

Public Education Commission Governing Body Member Change Amendment Form

The Charter Contract was entered into by and between the New Mexico Public Education Commission and [], hereafter "The School", effective [] of [], [].
The School was approved for a [] Charter Contract.

NUMBER OF MEMBERS REQUIRED UNDER YOUR SCHOOL'S BYLAWS:

NUMBER OF CURRENTLY SEATED GOVERNING BOARD MEMBERS:

RESIGNATION

EFFECTIVE DATE OF RESIGNATION, AS PROVIDED ON THE WRITTEN NOTICE FROM THE RESIGNING BOARD MEMBER:

NAME OF INDIVIDUAL RESIGNING:

REMOVAL

DATE OF REMOVAL:

NAME OF INDIVIDUAL BEING REMOVED:

REASON FOR REMOVAL:

DESIGNATION OF NEW BOARD MEMBER TO AN EXISTING POSITION OR A NEW POSITION

EFFECTIVE DATE OF APPOINTMENT, AS PROVIDED IN WRITTEN NOTICE FROM THE BOARD:

NAME OF INDIVIDUAL BEING DESIGNATED:

HOME ADDRESS:

PHONE NUMBER:

EMAIL ADDRESS:

NAME OF BOARD MEMBER BEING REPLACED:

REQUEST FOR EXTENSION:

VOTE NOT TO REPLACE MEMBER:

Submit this form and all supporting documents to charter.schools@state.nm.us

The School's Governing Body Member Change Amendment is hereby submitted by []
on [], and affirms the school meets the following eligibility criteria:

- Amendment must be submitted to the PEC within 30 days of change in membership; and
- The school's governing board is in compliance with all reporting requirements.

Jeron T. Campbell

Charter School Representative Signature

Date

The School's Governing Body Member, or Charter Representative Change Amendment was:

Approved

Denied

Chair, Public Education Commission

Date

AFFIDAVIT OF GOVERNING BODY MEMBER

STATE OF NEW MEXICO

COUNTY OF BERNALILLO

I, Warren Wilhelm, after being duly sworn, state:

1. My name is Warren Wilhelm and I reside in Albuquerque, New Mexico
2. I am a member of the governing body of the ACES Technical Charter School in Albuquerque, New Mexico.
3. I attest that I am currently not a current governing body member of any other charter school authorized in the state of New Mexico.
4. I have never been a governing body member of a charter school that was suspended or failed to receive or maintain their board of finance designation.
5. I understand that as a member of the ACES Technical Charter School's governing body, I am entrusted with oversight of expenditure of public funds in accordance with all applicable laws, regulations and rules, including but without limitation any laws or rules pertaining to conflicts of interest, public school finance, and procurement.

Warren Wilhelm
[Signature]

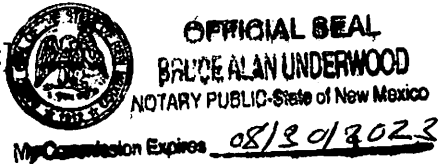
11/18/21
Date

Warren Wilhelm
[Print]

VERIFICATION

The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 18th day of NOVEMBER 2021.

[Notary Seal:



Bruce Alan Underwood
NOTARY PUBLIC

My commission expires: 08/30/2023, 2023.

ASSURANCES

My name is Lawrence Wilhelm and I reside in Albuquerque NM. I am a member of the governing body for ACES Technical a charter school which is located at 4501 Montgomery Blvd. I assure that in my capacity as a member of the governing body, the CHARTER SCHOOL complies with all applicable federal and state laws governing the organizational, programmatic, and financial requirements applicable to charter schools, including:

1. The CHARTER SCHOOL'S admission processes are in compliance with Sections 22-2-4(A)-(D) and 22-8B-4.1 NMSA 1978.
2. The CHARTER SCHOOL'S admission process do not discriminate against anyone regarding race, color, age, religion, national origin, ancestry, sex, sexual orientation, gender identity, spousal affiliation, physical or mental disability, or serious medical condition.
3. The CHARTER SCHOOL is a nonsectarian and non-religious public school.
4. Except as otherwise provided in Section 22-12-5(C) NMSA 1978 the Public School Code, the CHARTER SCHOOL does not charge tuition or have admission requirements.
5. The CHARTER SCHOOL complies with all state and federal health and safety requirements applicable to public schools, complies with Sections 22-8B-4.2(A), (C), and (D) NMSA 1978, and must produce an E-Occupancy certificate for all school facilities.
6. The governing body does not and will not contract with a for-profit entity for the management of the CHARTER SCHOOL.
7. The CHARTER SCHOOL complies with all applicable state and federal laws and rules related to identifying and providing special education services.
8. The CHARTER SCHOOL complies with provisions regarding public property identified in the Public School Code, the New Mexico Procurement Code, and the New Mexico Prohibited Sales Act, the Internal Revenue Code, and other applicable federal and state regulations.
9. The CHARTER SCHOOL ensures that criminal background checks are conducted on all employees and applicable reporting is completed in accordance with Section 22-10A-5 NMSA 1978.
10. The CHARTER SCHOOL ensures that it complies with state regulations regarding the use of volunteers set out in Section 6. 50.18 NMAC.
11. The CHARTER SCHOOL complies with the Age Discrimination Act of 1975, Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Individuals with Disabilities Education Act.
12. The CHARTER SCHOOL provides equitable access to and participation in its federally assisted program for students, teachers, and other program beneficiaries with special needs.
13. Meetings of the CHARTER SCHOOL Governing Body comply with the New Mexico Open Meetings Act, Sections 10-15-1 et seq., NMSA 1978 and the Inspection of Public Records Act, Section 14-2-1 et seq., NMSA 1978.

