

Esperanza Charter School

Esperanza Governance Board Bylaws and Operation Guidelines

Article I. Name of Office

1. The name of the institution is: Esperanza Charter School (“Esperanza”).
2. The Esperanza Charter School and Office is located at: 716 Don Diego, Espanola , New Mexico – 87533
3. Esperanza Mailing Address is :
Esperanza Charter School
c/o Dr Juanita Cata
P.O. Box 1
San Juan Pueblo, New Mexico
87566
4. Chief Executive Officer (CEO) : TBD

Article II. Purpose

1. Esperanza’ purpose is to develop and operate a charter school pursuant to the New Mexico Charter School Act of 1999 (NMSA 1978 §§ 22-8B-1 et seq. and 22-8B-15 et seq., as amended) and its pertinent regulations.
2. Esperanza will comply with all applicable federal, state, and local laws and Public Education Department (PED) and Authorizers regulations.
3. Esperanza affirms its commitment to the rights of all students, parents and employees.

Article III. Mission Statement

The Esperanza Charter School seeks to foster and encourage each child’s positive, total development based upon his/her individual strengths, skills, and learning style in grades K-8. We will operate a school that focuses on the needs of at-risk children. This category also can include children of families that the government now recognizes as “homeless” and whose backgrounds are quite varied, but with the result that there such uncertainty and lack of stability at home that it becomes extremely difficult for these students, despite their mental acumen, to do passing grade level work at school. This category also includes those students who do not perform as well as their classmates due to a variety of causes such as struggling with the effects of Autism, ADHD, dyslexia, processing deficits, psychological and neurological issues, and similar conditions.

The study of local agriculture and animal husbandry as well as Northern New Mexico arts and crafts that connect our current generation with a love, appreciation and pride for the work of their forefathers who have flourished in Northern New Mexico for generations, developing the traditions and culture that is incorporated in the challenging curriculum.

Article IV. Governance:

Esperanza Charter School is governed by its Governance Board, which acts as the **overseer** of its finances for the approved charter school, since the **Authorizer serves as the official Board of Finance**. The Governance Board has a responsibility to ensure that Esperanza operates in accordance with all applicable laws and regulations, complies with the Open Meetings Act (NMSA 1978-10-15), and meets its commitments to the Authorizer and or New Mexico Public Education Department (NMPED) as reflected in its charter. The Governance Board will delegate to the Chief Executive Officer the authority to operate and manage the program and implement the charter policies and procedures, facilities plans, budget and such other directives and policies adopted by the Governance Board. The Governance Board shall not be involved in the day-to-day operations of the school other than an advisory level.

Article V. Development and Size:

From the term that begins upon the approval of this charter, all members of the Governance Board shall begin their terms of office. The Board members must give their complete loyalty to the Charter Application, Assurances and to its Mission and set Goals stated on the Charter Application. Board member positions that become available on the Governance Board after this term shall be filled by the remaining majority vote of the Governance Board.

The Governance Board shall consist of five official board members.

The Governance Board from time to time, may also appoint a Special Committee with non-voting committee members composed of students, parents, community members and staff members with given special assignments and or duties. This aligns with our advisory required participation.

A Governance Board member will hold office as follows: half the members will hold two-year terms and half the members will hold three-year terms. Board members may serve two (2) consecutive terms. However, Board members may serve additional terms after being out for a least one (1) year after two consecutive terms. Terms will be staggered, so that approximately half of the Board's seats will be up for reassignment at any given time. The seats on the Governance Board shall be assigned as follows:

Seat 1- Term expires every two years, unless re-appointed.

Seat 2- Term expires every two years, unless re-appointed.

Seat 3- Term expires every three years, unless re-appointed.

Seat 4- Term expires every three years, unless re-appointed.

Seat 5- Term one- year term, to be held by a parent or someone to represent the parents.

The members of the Esperanza Governance Board may ordinarily organize their officer's positions (President, Vice President, and Secretary) or its organizational structure on the month of July, or at any time that the board wishes to by majority vote.

Article VI. Description of Positions:

The Governance Board will consist of: President, Vice President, Secretary and two additional officers. This decision will be determined by the entire Board.

President: The President will act as a liaison between the Governance Board and the Chief Executive Officer and Business Manager. The President will coordinate all orders and resolutions of the Governance Board with the Chief Executive Officer and Business Manager and will review progress with these individuals at their offices and at the Governance Board Meetings.

Vice President: The Vice President will have all powers and perform all duties of the President in the absence, resignation, or incapacity of the President.

Secretary: The Secretary will see that minutes are kept of all meetings of the Governance Board.

Note: **The Finance Committee**, which is composed of two Esperanza Board Members, Chief Executive Officer and Business Manager will comply with NM HEC/227 & 251.

Note: An officer of the Esperanza Governance Board may be removed from his/her duty as an **officer** by the Governance Board, whenever in its judgment the best interest would-be served thereby, and this can be accomplished by a majority vote of those members at a meeting duly called for that purpose. The Board member will remain on the Governance Board.

Article VII. Recruitment and Selection, None-Compensation, Orientation Process, Professional Development, Travel and Per-diem Expenses, Training Cost, Inclusive of Removal and or Replacement:

The Esperanza Governance Board Members will be considered, selected and appointed by the existing Governance Board from the Española Valley and neighboring communities. Due to the nature of the responsibilities of overseeing finances, construction, agricultural, community partnerships and educational programs and issues, Esperanza will recruit community members who have finance, business, construction, law, community involvement, school leadership experience and parenting experience. Governance Board members will serve on the Board on voluntary basis without expectation of monetary compensation or a stipend or mileage to attend monthly scheduled Board meetings.

Individuals wishing to serve on the Governance Board, due to a board member vacancy must submit their names, brief resumes, and a short statement outlining their interests, goals, and objectives in serving on the Governance Board to the Chief Executive Officer. The Chief Executive Officer will review the all applications and shall interview the qualified applicant(s). The Chief Executive Officer shall recommend the chosen successor at the next regular or special

board meeting and the nominee shall be considered and or approved by the majority of the Governance Board Members. If a Governance Board Member resigns, the member's seat will be filled by a majority vote of the remaining Governance Board member(s) through the established process and through the Chief Executive Officer's recommendation, until the expiration of the term without losing the opportunity for the two-term limit.

Newly elected board members will be expected to participate in trainings, to review the charter bylaws and content, and to review meeting minutes. The Governance Board will support new members by ensuring they feel prepared to participate in the decision-making process.

The Governance Board will attend training in charter school law, budget, policy, procurement code, open meetings act, code of ethics, Education Plan for Student Success (EPSS), or other strategic planning. The Esperanza Charter School is a member to the New Mexico Coalition for Charter Schools and its Board member will utilize the offered training, as appropriate. The Esperanza Governance Board is also a member to the New Mexico School Boards Association and the Board members will also utilize the offered training, as well. Esperanza will provide each Board member travel (Per-diem and Mileage) to attend training, conferences meeting, school related business and will cover training expenses, as appropriated by the Board.

Governance Board Members who wish to resign must do so with a least a thirty (30) day notice in writing to the Board President. The Board member who is resigning agrees to return all Esperanza equipment and materials.

Any Board member of the Governance Board may be removed by the Governance Board whenever in its judgment; the Board's best interest would be served thereby. This can be accomplished by a majority vote of those members present at a meeting duly called for that purpose.

