
Public Education Commission

Lease Terms or Facility Ownership Amendment

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.

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 28 days prior to the meeting or at the subsequent meeting if the complete request was not received at least 28 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.

PEC Consideration

All performance data (academic, organizational, and financial) for the last three years including any outstanding compliance or investigations will be provided to the PEC for consideration of the amendment request.

Amendment Checklist

An administratively complete amendment includes the following:

- Fully Completed Form
 - Approved Board Minutes or Certification of the Vote taken by the Board
 - 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.
 - Facility Compliance Documentation: 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
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Lease Terms or Facility Ownership Amendment Request 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.

The School requests the Public Education Commission (PEC) amend the terms of its Contract as follows:

Charter Contract currently states:

ORIGINAL LEASE TERMS OR FACILITY OWNERSHIP AGREEMENT:

The School requests the Public Education Commission (PEC) change the terms of its Charter Contract, Section as follows:

EFFECTIVE DATE OF CHANGE:

REQUESTED CHANGE TO LEASE TERMS OR FACILITY OWNERSHIP AGREEMENT :

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

The School's Lease Terms or Facility Ownership 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; and
- The school's governing board is in compliance with all reporting requirements and approved the change.

Charter School Representative Signature Date

The School's Educational Program amendment request was reviewed and voted upon by the Public Education Commission and is hereby:

APPROVED DENIED

Chair, Public Education Commission

Date

MOVED OR REMOVED ITEMS

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
 - Comply with Open Meeting Act
 - Board membership aligns with what is currently on file with PEC
- Conflict of Interest Statement
- Facility Compliance Documentation