

Pecos Connection Academy/ Pecos Cyber Academy

Appendix 1

Partner Agreement

No documents

Pecos Connection Academy/ Pecos Cyber Academy

Appendix 2

Foundation Agreement

No documents

Pecos Connection Academy/ Pecos Cyber Academy

Appendix 3

Foundation Conflicts of Interest

No documents

Pecos Connection Academy/ Pecos Cyber Academy

Appendix 4

Bylaws

# **PECOS CONNECTIONS ACADEMY GOVERNING COUNCIL BYLAWS**

## **ARTICLE I MISSION STATEMENT**

Together with parents and the community, Pecos Connections Academy, NMSA1978 §§22-8B-1, *et seq.*, is committed to the students of the school.

## **ARTICLE II NAME OF GOVERNING BODY AND SCHOOL**

The name of Pecos Connections Academy's governing body shall be known as the "Governing Council," and referred to in these bylaws as "The Council."

## **ARTICLE III EQUAL OPPORTUNITY**

SCHOOL affirms its commitment to providing equal treatment of all of its students, parents and employees. Neither SCHOOL or the Council shall discriminate against any student, parent or employee on the basis of race, age, religion, color, national origin, ancestry, sex, physical or mental handicap, serious medical condition or sexual orientation or gender identity, or any other basis protected by law, with respect to his/her rights, privileges, programs, activities, and/or in the administration of its educational programs and athletics/extracurricular activities.

## **ARTICLE IV GOVERNANCE AND TRAINING**

The Council has a responsibility to ensure that SCHOOL operates in accordance with all applicable laws and regulations, and meets its commitments to its authorizer and to the New Mexico Public Education Department ("NMPED") as reflected in its charter. Council members have a responsibility to be familiar with the terms of the SCHOOL charter and legal responsibilities of public schools. Council members must become educated about public school laws and applicable rules and regulations. All SCHOOL Council members are required to attend annual mandatory training that explains New Mexico Public Education Department rules, policies, and procedures, statutory powers and duties of charter school governing bodies, legal concepts pertaining to public schools, finance and budget and other matter deemed relevant by the NMPED. In particular, the SCHOOL Council recognizes that the following New Mexico statutes and rules are applicable to public charter schools and each member commits to take necessary steps to become familiar with these provisions:

- Charter Schools Act (NMSA 1978 §§ 22-8B-1 et seq.)
- School Personnel Act (NMSA 1978 §§ 22-10A-1 et seq.);
- Procurement Code (NMSA 1978 §§ 13-1-1 et. seq.);

- Open Meetings Act (NMSA 1978, §§ 10-15-1 et seq.);
- Public School Finance Act (NMSA 1978 §§22-8-1 et seq.)
- New Mexico Public Education Department regulations, (contained in Title 6 of the New Mexico Administrative Code).

To the extent SCHOOL has not specifically requested and been granted a waiver from a particular NMPED policy/regulation or school district policy/regulation, those policies/regulations which have not been waived, shall apply.

## **ARTICLE V**

### **GOVERNING COUNCIL POWERS AND RESPONSIBILITIES**

The primary powers and duties of the Council are to:

1. Develop educational and operational policies for the SCHOOL;
2. Employ SCHOOL's head administrator, who shall be referred to hereafter as the "Principal," evaluate the Principal annually; and set the salary schedule for certified/licensed employees;
3. Charge the Principal with the responsibility of implementing the charter; employing, fixing the salaries of, assigning, terminating and discharging all SCHOOL employees; carrying out SCHOOL's policies and procedures, facilities plans, budget, and such other directives and policies adopted by the Council from time to time. The Governing Council shall not be involved in the day-to-day operations of the school;
4. Review, approve and monitor implementation of the annual SCHOOL budget;
5. Acquire, lease and dispose of property, both real and personal to the extent permissible by laws applicable to public charter schools;
6. Initiate lawsuits or take all necessary steps to protect the SCHOOL's interests;
7. Consistent with SCHOOL's budget authority, approve contracts for the repair and maintenance of all property belonging to the SCHOOL or for which SCHOOL is contractually responsible to maintain and repair, which authority may be delegated to the Principal as deemed appropriate by the Governing Council;
8. Enter contracts consistent with the SCHOOL approved budget for any service or activity that is required for SCHOOL to perform in order to carry out the educational program described in the SCHOOL charter. The Council may delegate its authority hereunder to the Principal for contracts as deemed appropriate by the Governing Council, except in cases of employment contracts which shall be delegated to the Principal consistent with SCHOOL's budget authority and the Council's adopted salary schedule;
9. Develop, adopt and amend policies and procedures pertaining to the administration of all powers or duties of the Council and SCHOOL;
10. Accept or reject any charitable gift, grant, devise or bequest. Each particular gift, grant, devise or bequest accepted shall be considered an asset of the SCHOOL;
11. Approve amendments to the Charter prior to presentation to the authorizer for approval;
12. Make application to NMPED for capital outlay funds;
13. Open other locations for operation of SCHOOL as consistent with the charter;
14. Address problems through the applicable dispute resolution processes according to policies and procedures;