If any Board member fails to attend two consecutive meetings of the Governance Board without a valid excuse and after having been notified by the President of such failure to attend, then said absent member shall in that case, be deemed to have resigned. However, the Governance Board shall have the power to excuse the absence of any Board member, who has a valid excuse.

A Board membership vacancy due to death, resignation or disqualification may be filled by the Governance Board for an unexpired portion of the term.

VIII. Code of Ethics:

The Esperanza Governance Board commits itself and its members to ethical, businesslike, and lawful conduct, including proper use of authority and appropriate decorum when acting as Board members.

- Board members must have **loyalty to the Charter's founding Mission and the Charter Application** and avoid conflicts caused by loyalties to staff, other organizations, any personal interests and or any self-centered groups or other special interest groups.

- Board members must avoid conflict of interest with respect to their fiduciary responsibility.
 - There will be no self-dealing of business by a member with the organization. Members must disclose any conflict of interest and then refrain from comment and voting. There shall be “No Business” with a Board members’ outside personal business or service(s) within sixty (60) days from the time of appointment and with the Board’s approval.
 - Board members will not use their position to obtain employment in the organization for themselves or family members. Board members must resign ninety (90) days prior to applying for employment.
- Board members will respect the confidentiality appropriate to issues of a sensitive nature.
 - All personnel discussion and other topics under the “New Mexico Open Meeting Act” must only occur in closed session and must be kept confidential.
 - Members must refrain from individual judgments of employees of the school.
 - Board members and designees are authorized to only repeat explicitly stated board decisions that were made in public to press, and other entities.
- Board members will be properly prepared for Board meetings, actions, and deliberation.
- Board members, to the best of their ability, will be prompt and consistent in their attendance of meetings.

IX. Conflict of Interest

- A.** Board members are prohibited from using confidential information acquired by virtue of their association with Esperanza Charter School or the Esperanza Governance Board members or the Esperanza Governance Board for their individual or another private gain or another organizations gain.
- B.** Board members are prohibited from requesting or receiving and accepting a gift or loan for them or another that tends to influence them or appear to influenced them in the discharge of their duties as a Board Member.
- C.** Business with suppliers will not be influenced or appear to be influenced by a Board Member’s financial interest.
- D.** Board members must not engage in activities which violate federal, state, or local laws or which, in any ways diminish the integrity and efficiency of the Esperanza Governance Board or Esperanza Charter School.
- E.** The Board will not initially employ or approve the initial employment of a Chief Executive Officer for Esperanza Charter School who is a Board members spouse, father, father-in-law, mother, mother-in-law, son, son-in-law or daughter, daughter-in-law in accordance with New Mexico State Statute (NMSA 22-8B-10),
- F.** From time to time, friends, acquaintances, parents, employees and others will ask a Board member for favors in terms of hiring and retaining of Esperanza employees as well as taking sides on matters of student discipline and other school matters. To the extent possible, Board members are to inform such individual(s) that as Board members, they

are not to take an active role in the day to day operations of Esperanza: however, such a Board member may certainly look into the matter by talking to the Chief Executive Officer, in order to assure that fairness and proper actions are being taken. No Board member is to feel that he/she has the power or authority or influence the day to day operations and decisions of Esperanza. The Governance Board shall not be involved in the day-to-day operations of the school other than an advisory level. Any perceived problem should be brought to the attention of the Board President for inclusion on the Board's agenda of such matter for discussion and policy remediation or other action that the Board may seek to take.

For Example: "A Charter Governance Board can hire or fire the Chief Executive Officer, but otherwise are not involved in any personnel issues other than as a hearing body for terminations and discharges. Consequently, a school Governance Board cannot call a special meeting to hear an employee's complaint, because if the employee is later fired, the board members would not be able to act as impartial "jurors" in the employees' termination or discharge hearing".

- G.** Esperanza shall not enter into any financial transaction with any Board member, any relative of a Board member, or any other person or entity in which the board member has a direct or indirect financial interest, unless: (a) the nature of the direct or indirect interest is fully disclosed to the board. (b) the transaction is expressly approved by majority of the Board: and (c) the Board member responds to a bid quotation or bid proposal and gives the lowest price for product(s), meals and or service(s).
- H.** Board members must, in all instances maintain their conduct at the highest standards.

X. Misuse of Position

No Board members shall use his/her position at Esperanza to attempt to influence the decision of any employee of Esperanza or grant special treatment to: (a) the child or ward of a Board member, (b) an employee, (b) a contractor, (c) any relative of a Board member, (d) any business enterprise, non-profit organization or other entity with respect to which a Esperanza Governance Board member has a direct or indirect financial interest.

XI. Policy Process and Adoption

It is the intent of the Governance Board to adopt policies that serve as guidelines for its own operations and for the successful and efficient functioning of the Esperanza Charter School. Policy adoption is one of the Governance Board responsibilities. Suggestions regarding the content of policies may originate with the Chief Executive Officer with input from different sources, if needed. A careful and orderly process shall be used in developing, examining, revising or repealing the policy (ies).

Policies are framed and intended to be interpreted within the context of applicable laws and regulations.

Changes in needs, conditions, purposes and objectives may require revisions, deletions and additional to the policies. The Charter school welcomes suggestions for ongoing policy review and revisions.

Adoption of new policies or revisions or repeal of existing policies is the responsibility of the Governance Board. Ordinarily the Board may follow one of two optional procedures in considering and adopting policies. Board members must understand the policy (ies) and their purpose before final action:

Option 1:

- A. First Reading – The policy is presented for review and discussion; and
- B. Second Reading- The policy is presented for discussion and action.

Option 2:

- A. Discussion, Adoption and /or Revisions of policy (ies) may take place at a single meeting when time is of essence.

Notation: A policy or policies may also be adopted or amended at single meetings of the Governance Board in a Board declared emergency or when the policy adoption or revision is required by a certain timeline, regulation or law. In the absence of a policy relating to a specific situation, the Chief Executive Officer will use his/her best judgment in arriving at a decision. The Chief Executive Officer will make his decision on what he /she senses will be if it existed based on the spirit and tenor of another existing policy.

XII. Governance Board Meetings and Rules of Procedure to Conduct a Meeting

The Governance Board will meet at regularly advertised monthly meetings ordinarily on the last Wednesday of the month. Special Meetings and Emergency Meetings may be called pursuant to the adopted “Esperanza Governance Board - Open Meeting Resolution”. All meetings will be open to the public. The public participants may attend the meeting and listen, unless individual have requested to be placed on the agenda through the established proper internal channels. The Governance Board will provide notices to comply with all provisions of the New Mexico Open Meetings Act. All meetings will be posted in the Esperanza Administration Office, Espanola Public School Administration Office and notices will be faxed to KDCE Radio Station and the local newspaper, The Rio Grande Sun upon request, in a timely manner and according to the provisions of the New Mexico Open Meetings Act (NMSA 1978.10.15). An agenda will be made public within the required hours before the Board meeting and contain items of business to be discussed and or acted on. A majority of the Board members shall constitute a quorum for the transaction of business. The general rules of procedures in conducting a meeting will be governed by a modified version of Robert’s Rules

of Order for School Boards through developed and approved the New Mexico School Board Association. All Board members may make motions and cast a vote, inclusive of the President.

