

Governing Body By-Laws Notification Form

The Charter Contract, was entered into by and between the New Mexico Public Education Commission, and Solare Collegiate Charter School, effective **8 of June, 2019**. **Solare Collegiate Charter School** was approved for a **5 year term** Charter Contract.

Solare Collegiate Charter School notifies the Public Education Commission (PEC) of the change to the Governing Body By-Laws as follows:

EFFECTIVE DATE OF CHANGE: January 21, 2020 Change "Council" to "Board" throughout the document; detail added to the make-up requirements of the committees; Equity Council information.

Solare Collegiate Charter School's Governing Body By-Laws Notification is hereby submitted by, **Rachael Sowards**, on **January 27, 2020**, and affirms the school meets the following eligibility criteria:

- Notification must be submitted to the PEC within 30 days of the change being communicated or implemented.
- The school's governing board is in compliance with all reporting requirements.

Rachael Sowards 2/3/2020
Charter School Representative Signature Date

Solare Collegiate Charter School's Governing Body By-Laws Notification was:

- Approved Denied

Chair, Public Education Commission Date



NOTICE AND AGENDA

Regular Governing Board Meeting Draft Minutes

Solare Collegiate Charter School

Tuesday, January 21, 2020 at 6pm

1404 Lead Ave SE Albuquerque, NM 87106

A. Opening Business

1. **Call to Order:** The meeting was called to order at 6:05 p.m.
2. **Roll Call :** The following board members were present for all action items: Ms. Gonzales-Zamora, Ms. Wakeland, Mr. Lorenz, Mr. Wallace, Mr. Lovato, Mr. Iyer and Ms. Vasquez. Guests present: Dan Hill, Rachel Sowards, Katy Rerick, Jenae Emil, Andrea Cantrall, Gabriel Sanchez, Gabriel Sanchez Jr.
3. **Vote on whether to approve Agenda:** A motion to approve the January Governing Board Meeting agenda as suggested was made Mr. Wallace and seconded by Ms. Wakeland. Motioned passed, 7-0.
4. **Vote on whether to approve the December 10, 2019 Regular Meeting Minutes:** A motion to approve December Governing Board Meeting Minutes was made by Mr. Lovato and seconded by Ms. Vasquez. Motion passed, 7-0.

B. Advisory/ Equity Council Update:

- a. **Onboarding for January-** Equity Council has met and discussed what the Governing Board does and how council can work collaboratively
- b. **January 8, 2020 Meeting Update:** discussed how to build a robust parent and volunteer system; ribbon cutting ceremony; fundraising; increasing foundation board membership; equity council work. Governing board appreciates support and will get a general update from council every monthly meeting. Board chair will stay in contact with Rachel Sowards, HOS, to have equity council sign volunteer forms.

C. Information Items

1. Head of School Update

- a. **Enrollment plan and data:** exploring setting enrollment goal for the upcoming year to 52 5th graders as opposed to 104. There is concern about construction needs and timeline with original expansion. With alternative option, total student enrollment would be right under 200 students. This would give access to small school funding. Also with the recommended alternative- minimal construction would have to be done to ensure there would be a building that has capacity for all students to fit regulation- quote price approx. \$350,000. This space would eventually turn into a multipurpose space.

Ms. Sowards has looked into the idea of portables- complications with land being coded as activity center (visually appealing); would have to be a temporary build (<3 years); very expensive

The new area needed to be expanded is quoted to be a 120 day project

A sensitivity analysis on the finance side needs to be looked at before making a decision; what will be the financial impact on the additional increase in teachers? What are options if deadlines are not met? Temporarily house students in a flex space but we will have to make sure construction will not impair the ability to use other parts of the building.

According to Mullen Heller- we do not need additional permitting to being construction- HOS will clarify



Current possibilities:

Original target enrollment (104 new seats)- not going with

Proposed 52 seats- recommended by HOS and discussed above

Proposed 26 seats- taking on 1 new 5th grade classed- could potentially cause us to lose families (lots of sibling sets)

How would adding 30 seats work?

February 18, 2020- next Governing Board Meeting we will discuss breakdown of staff finances, PSFA thoughts, options of adding 1 or 2 classes, CSP impact, supplies

Question: What will be student to staff ratio for new project?

Projections include needing to add 4 more teachers. Currently collecting data to better determine. Ratios after adding 4 teachers and with 52 incoming students rather than originally proposed 104= 1:15

There will be 13.5 teachers

There are 30 students currently in the lottery and 4 kids waiting for the move to the new building

30 students in lottery include: 11 6th graders and 20 5th graders

Cold calls and mailers we the most successful type of outreach and recruitment.