15. Review and consider recommendations submitted by the Principal and other advisors to the Council;

16. Promote a cooperative relationship with its charter authorizer; to function in accordance with the New Mexico Charter School Act and resolve any dispute, which may arise between SCHOOL or its Council and the local board to the mutual benefit of the operation of SCHOOL and its authorizer; and

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

## **ARTICLE VI**

### **COLLECTIVE AUTHORITY OF COUNCIL**

The Council will not be bound by any statement or action by an individual Council member, unless the Council, by majority vote in a properly convened meeting, delegates authority to that individual member to speak for or represent the entire Council. Unless acting pursuant to said express-delegated authority from the Council, no Council member shall undertake any individual action to implement any plan or action of the Council. When a Council member is assisting the Principal with implementing school policies, programs or other directives of the Principal or Council, in this role the Council member shall be considered a volunteer and have no special authority beyond that of a volunteer.

## **ARTICLE VII**

### **COUNCIL MEMBERSHIP**

1. Positions and Qualifications. SCHOOL Governing Council shall have no fewer than 5 (five), but no more than nine (9) voting members. The Governing Council shall strive to have the following composition: qualified individuals who have experience in business, education, law, finance, real estate and such other fields beneficial to SCHOOL's mission and the efficient, sound governance of the SCHOOL. The candidates for positions on the Governing Council shall be considered based upon their professional skills, demonstrated collaborative and problem-solving skills and attitudes, their ability and willingness to devote substantial time and energy to serving on the Council (including the requirement that each Council member shall regularly participate in the activities of at least one Council committee), and their commitment to acting in the best interests of SCHOOL as a whole, rather than for the interests of any particular person or group. The Council shall determine, prior to February 1 of each school year, whether the make-up of the Council shall be increased or otherwise changed.

2. Member Terms. There shall be no limit on the length of a member's tenure on the SCHOOL Council.

3. Vacancies. A vacancy on the Council caused an increase in the number of council members, a member's resignation, or a member's removal by vote of the Council, will be filled by majority vote of the remaining Council members. To fill any vacancy the Council shall convene to appoint a Nominating Committee who will recommend candidates to fill the vacancy. If Council membership falls below five (5) the vacancy shall be filled within sixty (60) days from creation of the vacancy. The Nominating Committee shall be one Council member and the Principal or his/her designee, who shall meet and solicit written applications, recruit potential candidates, and screen applicants and recruits for each of the positions on the Council to be

filled. The Nominating Committee shall recommend candidates to the Council at a public meeting. The Council shall thereafter select new members by a majority vote.

4. Disqualifications/Nepotism Rule. In no event shall a Council member be a SCHOOL employee, spouse of another Council member, or have a contract for provision of services or property with SCHOOL. The Council will not initially employ as Principal a person who is a Council member (unless the offer of employment is contingent upon such member's resignation from the Council), the spouse, father, father-in-law, mother, mother-in-law, son, son-in-law, daughter, or daughter-in-law, sister, sister-in-law, brother, brother-in-law, or sibling (collectively "family members") of any Council member. Upon petition by the Principal, the Council may approve the Principal's hiring of the Principal's family members as School employees by majority vote at a public meeting. Prior to approving the Principal's request to hire said individual, the Council shall carefully consider the potential impact on the integrity, efficiency, discipline and public perception of SCHOOL in the employment of any person who is a family member of the Principal or the parent of a currently enrolled SCHOOL student.

5. Attendance. Council members are expected to regularly attend Council meetings. If a Council member anticipates that he or she will not be able to attend a meeting, the Council member shall notify the President or designee of his or her impending absence in advance of the meeting. If a Council member, as a result of an emergency or illness, is unable to notify the President or designee of the Council in advance that he or she will be unable to attend a meeting, the Council member shall notify the President or designee in a timely manner following the meeting of the reason for his or her absence.