A Board member may participate in a meeting of the Governance Board by means of conference telephone or similar communications equipment when it is otherwise difficult or impossible for the member or members to attend the meeting in person provided that each member participating in the conference telephone can be identified when speaking, all participants are able to hear each other at the same time and members of the public attending the meeting are able to hear any member of the public body who speaks during the meeting.

Public participation for public comment will be made available at a specific time in each agenda for a brief two (2) minute time frame per spokesperson. Public comment shall not be personal attack against students, parents, staff Chief Executive Office or Board Members. Personnel matters/ issues and or legal issues must be discussed in closed session.

When necessary the Governance Board may proceed into Executive Session as provided by “The New Mexico Open Meetings Act” to discuss confidential information pertaining to personnel matters, litigation, and acquisitions or sales of real property, etc. There shall be no action taken in executive session/closed session. Information discussed in Executive session shall remain confidential under New Mexico State Law. All other action items may be taken into open session as required by the New Mexico Open Meeting Act. Members of the Governance Board will be expected to adhere to the Code of Ethics for New Mexico School Board Members. Refer to Open Meetings Act. A majority vote will be required to pass a vote on school matters.

Article XIII. Board Minutes:

A record of all actions of the Governance Board will be set forth in the official minutes of the Governance Board. The Board agendas are reflected in the minutes and approved resolutions will be kept on file as permanent official records of Esperanza. The Chief Executive Officer will delegate such duty to an executive secretary or another designee to take the minutes of all Board meeting , inclusive of recording actions and provide a written copy of the minutes thereof for approval at the next regular board meeting.

Article XIV. Parental Involvement and /Community Partnerships:

Esperanza Governance Board is committed to parental involvement and community involvement to further utilize resources needed to maximize student potential for success. Our parent cooperative model which is implemented through the Parent Advisory Committee (PAC) forms partnerships for parents to be actively involved in their child’s educational growth through advisory roles.

The Parent Advisory Committee (PAC) is a representative structure elected from within its parents for parental involvement, through which they can become involved in working in partnership with school management and staff for the benefit of the school and its students. The

Parent Advisory Committee brings a forum to shared ideas and interests to support the program. Part of the Parent Advisory Committee's duties will be to do some fund raising activities, organize parent in activities and assign a parent liaison to report to the Chief Executive Officer and the Governance Board. This will ensure that decision making will be shared among all those associated with the school. The parent liaison has no voting powers in the Governance Board. Community partners will also be identified in order to strengthen our programs as well.

XV. Decision Making:

The decisions and role of the Esperanza Governance Board are in the areas such as policy, budgeting, curriculum, contracts, and facilities rests in the voting members of the Governance Board. The Governance Board does hire its Chief Executive Officer and by New Mexico State Law the Head Administrator /Chief Executive Officer /Chancellor has full authority to employ, reassign, discharge, terminate and or suspend the employees of Esperanza. The Authorizer / New Mexico Public Education Department (State Board of Education Rules and Regulations) requires the Governance Board to be accountable for content standards, benchmarks, performance standards, Common Core Standards , NCA Accreditation , NMPED State Accreditation, standardized testing, and the Esperanza Charter School Report Card published by the New Mexico Public Education Department. Esperanza Governance Board will uphold all those New Mexico State Laws, New Mexico Public Education Department and or Authorizers requirements.

The Esperanza Governance Board will make known and delegate all programs, policies, procedures, fiscal and otherwise, to the Chief Executive Officer and his appointed Business Manager, who will then be responsible for their implementation and administration on a day-to-day basis. The Governance Board and or its individual board members will not be responsible for the day-to-day operations of the school. The Governance Board delegates to the Chief Executive Officer the authority to implement the charter, policies and procedures, facilities plans, budget and such other directives and policies adopted by the Governance Board. The Governance Board shall not be involved in the day-to-day operations of the school other than an advisory level.

The Governance Board will review and discuss annually the appropriate methods of implementing the school's programs, policies, and procedures with all educators, staff, parents, and students. The Governance Board will review the policies at least annually for compliance with all state and federal Acts and regulations.

Esperanza will operate in compliance with all local, state or federal laws, acts, rules and regulations including constitutional provisions prohibiting discrimination on the basis of race, color, national and ethnic origin, disability, age, creed, gender, religion, or ancestry.

Article XVI. Description of Site-Based Reporting Structure:

The Esperanza Governance Board will have oversight responsibility of its financial/fiscal matters along with other duties listed. The Authorizer will have full responsibility for Esperanza Financial/ Fiscal Affairs as the official Board of Finance. The appointed Business Manager along

with the CEO/Chancellor of the school will have direct communications with the Esperanza Governance Board pertaining to the fiscal and legal operations of the school. In turn, all support personnel and para-professionals will report directly to the Chief Executive Officer or his/her designee pertaining to day-to-day operations. The general education teachers will report directly to the Chief Executive Officer or his/her designee for student issues and for personnel issues. The ancillary staff will report directly to the Special Education Coordinator for all students receiving special education services and will report to the Chief Executive Officer or his/her designed for personnel issues.

Article XVII. Relationship with Authorizer:

The relationship between the Esperanza Charter School and the Authorizer will be professional and collaborative. This relationship will be carried out in interaction both between the Chief executive Officer and the Authorizers administrators and between officials of the respective Boards. Collaborative arrangements may be shared, negotiated and or effected with respect to access by the Charter School and the Authorizer for supplies, equipment, and use of facilities, ancillary services and or subcontracting for other particular services. In the operation and all the affairs of the Charter School the Esperanza Governance Board holds the Authorizer harmless and hereby releases them from all such liability. The Esperanza Governance Board accepts that it is accountable to the Authorizer for ensuring compliance with applicable laws, rules and charter provisions. All rising disputed matters will be resolved amicably and professionally through mediation in a reasonable, fair and expeditious manner.

Article XVIII. Governance Board Responsibilities and Accountability:

In accordance with the 1999 Charter Schools Act, Esperanza will operate with a school-centered Governance Board, site-based and autonomous oversight of fiscal/financial management, and an innovative educational program. The Governance Board will be empowered to make decisions in school matters, unless otherwise prescribed by the New Mexico Public Education Department or other state and federal regulations. The Esperanza Governance Board will manage the general property, business, and affairs of the charter school. The Governance Board may exercise powers provided by the New Mexico Public Education Department / New Mexico State Board of Education rules and Regulations, the Esperanza Charter Application, and its own Charter Governance By-Laws and Operation Guidelines. The Governance Board may assign and reassign as necessary duties and responsibilities to appropriate appointed Governance Board Committees. The Governance Board and or its individual members will not be responsible for the day-to-day operations of the school other than on an advisory level.

A. Governance Board will be responsible for:

- Compliance with Charter Application.
- Compliance with all local, state, and federal law.
- Fiscal / Financial oversight.
- Progress towards achievement of school's goals.
- Education Plan for Student Success (EPSS) and / or Strategic Planning.
- Policy development and review.

- Community partnerships.
- Encourage parental involvement through Parent Advisory Committee (PAC)
- Hire a Chief Executive Officer and negotiate salary, duration of contract, benefits, terms and conditions.
- Evaluate Chief Executive Officer, based on established criteria.
- Location of School facility and seek funding sources for facility.
- Public Relations and etc.
- President or Vice President or Secretary or Treasurer will be authorized to sign checks along with the Chief Executive Officer or his/her designee.
- Appoint a Finance Committee and Audit Committee pursuant to New Mexico House Education Committee/House Bill 227 & 251(NMHEC/HB 227&251.)