A social media campaign will begin soon as mid February - mid March is when most enrollment happens

- b. Temporary facility lease addendum:** first sets of utilities have not come in; will discuss sent in invoices for deep cleaning and damages (not previously discussed) next meeting
- c. MOU/ permanent facility lease addendum:** tabled until next meeting
- d. Transition plan- furniture storage costs, install Jan.16-** Paul Aguilar and Rachel Sowards did a walk through and identified master inventory. Thinking move can be done in a weekend- recommending we work with local sports team and provide donation or offer the ability for teachers to help with the move and setup and offer a stipend (February 7th-9th). PowerOn will mount TVs within the next couple of weeks
Other option can be making Monday be a service learning day
We are waiting for INSIGHT to create final punch list; February move in dates are contingent on PNM and Water Authority getting what they need done and getting PSFA to come in this week. Parents are being communicated with about move in date.

Ribbon Cutting is tabled for next meeting

- e. Transportation extension:** Ms. Gonzales-Zamora, board Chair will edit contract and send it back to be signed (edit: 1.5 month rather than 6 month contract)
- f. Site Visit:** PED site visit was in December, 2nd one is scheduled for April
- g. Special Education Hire:** tabled
- h. Spanish-Language class:** tabled
- i. Capital Outlay project request letter-** January 10th
- j. Zearn math recommended in NM-** materials sent via email
- k. PFSA square foot/ floor plan (followup)-** tabled



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- I. **Superintendent Verification form-** tabled
 - m. **Safe Schools Plan for Gibson Site-**pending approval

D. Action Items

1. Possible Action on approval of BARS- N/A
2. Possible Action on approval of the following amended Policies and Procedures
 - a. **Open Meetings Act-** annual resolutions. Consent agenda
 - b. **IPRA-** annual resolutions. Consent agenda
 - c. **Internal Controls-** 2nd PO card with name other than HOS has been destroyed; no recommendations from the finance committee to amend
 - d. **Bylaws-** (talked about separately from consent agenda)- Motion to approve copy of bylaws as amended was made by Mr. Iyer and seconded by Ms. Wakeland. Motion passed, 7-0.
 - e. **Volunteer Policy-** (talked about separately) policy to include committee and board volunteers. If we find that finances hinder someone from getting a background check, the foundation will figure out a way to pay for the cost. HOS is tasked with bringing cost information to the February board meeting. A motion to approve Volunteer Policy as amended was made by Mr. Lovato and seconded by Mr. Wallace. Motion passed, 7-0.
 - f. **Conflict of Interest and Nepotism-** no changes just sent for reference
 - g. **Code of Conduct-**no changes just sent for reference
 - h. **CIPA Policy-** Consent agenda
 - i. **Google Scholar Email addresses-** (talked about separately) Teachers requested discussing Google Scholar email addresses. Requesting HOS to gather and send more information and research on the pros and cons of using such technology. Possible plan for next year.
 - j. **McKenney Vinto Policy-** we have approved policy in Student and Family Handbook, still waiting for clarification from PED- No action
 - k. **Bullying and CyberPrevention Policy-** No action

Consent agenda items: A,B, H

A motion to approve policies on the consent agenda as amended was made by Mr. Iyer and seconded by Mr. Wallace. Motion passed, 7-0.

E. Discussion Item (part I)

1. Finance Committee Update
 - a. **December 2019 Financials:** received funding/reimbursements in December. Paid approx. \$121k of bills; CSP has been approved, we are currently waiting for CSP funds to come in; projected end cash balance is still \$250k; planning to start repaying ESNM in September (fairly confident we will be reimbursed by then); added \$12k down in forecast- there is a need for more operational help (reception- total \$6k)

F. CLOSED SESSION

- I. Consideration for Approval to Convene in Executive Session Pursuant to the Open Meetings Act NMSA 1978, § 10-15-1 (H) (2) for the Purpose of Discussing a Limited Personnel Matter Regarding the Executive Director's Performance and Professional Development Plan at Mid-year Evaluation (Discussion/Action). **A motion to go into closed session was made by Ms. Wakeland and seconded by Mr. Wallace. Motion passed, 7-0. We are now in closed session.**



m. Reconvene, and Statement Closure- No actions were taken and no items were discussed during closed session other than those on the agenda. We have come out of closed session.