6. Removal from Council. A Council member may be removed by a majority vote of the remaining Council members for the following reasons:

- a. If a member misses two consecutive regular meetings or two out of six consecutive regular meetings except when such absence is due to exigent circumstances;
- b. If a member violates any policy or procedure adopted by the Council;
- c. If the Council determines that a member is not acting in the best interest or is otherwise obstructing the business of the Council;
- d. Violation of the member's duty of loyalty; or
- e. Any other ground the Council deems appropriate.

7. Resignations. A member shall state his/her intent to resign and the effective date of the resignation in writing to the Council President. A member's resignation shall be effective upon the date stated in the letter of resignation.

## **ARTICLE VIII**

### **OFFICERS OF THE COUNCIL**

1. Officers of SCHOOL Council. The officers of the SCHOOL Council shall be a President, Treasurer and Secretary. SCHOOL may, by a majority vote, create different categories of officers without requiring an amendment to these bylaws. The duties of certain officers are set forth herein. When the incumbent of an office is unable to perform the duties thereof or when there is no incumbent of an office (both such situations referred to hereafter as the "absence" of the officer), the duties of the office shall, unless otherwise provided by the Council, be performed by the next officer set forth in the following sequence: president, past president, secretary/treasurer.



2. Election and Tenure. All officers shall be elected by a majority vote of the Council. Officers shall serve for one (1) year terms; and be limited to a maximum of two (2) consecutive terms. Regular election of officers shall take place at the first regular meeting of the SCHOOL Council in June of each school year or until their successors have been duly elected and qualified, or until their death, resignation or removal. Officers' terms shall begin at the meeting immediately following the meeting of the Council at which the officer is elected.

3. Resignations and Removal. An officer may resign at any time by giving written notice to the president or to the secretary, the acceptance of such resignation shall not be necessary to make it effective. An officer may be removed by the Council whenever in its judgment the officer fails to perform the duty of his/her office or such other duties as appointed by the Council, or when the best interests of the School would be served thereby.

4. Vacancies. A vacancy in any office may be filled by a majority vote of the Council for the unexpired portion of the term of the officer being replaced.

5. President. The president of the Council shall preside at all meetings. She/he shall have the right, as other members of the Council, to make or second motions, to discuss questions, and to vote. The president of the Council may not take any action on behalf of the Council or SCHOOL without prior specific authority from a majority of the Council to do so. All communications addressed to the president shall be considered by him or her for appropriate action, which consideration may include consulting with legal counsel, and consideration by the Council. The president shall sign legal documents as required by law and perform such other duties as may be prescribed by the Council. It is the president's responsibility to ensure that Council members uphold their commitments/responsibilities to the school. The president is responsible for compiling the topics for business to be placed on the agenda.

6. Past-President. The office of past president is created to ensure institutional continuity. If the past-president resigns from the Council, the Council shall elect a vice-president. The officer in this position shall perform the duties of the president in the absence of the president or at the request of the president. In the event a vacancy occurs in the presidency, the past-president or vice-president will act in the capacity of the president until the office has been filled by a vote of the Council membership.

7. Secretary/Treasurer. The secretary/treasurer shall be familiar with the fiscal affairs of the School and keep the Council informed thereof in the event that the school's Business Manager is unable to so act. He/she will have knowledge of public school finance laws, rules and policies and shall serve as the chair of the SCHOOL's Finance Committee and Audit Committee. He/she shall attend the PED Spring Budget Workshop and/or any other financial regulatory training recommended by the Council, Principal or the Business Manager. As secretary to the Council, this office shall keep the minutes of the Council meetings, subject to the direction of the president, ensure that all notices are given in accordance with the provisions of the charter, Council policies and as required by law; shall countersign, when required, all authorized contracts, deeds, leases, or other legal instruments; and in general perform all duties incident to the office of secretary and such other duties as from time to time may be assigned to the secretary by the Council. The Council may appoint a designee to assist with the responsibilities of the Secretary as described herein, including recording and transcribing the minutes of the meetings, posting notices and agendas and preparing packets for the Council's review. The secretary will review the minutes prior to presentation to the Council for approval. The secretary or the Council's designee shall be responsible for presenting the minutes to the Council at meetings.

8. Compensation. The officers shall not be compensated for their services; however, they may be compensated for reasonable expenses in accordance with the New Mexico Mileage and Per Diem Act.

9. Directors and Officers Insurance. The Council may secure officers and directors insurance in excess of the coverage provided by the New Mexico Public School Insurance Authority upon appropriate approval of the Council and if provided for in the school's approved budget.