B. Governance Board Legal Responsibilities:

- Ensure the charter school is properly managed. The Governance Board will establish a working relationship with the Chief Executive Officer and will work together to achieve the goals of the charter application.
- Maintain legal status; ensures proper paperwork is submitted to governmental agencies in compliance with all state and federal law.
- Review financial and business dealings and exercise proper judgment in self-dealing transactions to avoid conflicts of interest.
- Adopt and comply with all provisions of the New Mexico Open Meetings Act. The Governance Board through its administrators will post notices throughout in the designated areas and will inform the KDCE Radio Station and the Rio Grande Sun Newspaper in a timely manner as referenced on the adopted Open Meeting Resolution and in according to the provisions of the New Mexico Open Meetings Act (NMSA 1978-10-15). Agendas will be made public and contain items of business to be discussed and action to be taken on some items. Public participation will be made available at a specific time in each agenda. Personnel matters/issues, legal issues and topic relevant to the acquisition of property will be discussed in closed session and information must be kept in confidence.

C. Governance Board Financial Oversight Responsibilities:

- Held accountable for Esperanza fiscal/financial performance in accordance with the 1999 New Mexico Charter School Act.
- Oversee finance for fiscal soundness.
- Review, approve and monitor implementation of the annual budget, inclusive of approval of Budget Adjustment Requests (BARs).
- Review monthly financial reports such as balance spread sheets, income statements, expenditure reports and changes in financial position.
- Ensure proper internal controls are in place.
- Accept or reject any charitable gift, grant, device or bequest.

- President, Vice President, Secretary will be authorized to sign checks along with the Chief Executive Officer or his/her designee.
- Appoint a Finance Committee and Audit Committee pursuant to New Mexico House Education Committee/House Bill 227 & 251(NMHEC/HB 227&251.)

D. Governance Board Planning Responsibilities:

- Approve Education Plans for Student Success (EPSS) and review progress, inclusive of any other Strategic Plans.
- Assess compliance and progress in achieving educational outcomes.
- Assess program evaluation plan.
- Plan for school facility and its funding.

E. Governance Board Policy Responsibilities:

- Develop and adopt written policies.
- Review policies periodically.
- Maintain mission and program direction for the charter school.
- Make policy changes when needed.
- Approve amendments to the Charter.

F. Governance Board Personnel Responsibilities:

- Set and review personnel policies.
- Hire a Chief Executive Officer and negotiate salary, duration of contract, benefits, terms and conditions
- Evaluate the Chief Executive Officer based on set or established criteria.
- Delegate to the Chief Executive Officer the authority to implement the charter, policies and procedures, facilities plans, budget and such other directives and policies adopted by the Governance Board. The Governance Board shall not be involved in the day-to-day operations of the school.
- Acknowledge that by New Mexico State Law requires that all personnel be employed, reassigned discharged suspended and terminated by the Chief Executive Officer in accordance with New Mexico School Personnel Act (NMSA 1978 §§ 22-10A-1 et seq.
- Procurement of Insurance: Esperanza will participate in the New Mexico Public School Insurance Authority.
- Enter into contracts consistent with approved budget for any service or activity that is required to perform in order to carry out the educational program.
- Complaints should not be heard at a board meeting or parent meeting, but should be raised through the general complaint policy adopted by the Governance Board or to the Chief Executive Officer.
- Complaints about employees from parents or other employees should go through the Chief Executive Officer.

G. Governance Board Public Relations Responsibility:

- Develop Community Partnerships.
- Develop Parental Involvement Partnership through the Parent Advisory Committee (PAC).
- Review New Mexico Public Education Department (NMPED) required surveys and make changes, if necessary.

H. Governance Board - School Facility and Property Responsibility:

- Acquire, lease and dispose of property, both real and personal to the extent permissible by laws applicable to public schools.
- Authorize the repair and maintenance of all property.
- Acquire and dispose of property.
- Acquire an adequate school facility and campus for Esperanza Charter School.
- Establish or set up a Foundation (501C3), in order to support Esperanza Charter School with facilities and other needs.

I. Such other powers and authorities as provided for by law.

- New Mexico Charter School Act 1999 (NMSA 1978 §§ 22-8B-1 et seq. and 22-8B-15 et seq. , as amended)
- New Mexico School Personnel Act (NMSA 1978 §§ 22-10A-1 et seq.);
- New Mexico Procurement Code (NMSA 1978 §§ 13-1-1 et. seq.);
- New Mexico Open Meetings Act (NMSA 1978, Sections 10-15-1 et seq.);
- New Mexico Public School Finance Act (NMSA 1978 §§22-8-1 et seq.); and
- applicable rules and regulations issued by the New Mexico Public Education Department (“PED”) (contained in Title 6 of the New Mexico Administrative Code)
- Section 504 the Rehabilitation Act of 1973
- The New Mexico Human Rights Act (NMHRA)
- The American with Disabilities Act (ADA)
- Esperanza Charter with its Authorizer, including the applicable Authorizers policies not waived in the Esperanza Charter Application.
- New Mexico Inspection of Public Records Act, NMSA 1978, §§ 14-2-1 et seq. (“IPRA”)

Article XIX. Amendments

The Esperanza Governance By-Laws and Operation Guide may be amended, revised, repealed or new By-Laws may be adopted, by an affirmative two third of the Governance Board members in office. Any proposed amendments must be submitted in writing to the Governance Board members prior to the meeting at which the amendments will be considered. All By-Laws Amendments must be submitted to the Authorizer and to the New Mexico Public Education Department, upon approval.

By-laws passed by the Esperanza Charter School Governance Board this _____.

President: _____
Dr. Juanita Cata, President

Date: _____

Secretary: _____

Date: _____

Attachment A: Principal's Job Description

Principal's Job Description

The Principal is responsible for implementing the policies of the Governing Board and administering the day-to-day responsibilities of the school and will inform the Governing Board regarding the hiring, suspensions, discharge and dismissal of all personnel. He/she will coordinate the activities of faculty committees, work with budget, seek for other grants, direct the work of the administrative and custodial staffs, meet with the public, work with parental advisory groups and handle non-classroom discipline problems. The Principal will also be required to handle classroom discipline problems that a teacher cannot solve on his/her own. The Principal will, on a on-going basis, establish additional places for a students to work. The Principal also serves, ex-officio, as a member of the Governing Board and will only report to the Governing Board. The Principal supervises and evaluates the performance of staff assigned.

Skills needed:

- Knowledge of school law, finance, and curriculum.
- Able to manage personnel.
- Able to interpret policy, procedures, and data.
- Exceptional organizational, communication, public relations, and interpersonal skills.

Working Conditions:

- Maintain emotional control under stress.
- Occasional district wide and statewide travel.
- Frequent prolonged and irregular hours.

Responsibilities and Duties:

Management:

- Monitor instructional and managerial processes to ensure that program activities are related to program outcomes and use findings to take corrective actions.

