**Lease Terms or Facility Ownership Amendment Policy**

# Purpose

The *Lease Terms or Facility Ownership Amendment* is used to notify the Public Education Commission if the Charter School’s lease terms have changed; if the type of ownership (private, foundation, public) of the facility in which the charter school is located has changed; or if the change in ownership has created new conflicts of interest which must be disclosed*.*

Changes to lease terms or facility ownership do not require prior approval of the Public Education Commission; however, notice must be received within 30 calendar days of the change.

**Submission Deadline**

*A Lease Terms or Facility Ownership Amendment* must be submitted within 30 days of the change.

# PEC Consideration

An administratively complete *Lease Terms or Facility Ownership Amendment* may be placed on the agenda of the next regular PEC meeting if the complete request was received at least 14 days prior to the meeting or at the subsequent meeting if the complete request was not received at least 14 days prior to the next regularly scheduled PEC meeting.

*A Lease Terms or Facility Ownership Amendment* may be placed on the consent agenda of a regular PEC meeting for possible action by the Commission. Any amendment may be removed from the consent agenda during the scheduled PEC meeting for full discussion and possible action by the Commission.

# Instructions for the Request

**If you have questions about completing the form or uploading documents, contact charter.schools@state.nm.us.** Complete all required fields and attachments (denoted by "\*").

## Form Fields

|  |  |
| --- | --- |
| **Field**  | **Instructions**  |
| **Change\***  | Identify the change that has occurred (facility ownership or lease terms).  |
| **Effective Date of** **Change \***  | Identify the date on which the change became effective  |

## Attachments

### Approved Board Minutes or Certification of the Vote taken by the Board \*

Attach evidence that the change has been approved by the Charter School Governing Board; certification must be signed by an authorized member of the board.

### Facility Compliance Documentation\*

For the facility, clearly label and provide the following documents:

□ Lease (as relevant), lease purchase agreement (as relevant), or purchase contract (as relevant) and an affidavit verifying compliance with legal requirements and clearly documenting all changes, if the document has changed.

### Conflict of Interest Statement\*

Provide a signed statement from the relevant board member, or school employee, officer or agent disclosing all conflicts of interest created by the change in facility ownership.

# Administrative Completeness Review

An administratively complete amendment includes the following:

□ Fully Completed Form

□ Approved Board Minutes or Certification of the Vote taken by the Board

o Comply with Open Meeting Act

o Board membership aligns with what is currently on file with PEC

□ Conflict of Interest Statement

□ Facility Compliance Documentation