G. Discussion Items (Part II)

1. Governance Committee Update

- b. Training Opportunities- **mark your calendars**
- i. **Jan. 17 (strategic planning by Dan Hill)**
 - ii. **Jan. 9 & 23; Feb. 6 and 20; Mar. 5 and 19; April 2 and 16 (lunch and learn with NMPED)**
 - iii. **Feb. 1 in Abq 8:30 - 4:30pm @ NM International School, 7215 Montgomery Blvd. NE Abq, NM (continuing training by NMPED)**
 - iv. **Jan. 22/ Feb. 7/ Mar. 6 (financial training with EdTech)**
 - v. **TBA ESNM Partner Schools w/Education Board Partners**

2. Audit Committee Update

- a. **Mock Special Ed Audit Update-** to be scheduled

3. **Foundation Update-** tabled

- a. Construction Updates - phase 2 plan
- b. Playground
- c. Grant Writing Proposal
- d. Paul Aguilar contract
- e. MOU finalized
- f. Solare water meter extension
- g. Marketing and Fundraising

4. Academic Committee Update

- a. **January 2020 Academic Performance Dashboard-** dashboard has been created. Feedback was taken into consideration. This tool will continue to be developed as we use it. Additional board feedback on dashboard tool: highlight stats, measures, information that is off track; include a cover sheet with important bullet points (including what are we doing well, what is working well, what is not meeting benchmark and plan for improvement)
- b. **NMPED IET Forum - Jan. 23 or 24**

H. Closing Business

1. **Next Scheduled Meeting:** February 18, 2020- A motion to adjourn the meeting was made by Ms. Wakeland and seconded by Mr. Iyer. Motion passed, 7-0.
2. **Adjourn:** 9:44 p.m.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or listen to the meeting, please contact Rachael Sowards at rsowards@solarecollegiate.org or 505.917.6442 at least 48 hours prior to the meeting or as soon as possible.


Camille Vasquez, Board Secretary



Bylaws

Solare Collegiate Charter School Governing Board

ARTICLE I

GOVERNING BOARD

Section 1: The governance of Solare Collegiate Charter School is entrusted to the Governing Board.

Section 2: In addition to all powers conferred upon the Governing Board by New Mexico law and the Articles of Incorporation, the Governing Board shall have the power to:

1. Review and adopt the school's mission statement;
2. Review and adopt bylaws and establish policies consistent with the school's mission;
3. Hire, evaluate, set compensation and employment terms for, and terminate the School Leader;
4. Oversee financial matters for the school, including approving the annual school budget and authorizing designees to sign checks and legal documents on behalf of the school.

Section 3: The Governing Board shall establish the number of members, which shall consist of at least 7 members and no more than 15 members. All members shall have identical rights and responsibilities.

Section 4: Members shall serve a term of three (3) years from the date of their appointments, or until their successors are seated. A full three-year term shall be considered to have been served upon the passage of three (3) years since the date the member was elected to the Board. After election, the term of a member may not be reduced, except for cause as specified in these bylaws or to support continuity of the Board. No member shall serve more than two (2) consecutive, three-year terms.

Section 5: Governing Board members shall be sought to reflect qualities, qualifications and diversity determined by the Board, delineated in the Job Description of the Governing Board.

Section 6: Any vacancy occurring in the Governing Board and any position to be filled by reason of an increase in the number of members may be filled upon a simple majority vote of the seated members, within 45 days of the vacancy.

Section 7: A member may resign at any time by sending a written resignation to the Chair of the Governing Board. This may take the form of an email.

Section 8: The Governance Committee shall be charged with recruiting and recommending potential board candidates to the full board. The Governing Board may remove any officer or member with a simple majority vote of a quorum of the Governing Board at any regular or special meeting of the Board, provided that a statement of the reason or reasons shall have been mailed by Registered Mail to the Officer or member proposed for removal at least thirty (30) days before any final action is taken by the Governing Board. This statement shall be accompanied by a notice of the time when, and the place where, the Governing Board is to take action on the removal. The officer or member shall be given an opportunity to be heard and the matter considered by the Governing Board at the time and place mentioned in the notice.



Section 9: Members of the Governing Board:

1. Shall receive no payment other than those allowed by law under the New Mexico Per Diem and Mileage Act.
2. Shall serve the Solare Collegiate Charter School with the highest degree of undivided duty, loyalty, and care and shall undertake no enterprise to profit personally from their position with the Solare Collegiate Charter School.
3. All participants in Governing Council work are bound by the Code of Conduct and Conflict of Interest laws and policies.
4. Shall have no direct or indirect financial interest in the assets or leases of the Solare Collegiate Charter School; any Representative who individually or as part of a business or professional firm is involved in the business transactions or current professional services of the Solare Collegiate Charter School.
5. Shall uphold and comply with all application conflicts of interest laws.