School or Organization Morale:

- Provide instructional resources and materials to support teaching staff in accomplishing instructional goals.
- Foster collegiality and team building among staff members. Encourage their active enrollment in decision-making process.
- Provide for two way communications with the Board, staff, students, parents, and community.
- Communicate and promote expectations for high-level performance to staff and students. Recognize excellences and achievement
- Ensure the effective and quick resolution of conflicts

School or Organization Improvement

- Build common vision for school improvement with staff. Direct planning activities and put programs in place with staff to ensure attainment of school's mission.
- Develop and set annual school performance objectives for each of the Academic Excellence Indicators using the campus planning process and site-based decision making committee.

- Develop, maintain, and use information systems and records necessary to show school progress on performance objectives addressing each Academic Excellence Indicator.

Personnel Management:

- Interview, select, and orient new staff. Approve all personnel assigned to the school.
- Define expectation for staff performance with regard to instructional strategies, classroom management, and communication with public.
- Observe employee performance, record observations and conduct evaluation conferences with staff:
- Work with school-level planning and decision-making committees to plan professional development activities.

Management of Fiscal, Administrative, and Facilities Functions:

- Comply with state and federal laws and regulations affecting the school.
- Develop school budgets based on documented programs needs, estimated enrollment, personal, and other fiscal needs. Keep programs within budget limit
- Maintain fiscal control. Accurately report fiscal information.
- Compile, maintain, and file all physical and computerized report, records, and other documents required including accurate and timely reports of maximum attendance to requisition textbook.
- Manage use of school facilities. Supervise maintenance of facilities to ensure a clean, orderly and safe campus.

Student Management:

- Work with faculty and students to develop a student discipline management system that results in positive student behavior and enhances the school climate.
- Ensure that school rules are uniformly observed and that student discipline is appropriate and equitable in accordance with Student Code of Conduct and Student Handbook.
- Conduct conferences about student and school issues with parents, student, and teachers.

School or Community Relations:

- Demonstrate awareness of school and community needs and initiate activities to meet those needs.
- Use appropriate and effective techniques to encourage community and parent involvement.

Attachment B: Job Descriptions Esperanza School

Secretary Job Description

The primary role and purpose of the secretary is to organize and maintain the normal work activities of the office of administration. The position requires someone with previous secretarial experience in a school setting and the ability to work with the budget and with the Business Manager. The incumbent must be able to process payroll checks and have good computer skills and provide business support. Please note, the school secretary will perform functions of Business Manager during the first year of operation. Thereafter, the school will hire a full-time Business Manager. One of the major roles of the position of Business Manager will be to work closely with the Fiscal Agent that the school plans to contract with in order to provide to the School the optimum in accountability and procedures.

Skills include:

- Exceptional keyboarding, word processing and file maintenance skills.
- Strong communication and interpersonal skills.
- Basic math skills.
- Knowledge of personal computer and software in order to compile spreadsheets and database and do word processing.

Responsibilities and Duties:

Records and Correspondence

- Draft correspondence, forms, reports, etc., for the principal and other staff members using a personal computer.
- Prepare data as needed when completing state and local reports.
- Organize and manage hardcopy and computerized departmental files.
- Manage student records as needed.

Accounting

- Attend to routine bookkeeping duties, including basic math operations, for the department.
- Assist with the completion of purchase orders and payment authorizations.
- Maintain personnel time records including leave requests and reports. Draft and submit information to the central office.

Other

- Answer incoming calls, take accurate messages and transfer to appropriate staff.
- Oversee appointment schedule and make travel arrangements for staff.
- Receive, sort and deliver mail and other documents to department staff.
- Ensure confidentiality of information.

Job Related Conditions:

- Maintain control in stressful situations.
- Manage time with frequent interruptions.
- Extended computer time.

Business Manager Job Description

The school will contract with an outside agency to be its Fiscal Agent, such as with the New Mexico Coalition of Charter Schools. . Beginning in SY(2), the School will hire a Business Manager to work in conjunction with the Fiscal Agent to provide these services. As stated above in SY(1). The school secretary will perform these functions and act as information provider and liaison with the Fiscal Agent. The Business Manager will supply the data and liaison to assure compliance with all accounting policies and procedures as well as to maintain proper accounts payable and payroll needs. The primary role and purpose of the Business Manager is to oversee and maintain the operation of all financial and business affairs of the charter including accounting, payroll, purchasing, and risk management and act as the chief financial advisor to the Principal and the Board. The Business Manager must have an understanding of school accounting principles.

Skills:

- Applicable knowledge of school finance, budgeting, accounting systems, and economics.
- Effective communication, public relations, and interpersonal skills.
- Knowledge of personal computers and software to compile spreadsheets, perform data analysis, and do word processing.
- Capable of interpreting policy, procedures, and data.
- Capable of managing budget and personnel.
- Capable of coordinating charter activities.

Responsibilities and Duties:**Fiscal Management**

- Ensure that the principal is advised on the business affairs of the charter school.
- Analyze accounting practices, systems, and controls in all charter departments and advise on improvements in their structure, implementation, and maintenance
- Manage a revolving auditing program for all funds and work with the charter's independent and internal auditors while conducting audits.
- Maintain accounting systems that comply with laws and regulations.
- Devise period cash flow analysis to determine cash available for investment and payment of bills.
- Supervise monthly bank settlement preparations for the operating, special revenue, debt service, construction, tax, cafeteria, and athletic accounts. Audit statements of vendor and payroll clearing accounts.
- Compile and enter all budget adjustments, additions, and deletions.
- Assess and authorize all purchase School orders and check requests and manage budget by certifying availability of funds.
- Help with drafting of budget and assessing the long- and short-range objectives for the business operations of the charter.
- Oversee needs evaluation for the enhancement of the charter business operations.
- Collaborate with charter personnel to project student enrollments, staff needs, building and facilities needs, energy needs, capital equipment needs and other cost items for the charter and individual school improvement.

- Monitor the business office budget and see that programs are cost effective and funds are managed effectively.
- Offer advice to achieve cost-effective practices throughout the school.
- Confirm that business operations support the charter mission.

Documentation and Law

- Ensure policies established by federal and state law that apply to charter schools and local board policy in area of business operations is being followed.
- Manage all hardcopy and computerized reports, records, and other documents required.
- Compile and review monthly financial statements and budget reports.
- Draft comprehensive annual financial report.
- Compile semi-annual financial reports for submission.
- Draft quarterly and final reports for all federal funds.

Inventory

- Ensure accurate computerized inventory records of all of the charter's assets.
- Maintain and direct sales of surplus salvage equipment for disposal.
- Oversee maintenance of replacement cost-asset inventory for insurance purposes.
- Receive and register bids, calculate results and draft written recommendations.
- Oversee the drafting of bids and bid specifications.

Personnel Management

- Compile, check and revise business department job descriptions.
- Devise training options and/or improvement plans to maintain superior business operations..

Community Affairs

- Show knowledge of charter and community needs and implement programs to meet those needs.

Job Related Conditions:

- Maintain control in stressful situations.
- Travel may be required.
- Extended or irregular hours.

Teacher Job Description

The primary role and purpose of a teacher is to provide students with appropriate educational activities and experiences that will enable them to fulfill their potential for intellectual, emotional, physical and social growth. Teachers will help students develop the skills necessary to be a productive member of society.

Skills:

- Understanding of subjects assigned.
- Working knowledge of curriculum and instruction.
- Capable of instructing students and managing their behavior.
- Exceptional organizational, communication and interpersonal skills.