## **ARTICLE IX COUNCIL COMMITTEES**

1. Standing Committees. The Council may establish standing committees, which may consist of Council members and non-Council members. Committee assignments and chairmanships will be determined by action of the entire Council, provided that at least one Council member shall serve on each committee. Standing committees of the Council shall include a Finance Committee and Audit Committee as defined by NMSA 1978 §22-8-12.3(2010); and a Nominating Committee, as defined in Article VII, Section 3. The time and place of all committee meetings shall be announced to the Council. Except for the audit committee, all Council members may attend any committee meeting if the meetings are properly noticed pursuant to the Open Meetings Act when a quorum will be present.

2. Principal's Committees. The Principal is empowered to establish committees within the school that report to the Principal. The Principal shall advise the Council about the purpose of the committees and activities affecting the school.

3. Ad Hoc Committees. The Council may appoint *ad hoc* advisory committees when and as determined to be necessary or advisable by the Council. Ultimate authority to make decisions will continue to reside with the Council.

4. Committee Functions. The function of Council committees will be fact-finding, deliberative, and advisory, rather than legislative or administrative. Committee recommendations that require school-wide policy changes must be submitted to the Council. The organization, responsibilities and rules of each committee created by the Council shall be reflected in a resolution approved by the Council. All committees shall keep written minutes of their meetings, and shall periodically present written reports to the Council containing committee recommendations. Committees shall comply with the Open Meetings Act, when applicable.

## **ARTICLE X COUNCIL MEETINGS**

1. Council Meetings. The SCHOOL Governing Council will comply with the New Mexico Open Meetings Act. NMSA 1978 §10-15-1. Regular meetings of the Council will be scheduled as determined to be reasonable and necessary for SCHOOL and set forth in the Council's annual resolution. Council meetings will be held at the School's office location or such other location as may be determined by the Council. Special meetings of the governing body may be called by the Council president or at the request of a Council member, in accordance with the Open Meetings Act. The Council shall consider at least once annually what constitutes reasonable notice for all regular, special and emergency meetings as contemplated by the New

Mexico Open Meetings Act and, thereafter, pass an appropriate resolution adopting policies and procedures for complying with the Act. The Resolution shall be posted for public information.

2. Council Agenda. The President of the Council shall set the council agendas. A request to have an item placed on the agenda must be submitted in writing to the President at least 72 hours prior to the required time the agenda must be posted. The President or designee shall provide a copy of the agenda and strive to provide all documentation to be considered by the Council at the meeting to each Council member at least 72 hours prior to the meeting. The agenda shall be posted for the public in accordance with the Open Meetings Act.

3. Council Record. A record of all actions of the Council will be set forth in the official minutes of the Council. The minutes and recordings will be kept on file pursuant to New Mexico record retention requirements. The Council will maintain a separate handbook of its minutes and resolutions passed by the Council, which shall be available for public inspection.

4. Council Minute and Records. The Council shall delegate responsibility for taking minutes of all Council meetings to the SCHOOL' administrative staff who shall provide thereof draft copy of the minutes to the Council Secretary prior to the next regular meeting of the Council. The Secretary shall present the draft minutes for approval at the next regular Council meeting. The Principal or his/her designee shall also supervise the Governing Council handbook of resolutions passed by the Council and the indexed record of action. A draft copy of the minutes shall be made available for public review by no later than 10 days after each meeting of the Council.

5. Quorum. A quorum shall consist of a simple majority of Council members in office. When a quorum is present any action may be taken by a majority vote of those members present.

6. Procedure. Roberts' Rules of Order, newly revised, will govern the Council, except when in conflict with applicable laws or regulations, which then prevail. Most action items are handled by appropriate motion procedures.

7. Attendance via Telephone Conference Call. Except to the extent otherwise provided by law, any meeting of the Council may be attended by any of the Council members by means of a conference telephone (or similar communications equipment) when it is otherwise difficult or impossible for the member to attend the meeting in person, provided that each member participating by 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 other member of the Council who speaks during the meeting. Such attendance shall constitute presence by the Council member as if in person at such meeting and for purposes of determining a quorum. Any action taken by the Council at such meeting shall constitute a valid action of the Council. Council members appearing by telephone shall make advance arrangements with the Council President at least 24 hours in advance of the meeting.

**ARTICLE XI**  
**CONFLICT OF INTEREST**

Governing Council members shall comply with the Conflict of Interest Policy passed by the Council. Each Council member shall complete an "Annual Disclosure Statement," in which he/she is responsible for disclosing to the Council the existence of any direct or indirect interest in a School transaction. Failure to make such disclosure shall be grounds for voiding the transaction, at the discretion of the Council.