ARTICLE II
MEETINGS

Section 1: Regular meetings of the Board shall be as prescribed by the Board's Annual Open Meetings Act Resolution.

Section 2: Special meetings of the Governing Board may be called by the Board Chair or by a majority of the Governing Board, due notice having been given each member five (5) calendar days prior to the meeting.

Section 3: A simple majority of the members then in office shall constitute a quorum for the transaction of business at any regular or special meeting of the Governing Board.

Section 4: Where applicable the Governing Board shall follow Robert's Rules for all meetings.

Section 5: Notice of all regular and special meetings of the Governing Board, an agenda of all items to be discussed at such meetings, and agenda support materials shall be circulated to all members prior to the meeting and shall be made in compliance with the Open Meetings Act and the School's Open Meetings Act Resolution.

Section 6: Proxy voting is not allowed under law and so an absentee Governing Board member may not designate an alternate to represent him or her at a Governing Board meeting.

ARTICLE III
OFFICERS

Section 1: There shall be four (4) elective Officers of the Governing Board: a Board Chair, a Vice-Chair, a Secretary, and a Treasurer.

Section 2: The election of officers shall be held as needed.

Section 3: In the event that the office of the Board Chair becomes vacant, the Vice-Chair shall become Chair for the unexpired portion of the term unless an election for a new Chair is desired by a simple majority of a quorum of the Board present at any regular or special meeting. In the event that the office of Vice-Chair, Secretary, or



Treasurer becomes vacant, the Chair shall appoint interim officers to fill such vacant offices until a scheduled meeting of the Board can be held at which time an election for the vacant office shall be held.

Section 4: The Board Chair shall preside at all meetings of the Governing Board. In the Chair's absence, the Vice-Chair shall preside. The Chair is responsible for setting the agenda for all meetings, calling any special meetings, and appointing members to chair all committees. Any member may request of the Chair or of the head of school that an item be added to the agenda.

Section 5: The Treasurer shall have general supervision of the Board's financial securities. The Treasurer shall also supervise the maintenance of the Board's financial records and books, and sign such instruments as required by the office.

Section 6: The Secretary shall issue Governing Board meeting notices, and shall keep minutes, and perform such other duties as required by the office.

ARTICLE IV COMMITTEES

Section 1: The Governing Board may appoint committees of the Governing Board. Committees may be composed of Board members or community members, or both. The Board may prescribe the need and/or the composition of such committees.

Section 2: Each standing committee shall consist of at least two people. The Chair of each standing committee shall be a Governing Board member

Section 3: Standing Committees shall include the following;

1. Governance Committee
2. Academic Committee
3. Finance Committee
4. Audit Committee

Membership of the Audit and Finance committees shall comply with NMSA Section 22-8-12.3(B).

Per Section 22-8-12.3, the FINANCE SUBCOMMITTEE shall:

- (1) make recommendations to the local school board in the following areas:
 - (a) financial planning, including reviews of the school district's revenue and expenditure projections;
 - (b) review of financial statements and periodic monitoring of revenues and expenses;
 - (c) annual budget preparation and oversight; and
 - (d) procurement; and
- (2) serve as an external monitoring committee on budget and other financial matters.

Section 4: The Chair of the Governance Committee shall be elected by a simple majority vote of a quorum of the members of the Governing Board. The Chair of the Committee may then select at least two (2) persons for the Committee. Each committee member shall serve a term of two (2) years, and these terms shall be staggered to ensure continuity of the committee. Duties of the Governance Committee shall be:



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1. to study the qualifications of candidates and present nominees for the vacant member positions on the Governing Board;
 2. to provide ongoing orientation to members; and
 3. to oversee a member assessment process to ensure optimum performance.

ARTICLE V

FISCAL YEAR

Section 1: The fiscal year of the Solare Collegiate Charter School shall begin on July 1 of each calendar year and terminate on June 30 of the following calendar year. The school's financial accounts shall be audited annually.



Solare Collegiate Charter School

ARTICLE VI

RULES OF ORDER

Section 1: The rules of order in the current edition of Robert's Rules of Order shall govern the conduct of all meetings of Solare Collegiate Charter School.

ARTICLE VII

AMENDMENTS

Section 1: These bylaws may be amended at any meeting at which a quorum is present by a simple majority vote of those present.