Responsibilities and Duties:

Instructional Strategies

- Design, write and use lesson plans that conform to the charters curriculum. Ensure written plans are available for review.
- Ensure lesson plans show modifications for differences in student learning styles.
- Teach instructional subjects according to guidelines established by NM PED, charter polices and administrative regulations.
- Implement appropriate instructional and learning strategies, activities, materials and equipment to ensure comprehension of learning styles and student needs.
- Design instructional activities by using data from student learning style assessments.
- Collaborate with Special Education teachers on student Individual Education Plans to ensure all modifications are met.
- Collaborate with staff to determine charter requirement for the instructional goals, objective and methods.
- Produce and oversee teacher aide and volunteer assignments.
- Employ technology practices to strengthen the instructional process.

Growth and Development

- Help students assess and enhance their study methods and habits.
- Produce formal and informal testing to evaluate student success.
- Coordinate and manage extracurricular duties as assigned. Sponsor outside activities approved by the charter principal.
- Serve as an example for students, support mission of charter.

Classroom Management and Organization

- Prepare classroom to enhance learning and to aid in physical, social and emotional development of students.
- Control student behavior in agreement with the student handbook.
- Ensure necessary and reasonable measures are taken to protect students, equipment, materials and facilities.
- Provide input on book, equipment and material selection.

Communication

- Establish communication rapport with parents, students, principals and teachers through conferences.
- Create and maintain a professional relationship with colleagues, students, parents and community members.
- Present information accurately through clear communication skills.

Professional

- Enrich job skills through professional development activities.

Other

- Keep up to date on and abide by state and charter regulations and policies for classroom teachers.
- Gather, manage and file all reports, records and other documents required.
- Be active in faculty meeting and assist in staff committees as necessary.

Job Related Conditions:

- Maintain control in stressful situations.
- Extended hours may be required.

Special Education Teacher Job Description

This teacher will be contracted or hired depending on funding to provide services to special education students with appropriate learning activities and experiences that will enable them to fulfill their potential for intellectual, emotional, physical and social growth. The special education teacher will develop student ability level instructional materials through modified curriculum and prepared lesson plans.

Skills include:

- Complete knowledge of special needs of students in assigned area.
- Complete knowledge of Individual Education Plan Committee process and Individual Education Plan (IEP) goal setting process and implementation.
- Working knowledge of curriculum and instruction.

Responsibilities and Duties:

Instructional Strategies

- Work in conjunction with students, parents and other members of staff to develop IEPs through the IEP Committee process for each student assigned.
- Design, write and use instructional, therapeutic or skill development program for assigned students and ensure written plan is available for review.
- Ensure comprehension of learning styles and student needs are met through creation and implementation of appropriate instructional and learning strategies, activities, materials and equipment.
- Collaborate with classroom teacher on student IEP to ensure all modifications are met and help special education students in regular class when appropriate.
- Participate in IEP Committee meetings on an ongoing basis.
- Design instructional activities by using data from students learning styles assessment.
- Ensure IEP guidelines are met when presenting subject matter.
- Use an assortment of media and techniques to meet the needs and capabilities of each student assigned.
- Produce and oversee the teacher aide and volunteer assignments.
- Employ technology practices to strengthen the instructional process.

Growth and Development

- Produce formal and informal testing to evaluate student success.
- Oversee or ensure personal care, medical care and feedings of students as stated in IEP.
- Manage and care for all extracurricular duties as assigned. Sponsor outside activities approved by charter principal.
- Serve as an example for students; support mission of charter.

Classroom Management

- Prepare classroom to enhance learning and aid in the physical, social and emotional development of the students.
- Control student behavior and implement discipline plan. This includes handling crisis situations and physically restraining students as necessary according to IEP.
- Collaborate with the classroom teachers regarding student behavior management programs according to IEP.

- Collaborate with charter and outside resource people regarding education, social, medical and personal needs of student.
- Ensure necessary and reasonable measures are taken to protect students, equipment, materials and facilities.
- Provide input on books, equipment and material selection.
- Ensure good communication rapport with parents, students, principals and teachers through conferences.
- Create and maintain a professional relationship with colleagues, students, parents and community members.
- Present information accurately through clear communication skills.

Other

- Enrich job skills through professional development activities.
- Keep up to date and abide by federal, state and charter policies for special education teachers.
- Gather, manage and file all reports, records and other documents required.
- Be active in faculty meetings and assist in staff committees as required.

Job Related Conditions:

- Maintain control in stressful situations.
- Some lifting may be required.
- May be required to restrain students to control behavior.

Instructional Assistant Job Description

Primary role and purpose is to provide assistance to the special education teacher for the physical and instructional needs of the charter student with disabilities in the special education program. The special education instructional assistant will help implement educational programs, including self-help, behavior management and instructional programs for students. The special education instructional assistant will work under direct supervision of a certified special education teacher and indirect supervision of the principal.

Skills:

- Capable of working with children with disabilities.
- Capable of following verbal and written instructions.
- Capable of communicating effectively.
- Able to use general office equipment.

Responsibilities and Duties:

Instructional Support

- Prepare educational materials and displays for the classroom with the assistance of the classroom teacher.
- Assist in keeping class neat and orderly.
- Assist teacher in handling administrative records and reports.
- Help substitute teachers with classroom layout, or other pertinent classroom management.
- Assist with inventory, care and maintenance of equipment.

Student Management

- Help physically disabled students according to their needs, including but not limited to, transferring to and from wheelchairs, lifting or positioning.
- Help students with physical needs and personal care, including but not limited to, feeding, bathroom needs, and personal hygiene.
- Assist in student behavior management. This includes handling crisis situations and restraining disruptive or dangerous students as needed.
- Take responsibility for learning and conforming to each student's special medical, physical, communicative and emotional needs. Coordinate educational activities assigned by the teacher; help individual students or small groups.
- Assist in overseeing students throughout School day, inside and outside classroom.
- Advise teacher on special needs or problems of individual students.

Other

- Ensure confidentiality.
- Enhance job skills by participating with staff development programs.
- Be active in faculty meetings and special events as assigned

Counselor Job Description

The role and purpose of the counselor is to develop, implement, and assess a comprehensive guidance program for the charter including counseling services. The counselor will promote a guidance program that shows students how their personal growth and development can be maximized.

Skills:

- Working knowledge of counseling procedures, student appraisal and career development.
- Superior organizational, communication and interpersonal skills.
- Capable of instructing students and managing their behavior.

Responsibilities and Duties:

Guidance

- Communicate the guidance program to students and parents.
- Assist teachers to include guidance program with charter curriculum.
- Administer education programs and career awareness to individuals and student groups on an ongoing basis.
- Ensure individual and small group counseling needs are met.

Consultation

- Confer with individuals associated with students to enhance their work with students.
- Collaborate with charter personnel and community residents to obtain resources for students.
- Ensure special programs and services are utilized by students with an efficient referral process.

Evaluation

- Assist in devising and assessing a charter standardized testing program.
- Evaluate test and assessment results effectively.

Program Management

- Develop a comprehensive guidance/counseling program that meets the identified needs of the student.
- Plan and implement an ongoing assessment of the guidance program and make adaptations based on the results.
- Gather, manage and file all required hardcopy and computerized reports, records and other documents.

