Contact Form.pdf](#)
[Governing Board Addresses email 3.20.18.pdf](#)
[Governing Board status email 5.17.18.pdf](#)
[New Board Member Request Email 5.7.18.pdf](#)
[RE FW Governing Board Member Contact Information.pdf](#)

Dear Dr. Watkins:

It has come to our attention that notification and documentation for the designation of Dr. Sandy Whisler to your governing board has still not been provided. Minutes indicate that Dr. Whisler joined the board November 9, 2017. This information should have been reported to your authorizer by December 9, 2017, and is currently 209 days overdue. 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.

You are currently out of compliance with your charter contract. There have been numerous attempts to contact you and the school regarding this oversight (please see attached emails). Please send the following documents immediately:

1. A Governing Body Membership Change Form
2. A signed and notarized Affidavit of Governing Body Member for Dr. Whisler
3. A Statement of Governing Body to Consult with PED form signed by all currently seated members
4. Approved minutes wherein Dr. Whisler's designation was approved by vote in an open meeting

In addition, please complete all fields and submit the attached Governance Membership Contact Form listing all currently serving members and their contact information. Information regarding the designation of Dr. Whisler will be included at the PEC meeting on July 18, 2018.

If you have any questions or need assistance in accessing any of the forms, please let me know.

Thank you,

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

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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

July 16, 2018

Dr. Kathryn Watkins
Albuquerque Institute for Mathematics and Science (AIMS)
933 Bradbury SE
Albuquerque, NM 87106

Dear Dr. Watkins:

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, an extension requested,¹ or the position closed.²

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.³

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

1. On November 9, 2017, a new member, Dr. Sandy Whisler, was designated to serve on the board.

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 Per PEC policy updated March 16, 2018: "In lieu of replacing a member, if the governing body still has at least five active members, the governing body may vote at a properly noticed meeting that it will not replace that member and that no additional members will be added until after the end of the school year."

³ Unless the board member completes the short term waiver process outlined in Section 6.80.5.8(C) NMAC.

- a. Notification of the designation was due on or before December 9, 2017.
 - i. Notification of the designation has not yet been received by the CSD which was 242 days after the resignation as of the above date. No documentation has been received.
 - ii. The school failed to provide notification of the change within 30 days.
- b. Dr. Whisler failed to complete mandatory training prior to voting.

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.

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,

Patricia Gipson, Chair
Public Education Commission

cc: Katharina Sandoval-Snider, Director



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

July 16, 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, an extension requested,¹ or the position closed².

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.³

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 Per PEC policy updated March 16, 2018: "In lieu of replacing a member, if the governing body still has at least five active members, the governing body may vote at a properly noticed meeting that it will not replace that member and that no additional members will be added until after the end of the school year."

³ Unless the board member completes the short term waiver process outlined in Section 6.80.5.8(C) NMAC.

1. On April 13, 2018, a new member, Donna Trujillo, was designated. Supporting documentation has not been provided.
 - a. Notification and supporting documentation of this change in membership was due on or before May 13, 2018.
 - i. Supporting documentation of the change has not been received. It is now 87 days after the designation.
 - ii. The school failed to provide notification of the change within 30 days.
 - b. Ms. Trujillo failed to complete mandatory training prior to voting. Ms. Trujillo has completed no training as per CSD records.
 - 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 and supporting documentation of the change in membership was due on or before May 13, 2018.
 - i. Supporting documentation of the change has not been received. It is now 87 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. Mr. Fisher has completed no training as per CSD records.
 - 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 May 21, 2018, a vacancy was created on the board by the resignation of Shawn Fisher. The vacancy created by this resignation was filled by the designation of Lonnie Neal on May 18, 2018.
 - a. Notification and supporting documentation of this change in membership was due on or before June 17, 2018.
 - i. Supporting documentation of the change has not been received. It is now 52 days after the designation.
 - ii. The school failed to provide supporting documentation of the change within 30 days.
 - b. Mr. Neal failed to complete mandatory training prior to voting. Mr. Neal has completed no training as per CSD records.
 - ii. 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.
4. On May 31, 2018, a vacancy was created on the board by the resignation of David Beach. The vacancy created by this resignation was potentially filled by the designation of Ian Sunderland. No notification of his designation has been received, so the date of designation is unknown.

- a. Mr. Sunderland attended Introductory training on June 22, 2018. Minutes are not posted on the website so it cannot be determined if Mr. Sunderland completed mandatory training prior to voting.

Although some 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,

Patricia Gipson, Chair
Public Education Commission

cc: Director of SAHQ Academy



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

July 16, 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 requested¹, or the position closed².