14. The CHARTER SCHOOL complies with all requirements of The Family Educational Rights and Privacy Act (FERPA) 20 U.S.C. § 1232g; 34 CFR Part 99.
15. The CHARTER SCHOOL has and will adopt all policies and procedures required by the Public School Code, the New Mexico Administrative Code, and the Public Education Commission.
16. The Governing Body or head administrator of the CHARTER SCHOOL recognizes and works with employee labor representatives, if any.
17. The CHARTER SCHOOL has and will develop personnel policies that comply with all applicable federal and state labor laws, regulations and rules implementing them.
18. The CHARTER SCHOOL had and will develop a curriculum that is aligned to the New Mexico State Standards found in Title 6 Chapter 29 of the New Mexico Administrative Code, as amended.

Warren Wilhelm
Printed Name

Warren Wilhelm
Signature

11/19/21
Date



Governing Board Meeting Minutes
Wednesday, October 13, 2021 @ 5:30pm

I. Call to Order: 5:36 pm

A. Roll Call

- Alex Horton
- Dr. Stephanie McIver
- Cassandra Sims
- Theresa A. Carson (5:46 pm)
- Leon Howard, Esq.

B. Adoption of the October 13, 2021 Governing Board Meeting Agenda

C. Approval of September 8, 2021 Minutes

II. Recognition of Students, Staff, and Community

N/A

III. Public Forum (2 minutes per speaker)

N/A

IV. New Board Member Introduction and Vote

Dr. Warren Wilhelm-

Warren is a retired, Albuquerque resident and a lifelong educator. He has an MBA from Howard Business School (Harvard) and a PhD in Business Organization. He is a former professor of two higher learning institutions: University of Colorado and Babson College in Boston. He worked fulltime for HP and Honeywell. He was also a fulltime management consultant, specifically growing leadership talent. Warren is the author of *Learning Architecture*. He previously served on the board for the Red Cross and YMCA. Via SCORE, the small business organization of the national government dedicated to providing business guidance and mentorship, Dr. Wilhelm already has a working relationship with Theresa A. Carson.

- Alex Horton- Yes
- Dr. Stephanie McIver- abstained
- Cassandra Sims- Yes
- Theresa A. Carson- Yes
- Leon Howard, Esq. – not present

Dr. Warren Wilhelm has been inducted as the newest member of the ACES Technical Charter School board.

V. Financials (J. Campbell and A. Wolfel)

A. Budget Update

All purchase orders were reviewed, as well as bank ledger activity.

B. BARS Approval vote

- 579-000-2122-0005-IB- Increase bar for food service
- 579-000-2122-0004-IB- Air Quality Grant
- 579-000-2122-0003-IB- Lease Reimbursement Reward

- Alex Horton- Aye
- Dr. Stephanie McIver- abstained
- Cassandra Sims- Aye
- Theresa A. Carson- Aye
- Leon Howard, Esq. – not present
- Dr. Warren Wilhelm- Aye

C. Accounts Payable Liability Report- September 30, 2021

- Alex Horton- Aye
- Dr. Stephanie McIver- abstained
- Cassandra Sims- Aye
- Theresa A. Carson- Aye
- Leon Howard, Esq. – not present
- Dr. Warren Wilhelm- Aye

VI. Principal's Report

A. School Update

- a. Current Enrollment- 66 (45%), 2020-2021- 45 (30%)
- b. Based on current Free and Reduced Lunch forms, Title I funding is anticipated.
- c. Religious affiliation signage was relocated per the rental agreement.
- d. There are no staffing shortages; however, there has currently been an uptick in teacher and student absences for medical issues or precautionary quarantines.
- e. Two students have been tested positive for COVID, but they remained off campus and were unable to return in person until the quarantine requirement had been met, as well negative test results.
- f. CANVAS has been extended to parent(s) and guardian(s) as a means to remain involved in students' educational progress.
- g. September 28, 2021- Dr. Campbell held a principal presentation, and all school members (staff and students) committed to 4 community agreements.
- h. Recent assessment results and Spring 2022 assessment information was provided to all guardians and students.
- i. Saturday study days have been, and continue to be held, for student tutoring and academic improvement.
- j. There has been some minor bathroom vandalism, which has been addressed, repaired, and redirected. There have been no student altercations nor violence.
- k. NM Elevate has been updated for 2021-2022 evaluation requirements.
- l. ACES has received \$150,000 from Capital Outlay, and Dr. Campbell has submitted all quotes to NMPed for preapproval. All quotes are currently in process.

VII. Board President Report and Discussion

N/A

VIII. Consideration for Approval of the ACES Tech Board to Convene in Closed Session Pursuant to the Open Meetings Act NMSA (10-15-1 (H) (2)) to discuss limited personnel matters (Discussion/Action)

Moved into closed session at 6:51 pm.

- Alex Horton- Aye
- Dr. Stephanie McIver- abstained
- Cassandra Sims- Aye
- Theresa A. Carson- Aye
- Leon Howard, Esq. – not present
- Dr. Warren Wilhelm- Aye

Reconvene in Open Session – 7:59 pm

Pursuant to the Open Meetings Act NMSA (10-15-1 (H) (2)), the board certifies that the only items discussed were limited personnel matters.

- Alex Horton- disconnected
- Dr. Stephanie McIver- emergency leave
- Cassandra Sims- Aye
- Theresa A. Carson- Aye
- Leon Howard, Esq. – not present
- Dr. Warren Wilhelm- Aye

X. Announcement of Upcoming Board Meetings

A. The next meeting will be held on Wednesday, November 10, 2021 at 5:30pm

XI. Adjournment – 8:00 pm