Administration

- Abide by policies established by federal and state law that apply to charter Schools, Commission's Rules that apply to charter Schools, and charter policy in guidance and counseling area.
- Abide by all charter routines and regulations.
- Ensure a positive and constructive relationship with supervisors.
- Communicate with colleagues, students and parents in an effective manner.

Professional

- Provide role model behavior that is professional, ethical and responsible.
- Partake in professional development to enhance skills related to job assignment.

Job Related Conditions:

- Maintain control in stressful situations

School Nurse Job Description

The nurse ensures a complete health services program for the charter. The nurse provides students with health services. The nurse incorporates students into health education programs and teach preventative health practices.

Skills:

- Ability to evaluate students to identify health defects.
- Exceptional organizational, communication and interpersonal skills.
- Capable of implementing policies and procedures.

Responsibilities and Duties:

Nursing Services

- Provide medical care, minor or emergency, to students and staff according to charter policy.
- Act as health mentor for students.
- Contact parents or guardian in case of accident or illness. Obtain outside medical care in emergency case when parents or guardian cannot be reached.
- Implement plan to ensure student medications are administered properly. Ensure plan is in compliance with charter policy and procedures.
- Issue health screening for staff and students as required by the Department of Health. Make referrals as necessary.
- Plan and implement an ongoing evaluation of charter health program and make adaptations based on the results.

Instruction

- Assist in drafting of charter health education curriculum and teach health education to individuals and groups.
- Ensure individual students receive health counseling and instruction.

Consultation

- Work as health partner between school, physicians, parents and community.
- Assess and refer student problems with the assistance of students, teachers, parents and medical and health care professionals as needed.
- Assist with Admission, Review, and Dismissal Committee, crisis team and school committees.
- Assess and report case of suspected child abuse.
- Initiate home health care for students with health problems with permission of the charter administration.
- Keep ongoing communication with principal and health services coordinator on issues of health services.

Administration

- Manage and assess immunization records.
- Ensure correct program administration by following program charter procedures.
- Oversee nurse aides and ensure training of clinic policies according to charter regulations.
- Gather, manage and file all reports and other documents required, including clinic records and accurate, updated health records on all students.
- Maintain clinic inventory as needed by requisition of supplies and equipment

Custodian Job Description

Primary Role and Purpose:

Oversee charter's maintenance and custodial operations. Maintain facilities so that full educational use may be made at all times. Ensure facilities provide an excellent working environment that is safe, clean, attractive and functional.

Skills:

- Working knowledge of basic principles of construction, school plant maintenance and custodial operations..
- Capable of coordinating district functions.
- Capable of interpreting policy, procedures and data.
- Capable of reading blueprints and schematics.
- Effective organizational, communication and interpersonal skills.

Responsibilities and Duties:

Facility Maintenance

- Supervise custodial, maintenance and repair, and security
- Process work orders for repair and maintenance of charter facilities and grounds.
- Provide written working procedures for maintenance, repair, operations and security of all charter facilities and equipment.
- Organize plans and requirements for contracted repair work

Safety

- Implement safety standards that abide by federal, state, and insurance regulations and implement a safety prevention program.
- Keep all equipment in ideal operating condition.

Other

- Work as disaster duty personnel when needed.
- Participate in professional growth activities to keep informed of new methods in maintenance operations.
- Be available for after-hours emergencies.

Job Related Conditions:

- Maintain control in stressful situations.
- Frequent travel required.
- Extend hours may be required.

Esperanza Charter School

Internal Controls and Procedures

The Board of Esperanza Charter School understands its fiscal responsibilities regarding the operation of the school and the proper handling of and accounting for public funds and assets: its fiduciary responsibility. The School will abide by Generally Accepted Accounting Principals (GAPP). To further those ends, the following controls and procedures are to be followed by all persons associated with the school.

Responsibility

Although anyone who has control over any of the assets and funds of the school is responsible for handling those matters in a responsible manner, those persons who have more direct control and therefore more responsibility include first: the Board, who is charged with overseeing the proper handling of all assets and funds of the school. The Principal, who is in charge of the day-to-day operations of the school is responsible to the Board for reporting accurately all transactions involving the assets and funds of the school. The Principal relies on the integrity and acumen of the Business Manager and as this person's supervisor, the Business Manager is charged with following sound fiscal policies and the correct direction of the Principal. These persons must form a close tie of communication and trust in order to properly fulfill their roles, and all must abide by all the Statutes and Rules that govern the operation of Public Schools in New Mexico, and all other statutes and laws that pertain to their roles.

The Principal is responsible for hiring competent and honest employees; the screening process of hiring must be held to a high standard: background checks and calls made to former employers must be done.

The Business Manager must train all staff that has any financial responsibilities to abide by the fiscal policies established by the Board.

Segregation of Duties

The possibility of fraud and mismanagement, even the making of innocent errors, is greatly reduced when there are fiscal responsibilities that require more than one approval and more than one step to accomplish. The Principal, working with the Business Manager, must submit a plan for segregation of duties to the Board within one month of hiring for Board approval.

Transaction Authorization

All financial transactions over the sum of \$5,000 will require prior Board permission.

All financial transactions will be recorded and filed promptly and accurately so that each financial transaction can be immediately and easily tracked, including the classification to the appropriate accounts, and the proper authorization of all transactions prior to posting them to the account, and any other record that pertains to the transaction or notation that refers the transaction to a contract, purchase order, etc.

Maintenance of a Sound Financial Management System

Crucial to our financial operation is a system that is sound, followed without exception, and logical. All papers and documents generated by the school that have a financial transaction relation are to be kept on papers with the school's logo and identification (nothing is to be recorded on small slips of paper, ex.) When there is an official form to be used for a particular transaction, it is to be used. All forms and memos are to be dated. All "void" forms, documents, checks, etc. are to be retained and properly marked.

Inventory

It is a common practice in businesses for assets to turn up missing. In order to limit this from occurring, the Principal and the Business Manager will establish an inventory system that accounts for all the property in the school: date and place of acquisition and location of property will be included, along with approximate value at the time of acquisition. In order to keep a reasonable eye on school supplies, the Principal and Business Manager will also establish a means of tracking use and distribution of such supplies with the goal of establishing a reasonable use and safe keeping of such supplies. Teachers themselves will have areas of responsibility and monitoring of assets and supplies, as established by the Principal. Fixed asset inventory records will be maintained by the Business Manager under the direction of the Principal. The inventory database will include asset number, a description of the item, the serial number, the purchase number, the acquisition date, the fund code, and the location number. The annual inventory will be taken at the school and a certification will be signed by the Principal and Business Manager. All requests for removal of surplus property, deletions, and discards must be approved by the Principal. In no case will equipment be removed or discarded without proper authorization from the Business Manager and the Principal.

Depreciation of assets will be taken on all assets valued over \$5,000. All assets valued at less than \$5,000 will be accounted as non-depreciable. Capitalization will follow GAPP.

Accrual Basis of Accounting

The School will use the modified accrual basis of accounting; end of year audits will be prepared based on a full accrual basis.

Bank Statements

The Principal will oversee that the Business Manager reconciles the bank statements and is able to account for all deposits and withdrawals from the school's bank accounts.

Contracts and Bidding

The school will follow all regulations of the New Mexico Procurement Code at all times, including contracts for services for an amount over \$10,000, length of contracts, goods under \$20,000, goods that range from \$20,000 to \$60,000 and goods over that amount, inter alia.