**ARTICLE XII**  
**COUNCIL MEMBERS' ETHICAL OBLIGATIONS AND DUTIES**

1. Misuse of Position. A Council member shall not use his or her position at SCHOOL to attempt to influence the decision of any SCHOOL employee to grant special treatment to (a) the child or ward of the member, (b) any relative of the member, or (c) any "Related Party" as defined in the Council's Conflict of Interest Policy. Every Council member and every SCHOOL employee who is a parent or ward of a SCHOOL student shall inform his or her child that he or she is required to follow all rules, policies and procedures applicable to SCHOOL students, that he or she is not entitled to special treatment by virtue of the relationship with a Council member or employee, and that any attempt to seek such special treatment may result in disciplinary action.

2. Commitment to Collaboration. All Council members shall work collaboratively with each other, with the sole goal of achieving SCHOOL's educational mission. The Council has been constituted so as to include a broad spectrum of experience and perspectives, and every Council member shall be afforded the opportunity to express his or her opinion, in a professional manner, about matters before the Council. Council members shall refrain from non-constructive or personality-based comments that do not advance SCHOOL's mission. Because the Council makes decisions as a deliberative body, it is expected that, except in extraordinary circumstances, Council members will voice their opinions to other Council members about Council matters in the context of Council and/or committee meetings, rather than in private communications among Council members.

3. Confidentiality. Council members shall be expected to keep confidential any deliberations or discussions that take place in closed session meetings. It is expected that Council members will raise concerns or share information about closed session meetings within the context of Council and/or other committee meetings with other members of the Council and appropriate staff members only. A member's obligation to maintain confidentiality shall survive the Council member's tenure on the SCHOOL Council.

**ARTICLE XIII**  
**MISCELLANEOUS**

1. Policy Adoption. Adoption of new policies or the revision or repeal of existing policies is solely the responsibility of the Council. Proposals regarding policies may originate from Principal, a Council member, Council advisors, or committees formed by the Council for

the purpose of investigating and developing policy. Staff members, students, civic groups, parents or other interested citizens may request that a Council member or the Principal sponsor a proposed policy.

2. Amending Governing Council Bylaws. Any section or subsection of the Governing Council Bylaws may be altered, suspended or revoked only by 2/3 two thirds of a quorum vote of the Governing Council.

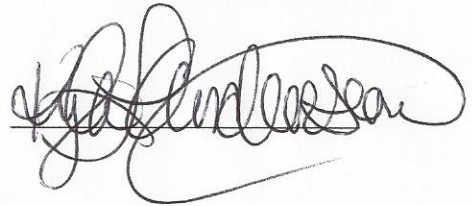
3. Signatory Authority. The Governing Council may by a majority vote, delegate authority to sign contracts as described by resolution, to the Principal consistent with Article V, paragraph 7 and 8. All checks must be signed by two authorized individuals, neither of which may be SCHOOL's business manager.

4. Dissolution of the Charter. If deemed advisable by the Council that SCHOOL's charter should be dissolved, SCHOOL in collaboration with the authorizer and the New Mexico Public Education Department shall devise an appropriate plan for closing the school and transferring assets as required by the New Mexico Charter School Act and such other applicable laws and regulations.

### CERTIFICATE OF ADOPTION

The undersigned officers hereby certify that these Bylaws were duly adopted by the SCHOOL's Governing Council on August 28, 2015.

By: \_\_\_\_\_

A handwritten signature in black ink, appearing to be "J. Anderson", written over a horizontal line.

Pecos Connection Academy/ Pecos Cyber Academy

Appendix 5

Board of Finance

**STATEMENT OF GOVERNING BODY TO CONSULT WITH PED**

We, the undersigned, make up the governing body of the Pecos Cyber Academy [insert name of school], located in \_\_\_\_\_, New Mexico.

In accordance with 6.80.4.16 NMAC, we agree to consult with the New Mexico Public Education Department on any matter not covered by the manual of accounting and budgeting before taking any action related to funds held as a board of finance.

We make this statement as part of Pecos Cyber Academy [insert name of school]'s application to the Public Education Commission for status as a board of finance under 6.80.4.16 NMAC.

We understand that we must retain or hire a Licensed School Business Manager as soon as financial feasible and, thereafter, notify the New Mexico Public Education Commission within 30 days of hiring and/or changing in a Licensed School Business Manager for the school, and a new, signed "Affidavit of Financial Custodian" must be submitted.

We understand that we must submit an Affidavit of Governing Body Member to the Public Education Commission within 60 days of a change in membership of our governing body.