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.³

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 Per PEC policy updated March 16, 2018: "In lieu of replacing a member, if the governing body still has at least five active members, the governing body may vote at a properly noticed meeting that it will not replace that member and that no additional members will be added until after the end of the school year."

³ Unless the board member completes the short term waiver process outlined in Section 6.80.5.8(C) NMAC.

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.
 - a. Notification and supporting documentation of the resignation was due on or before October 27, 2017.
 - i. Supporting documentation of this change has not been received, which was 408 days after the acceptance of resignation.
 - ii. The school failed to provide documentation 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 and supporting documentation of the change in membership was due on or before October 27, 2017.
 - i. Supporting documentation of this change has not been received, which was 285 days after the change in membership.
 - ii. The school failed to provide documentation of the change within 30 days.
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. Supporting documentation of this change has not been received, which was 158 days after the acceptance of resignation.
 - ii. The school failed to provide documentation 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 and documentation of the change in membership was due on or before March 30, 2018.
 - i. Supporting documentation of this change has not been received, which was 131 days after the change in membership.
 - ii. The school failed to provide documentation 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 Mayo, was designated to serve on the board.
 - a. Notification and documentation of the change in membership was due on or before May 18, 2018.
 - i. Supporting documentation of this change has not been received, which was 52 days after the change in membership.

- ii. The school failed to provide documentation of the change within 30 days.
- b. Ms. Mayo failed to complete mandatory training prior to voting. Ms. Mayo has received no training as per CSD records.
 - 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.
- 7. Information was received by the PED that Stephen Abt 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.

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,

Patricia Gipson, Chair
Public Education Commission

cc: Mark Richert, Director



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CHRISTOPHER N. RUSZKOWSKI
SECRETARY OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

July 16, 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, an extension requested,¹ or the position closed.²

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

1. On April 11, 2018, a new member, Delmaline Muskett, was designated to serve on the board.
 - a. Notification of the designation was received by the CSD on June 7, 2018, which was 41 days after the designation.
 - i. 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 Per PEC policy updated March 16, 2018: "In lieu of replacing a member, if the governing body still has at least five active members, the governing body may vote at a properly noticed meeting that it will not replace that member and that no additional members will be added until after the end of the school year."

- b. Complete documentation for this designation has not yet been received. Approved minutes or a certification of vote wherein Ms. Muskett was designated have not yet been received.
 - i. The school failed to provide required documentation 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,

Patricia Gipson, Chair
Public Education Commission

cc: Louella Poblano, Head Administrator

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 or Certification 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
Albuquerque Institute for Mathematics and Science (AIMS)											Sandy Whisler	11/9/2017			N	212	N	212	8			
Albuquerque School of Excellence	Resignation	Unal Sakoglu	4/26/2018	N	38	Y	38	Y	Y													
Albuquerque School of Excellence	Resignation	Eric Coontz	5/15/2018	N	19	Y	19	Y	Y													
Cesar Chavez Community School	Resignation	Al Bodmer	5/14/2018	Y		Y		Y	Y													
Dzit Dit'Looi School of Empowerment Action and Perseverance (DEAP)	Removal	Ryan Dennison	3/7/2018	N	5	Y		N		N	Delmaline Muskett	4/27/2018	N	6	N	11	N	34	5	Y		Unknown
J. Paul Taylor Academy	Resignation	Dolores Conner	12/31/2017			Y					Robyn Rehbein	1/24/2018	Y		N	115	Y		10	Y		N
J. Paul Taylor Academy	Resignation	Yvette Turrieta	1/31/2018	N	101	N	101	Y	Y													
J. Paul Taylor Academy	Resignation	Suzan Martinez de Gonzales	6/25/2018	Y		Y		N		Y												
J. Paul Taylor Academy	Resignation	Ric Hernandez	6/30/2018	Y		Y		N		Y												
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											Robin Mayo	4/18/2018	N/A		Y		N		6	Y		N
Roots and Wings Community School	Resignation	Keaton Karvis	Unknown	N		N		N														
Roots and Wings Community School	Resignation	Stephen Abt	5/23/2018	N	19	N	19	N														
Student Athlete Headquarters Academy (SAHQ)											Shawn Fisher	4/13/2018	N/A		N	5	N		6	Y		N
Student Athlete Headquarters Academy (SAHQ)	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 (SAHQ)	Resignation	David Beach	5/31/2018	Y		Y		N		N	Ian Sunderland	Unknown										
The MASTERS Program	Resignation	Bernadette Jacobs	5/31/2018	Y		Y		N		Y	Lori Spillman	6/12/2018	Y		Y		Y	0	8	Y		
The New America School-Las Cruces	Resignation	Toby Rue	5/10/2018	Y				N		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		6/7/2018							6	N		6