Audit

The yearly audit must be performed to insure compliance with the Public School Finance Act, Sections 22-8- 1 through 22-8-42, NMSA, 1978 Budget Preparation and Maintenance Standards, SBE Regulations

6 NMAC 2.2 Public School Accounting and Budgeting Supplement 6, Manual of Procedures New Mexico State Auditor Rules and Regulations pertaining to audits of state and local government divisions.

Records Retention and Disposition

The school will abide by and will follow State Records Center rules in determining the retention and disposition of school records. Records will be retained until any litigation, claims, or audit exceptions have been resolved. Records relating to federal funds will be maintained for five (5) years following completion of the funding period, in accordance with 20 USC 12327. All financial records and documents will be stored in fire and theft proof vaults or cabinets. Financial record books, minute books, and annual reports will not be destroyed. The following SRC rules will be adhered to: 1 NMAC 3.2.90.20; 93-09, July 31, 1994; 1 NMAC 3.2.90.30; and 92-08, May 7, 1993.

School Budget

The Principal will take the lead in preparing the operating budget for the school, for approval by the Board. The Principal will begin this process with sufficient time to give the Board 2 weeks to review it before final passage. The budget will then be submitted to the Public Education Department pursuant to the Public School Finance Act and the 1999 Charter Schools Act. After final review and approval by PED, along with required amendments, the school will determine the cash balances for all funds by the designated deadlines. Increases, decreases, and adjustments to the finalized budget will be presented to the State Department of Education for approval. Once all approvals are in place, the change will be recorded in the school's financial records and the adjustment will be made to the original budget.

Budget adjustments

Those line item changes which do not alter the total amount of the budget will be processed as follows: Intra-Budget Transfers: Transfers between expenditure codes within the same function will be presented to the State Department of Education for approval. Once all approvals are in place, the change will be recorded by the Business Manager, under the direction of the Principal, as an adjustment to the original budget. Inter-Budget Transfers: Transfers between expenditures codes outside of the same function will be presented to the State Department of Education for approval. Once all approvals are in place, the change will be recorded as an adjustment to the original budget.

Payroll and Employee Leave

The Principal is responsible for monitoring all employment matters, including payroll and time off of work. Salary worksheets must be prepared by the individual employee, using a system monitored by the Principal, so that an accurate payroll can be timely prepared by the Business Manager. The Business Manager will process all payrolls from the payroll worksheets. All additional payroll payments will be processed only with proper authorization from the Principal. If there are any days of absence, these will be recorded in the employee's files and properly used to calculate payroll and leave time and to update employee leave balances. Leave taken without sufficient leave balances will be docked from the employee's pay. All insurance and other deductions will be submitted to the Principal on the proper forms. Records of these deductions will be kept both by the Business Manager and the Principal.

Debit Card/ Procurement Card

Although the school will not permit the use of a debit card, the Board will consider a Procurement Card.

Purchasing

The Principal, in consultation with the Business Manager, will institute a sound practice for purchasing. Unless the Board decides differently, there will be no use of a debit card by the school. The Principal will suggest to the Board a procedure for emergency purchases and reimbursements. All purchases must be made in conformance to the budgets and must be viewed by the Principal as appropriate and necessary. When a teacher is in need of a good or service, the Teacher will submit the required, pre-numbered purchasing documents to the Principal for review and approval. School policies and procedures will be designed to meet all the requirements of the Procurement Code, as dictated by Chapter 13 of NMSA, and any other rule or law.

The Business Manager will forward purchasing documents to the Principal. The Principal will verify that sufficient funds are present in budget. The Business Manager will record the purchase as a liability on the financial management system until the order is complete and ready for payment. A designated copy of the purchase order will be signed by the Principal in order to document the receipt of goods and to authorize the release of payment to the vendor. A copy of the purchase order is then retained by the Business Manager for processing. Accounts Payable Vendor invoices will be matched to the copy of the purchase order and the receiving copy of the purchase order by the Business Manager. Once the documents are matched, the items invoiced will be matched to the items listed on the approved copies of the purchase order. The account distribution will be verified and any necessary changes noted on the invoice. The Business Manager will retain all vendor invoices. The invoice will be verified by checking extensions, discounts, and freight terms by the Business Manager. The Business Manager will enter the invoice to be paid from each designated fund. An edit listing will be generated from the financial management system and used to verify the accuracy of the information entered for the check batch. Upon completion of the verification, the check batch will be posted and the payable checks printed. A check register by fund will be generated. The checks will be taken by the Business Manager to the Principal for one signature and Principal for the second signature, if required. The check back-up documents will be reviewed, verified, and initialed by the Business Manager. The check will then be initialed and authorized for release of payment by the Business Manager. Electronically generated checks will be preferred over any handwritten checks, which are to be avoided at all times. All bank accounts will be reconciled on a monthly basis by the Business Manager. The Business Manager will verify and approve the bank reconciliations and make any adjustments necessary to the general ledger.

Investments

Public Schools monies can be invested only in accordance with Public School Finance regulations (22-8-40 (O) through (G), Section 6-10-17 and Section 6-10-31 NMSA 1978). Any amount of interest earned will be receipted and recorded to the financial management system when the credit is received. The school will follow the provisions for pledged collateral set forth in Section 22-8-40 of NMSA 1978 as well as in Sections 12-08-89, 02-03-93, 11-01-97, 01-15-99, 6.20.2.15 of NMAC 2.21.15,05-31- 01.

Travel and Lodging Expenses

Those conducting official business for the school may be entitled to reimbursement of travel, meals and lodging, provided school policies are followed. This would include that payment of registration fees, mileage, per diem and other costs associated with authorized trips for official school business. All in-state and out-of-state travel must be approved by the Principal for reimbursement to be authorized. The

approved leave request form serves as formal authorization for the trip. A copy of the leave request form will be retained by the Business Manager. All reimbursements will be processed in accordance with the Per Diem and Mileage Act, as outlined in DFA regulations. All receipts for out-of-pocket expenditures for transportation, registration, and miscellaneous expenses will be required for reimbursement. Any meals and/or lodging costs included in the registration fee will be deducted from the per diem reimbursement.

Petty Cash

The school will not maintain petty cash fund.

Cash Receipts

All monies received by anyone in the school and given for official school purposes will be receipted by the Business Manager, using pre-numbered receipts, and deposited by the Business Manager into the appropriate bank account within 24 hours of receipt and will be credited to the proper account. The receipts include the payer, date, amount, fund, and a description of payment. The receipt will be signed by the person receiving the money. The original receipt will be given to the payer, a copy will be forwarded to the Business Manager with the payment and any remittance information and another copy will be retained by the person initiating the receipt.

Accounts Receivable

The Business Manager will be responsible for billing and for tracking the collection of all amounts due to the school from all sources. The Business Manager will be responsible for tracking and verifying the balances for all federal, state, and other grants and contracts awarded to the school. The Business Manager will prepare the required requests, invoices and other paperwork necessary for collection of amounts due.

Special Funds

All requests by the PTA or by teachers to collect money for special funding will require administrative approval from the Principal.

Anti-Donation Stipulation

State funds may not be used to improve non-state owned property or leased property or for private purposes; this provision will be strictly adhered to by all persons associated with the school.