THE FOLLOWING MEMBERS OF THE Pecos Cyber Academy [INSERT NAME OF SCHOOL] GIVE THE FOREGOING STATEMENT THIS 17<sup>th</sup> DAY OF April, 2012.

1. [signature]  
[signature]  
Kyla L. Anderson  
[print]
2. [signature]  
[signature]  
Candi Borrecco  
[print]
3. [signature]  
[signature]  
Brandy Tillian  
[print]
4. [signature]  
[signature]  
Jennifer L Sears  
[print]
5. [signature]  
[signature]  
Denise Smythe  
[print]

Attach additional pages if membership exceeds five.



**STATEMENT OF GOVERNING BODY TO CONSULT WITH PED**

We, the undersigned, make up the governing body of the Pecos Cyber Academy, located in Edgewood, New Mexico.

In accordance with 6.80.4.16 NMAC, we agree to consult with the New Mexico Public Education Department on any matter not covered by the manual of accounting and budgeting before taking any action related to funds held as a board of finance.

We make this statement as part of Pecos Cyber Academy's application to the Public Education Commission for status as a board of finance under 6.80.4.16 NMAC.

We understand that we must retain or hire a Licensed School Business Manager as soon as financial feasible and, thereafter, notify the New Mexico Public Education Commission within 30 days of hiring and/or changing in a Licensed School Business Manager for the school, and a new, signed "Affidavit of Financial Custodian" must be submitted.

We understand that we must submit an Affidavit of Governing Body Member to the Public Education Commission within 60 days of a change in membership of our governing body.

THE FOLLOWING MEMBERS OF THE PECOS CYBER ACADEMY GIVE THE FOREGOING STATEMENT THIS 25TH DAY OF MARCH 2022.

- Vivian J. Cullen*  
1. \_\_\_\_\_  
[signature]  
Vivian Cullen  
[print]
- Vivian Cullen*  
2. \_\_\_\_\_  
[signature]  
\_\_\_\_\_  
[print]
3. \_\_\_\_\_  
[signature]  
\_\_\_\_\_  
[print]
4. \_\_\_\_\_  
[signature]  
\_\_\_\_\_  
[print]
5. \_\_\_\_\_  
[signature]  
\_\_\_\_\_  
[print]



**AFFIDAVIT OF GOVERNING BODY MEMBER**

STATE OF NEW MEXICO )

COUNTY OF )

I, Candi Borrecco, after being duly sworn, state:

1. My name is Candi Borrecco and I reside in Edgewood, New Mexico.
2. I am a member of the governing body of the [insert name of school] in Pecos Cyber Academy, 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 [insert name of 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.

Candi Borrecco  
[Signature]

4/19/22  
Date

Candi Borrecco  
[Print]

**VERIFICATION**

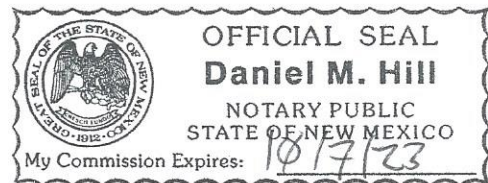
The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 19<sup>th</sup> day of April, 2022.

[Notary Seal:]

[Signature]

NOTARY PUBLIC

My commission expires: October 7, 2023.



**AFFIDAVIT OF GOVERNING BODY MEMBER**

STATE OF NEW MEXICO )  
  )  
COUNTY OF                    )

I, Kyla Anderson, after being duly sworn, state:

1. My name is Kyla Anderson and I reside in Santa Fe, New Mexico.

2. I am a member of the governing body of the [<sup>PLA</sup>insert name of school] in Edgewood, 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 [insert name of 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.

Kyla Anderson  
[Signature]

4/14/2022  
Date

Kyla L. Anderson  
[Print]

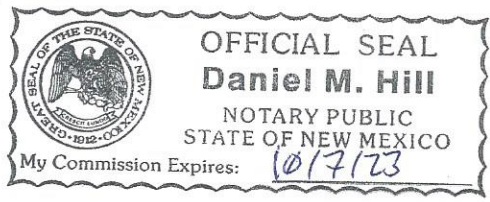
**VERIFICATION**

The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 14<sup>th</sup> day of April, 2022.

[Notary Seal:]

[Signature]  
NOTARY PUBLIC

My commission expires: Oct. 7, 2023.



**AFFIDAVIT OF GOVERNING BODY MEMBER**

STATE OF NEW MEXICO )  
 )  
COUNTY OF )

I, Brandy Tillian, after being duly sworn, state:

1. My name is Brandy Tillian and I reside in Edgewood, New Mexico.

2. I am a member of the governing body of the [<sup>PCA</sup>insert name of school] in Edgewood, 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 [insert name of 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.

Brandy Tillian  
[Signature]

4/19/2022  
Date

Brandy Tillian  
[Print]

**VERIFICATION**

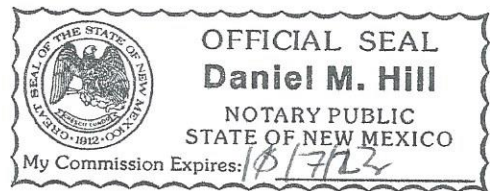
The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 17<sup>th</sup> day of April, 2023.

[Notary Seal:]

[Signature]

NOTARY PUBLIC

My commission expires: October 7, 2023.





**AFFIDAVIT OF GOVERNING BODY MEMBER**

STATE OF NEW MEXICO )  
 )  
COUNTY OF )

I, Jennifer Sears, after being duly sworn, state:

1. My name is Jennifer Sears and I reside in Edgewood, New Mexico.

2. I am a member of the governing body of the <sup>PCA</sup> [insert name of school] in \_\_\_\_\_, 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 [insert name of 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.

Jennifer Sears  
[Signature]

4/19/22  
Date

Jennifer Sears  
[Print]

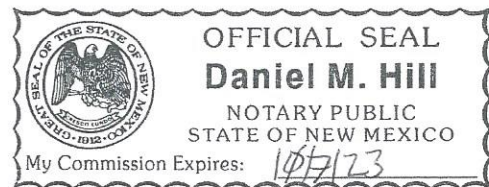
**VERIFICATION**

The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 19<sup>th</sup> day of April, 2022.

[Notary Seal:]

DP  
NOTARY PUBLIC

My commission expires: October 7, 2023.



**AFFIDAVIT OF GOVERNING BODY MEMBER**

STATE OF OREGON )

COUNTY OF Washington )

I, Vivian Cullen after being duly sworn, state:

1. My name is Vivian Cullen and I reside in Rio Rancho, New Mexico.
2. I am a member of the governing body of the Pecos Cyber Academy in Edgewood, 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 Pecos Cyber Academy'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.

Vivian Cullen  
[Signature]

03/25/22  
Date

Vivian Cullen  
[Print]

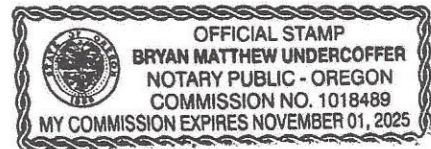
**VERIFICATION**

The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 25 day of March, 2022

[Notary Seal:]

B  
NOTARY PUBLIC

My commission expires: BU  
11/01/2025, 2025.





**AFFIDAVIT OF FINANCIAL RECORD CUSTODIAN**

STATE OF NEW MEXICO )

COUNTY OF Dona Ana

I, Gloria P. Lopez, [affiant] after being duly sworn, state:

1. I live in the City of Las Cruces, County of Dona Ana, New Mexico.

2. In accordance with 6.80.4.16 NMAC, I agree to accept the responsibility of keeping the financial records of the charter school and recognized that I am in charge of maintaining public funds with fidelity and in accordance to public finance laws, rules and regulations.

3. I have completed the following training in the maintenance of financial records:

- a) New Mexico Business Offsets Conferences + Trainings
- b) New Mexico Public Procurement Association Conferences + Trainings
- c)

4. Attached is a certificate of insurance that indicates that I am adequately bonded to take this responsibility.

5. I have earned the following certificates, licensures and/or degrees:

Certificate, licensure or degree	Educational Institution	Date	Current Yes/No
<u>CPO</u>	<u>NM General Services Dept</u>	<u>March 2023</u>	<u>Yes</u>
<u>Business License</u>	<u>State of NM</u>	<u>June 2029</u>	<u>Yes</u>

FURTHER AFFIANCE SAYETH NAUGHT.

Gloria P Lopez  
[Signature of Affiant]

6/28/2022  
Date

Gloria P. Lopez  
[Print Name of Affiant]

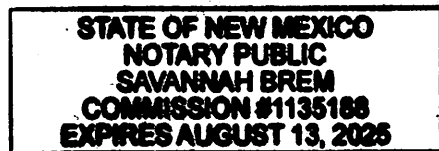
**VERIFICATION**

The forgoing Affidavit of Financial Records Custodian was subscribed and sworn to before me, this 28<sup>th</sup> day of June, 2022.

[Notary Seal:]

Savannah Brem  
NOTARY PUBLIC

My commission expires: 08-13, 2025.







**NEW MEXICO**  
GENERAL SERVICES DEPARTMENT

*Gloria P Lopez*

*Who has satisfactorily pursued the certification training program and  
passed the required examination*

*in accordance with the requirements established pursuant to*

**NMSA 13-1-95.2**

*is hereby awarded on this 16th day of March 2021*

**Chief Procurement Officer Certification**

*Certificate No.* **CPO-2016-00000-01302**



*[Signature]*  
**State Purchasing Agent**



# STATE OF NEW MEXICO



In Recognition of  
The Fulfillment of the Requirements for  
School Personnel Licensure  
this

**LEVEL TWO SCHOOL BUSINESS OFFICIAL**  
is issued to

**GLORIA LOPEZ**

Effective from July 01, 2020 to June 30, 2029  
Licensure Number: 322015

A handwritten signature in cursive script that reads "Ryan Stewart".

Secretary of Education

Pecos Connection Academy/ Pecos Cyber Academy

## Appendix 6

School Admission Policies and Procedures



# Enrollment and Lottery Policy 2021-2022 SY

---

## Purpose

Pecos Cyber Academy (“PCA”) is committed to maximizing open enrollment by year 5, for students in grades K-12, within its annually set enrollment limits and projected grade levels served. Such limits help ensure that students are provided with quality instruction and support, including an effective student/teacher ratio.

Each year the school will conduct an open application period. After accounting for returning students and their eligible siblings, if the number of enrollment applications completed during the annual open application period exceeds the available slots, PCA will ensure applicants have an equal chance of admission through means of a publicly held random lottery selection process. The lottery will be open to the public, however attendance is not required. PCA will post the date, time and location of the lottery on its website Enrollment page.

## Nondiscrimination Assurances

PCA does not discriminate against any person on the basis of ethnic group identification, race, color, national origin, ancestry, sex, sexual orientation, gender identity, religion, physical or mental disability, athletic performance, language proficiency in English or another language, prior academic achievement, or age in the admission to, participation in, or receipt of any educational services or activities.<sup>1</sup>

### Open Application Period

PCA will have an open application period each year at a time to be specified in the second semester of each year for the following year. During this period, applicants who are interested in enrolling must begin by:

1. Completing the online registration form which will be made available on the school’s website.  
A valid form of proof of residency.

No new students will be admitted for the 2021-2022 school year during the open application period.

## Enrollment Preferences

As provided in N.M. Stat. Ann §22-8B-4.1(B), PCA shall give enrollment preference to:

- (1) students who have been admitted to PCA through an appropriate admission process and remaining in attendance through subsequent grades;

---

<sup>1</sup> This statement is in accordance with the provisions of Title VII of the Civil Rights Act of 1964, Title IX of the Educational Amendment of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and the Individuals with Disabilities Education Act (IDEA) and state regulations as applicable.

- (2) children of employees employed by PCA; and
- (3) siblings of students already admitted to or attending PCA.

Sibling preference in the lottery process will help committed families handle the logistics of successful participation in the virtual school.

## Waitlists

PCA will continue to accept applications after the open application period however, these students will be placed on a waitlist determined by the automatic recorded time/date stamp recorded at the time of the application submission. These students will be allowed to enroll based on the availability of space in their grade cluster and their place on the waiting list. If the school is not oversubscribed by the end of the open application period, no lottery will be held and PCA will continue to accept applications and admit eligible students in the order in which enrollment applications are received and based on availability in their respective grade clusters.

## Lottery Procedure

Upon accounting for returning students and their eligible siblings, if the number of lottery eligible students exceeds the school's enrollment capacity, a random lottery will be conducted in accordance with this policy.

- The lottery may or may not be conducted in grade clusters.
- The grade order in which the lottery is drawn, and the total number of students selected may vary each year depending on the number of students who receive an enrollment preference.
- The lottery will be open to the public, but attendance is not required.
- If a random number lottery is needed, PCA will post the date, time and location of the lottery on its website Enrollment page.
- When all slots are filled via the lottery, students not selected will be placed on a waiting list in the order of their lottery number and made an offer to enroll in descending order as space becomes available.
- The waiting list is for one school year only and will not carry over from school year to school year.
- A new application must be submitted each year.

## Randomization of Lottery

In order to ensure a random lottery without the possibility of human bias and error, PCA will use an electronically generated random number lottery to determine who can attend. The program will randomly select a student name from the pool of enrollment applicants for a specific grade cluster until the number of available slots are filled, or the pool of enrollment applications is exhausted.

## Student Selection Process

Students selected in the lottery will be provided an offer of enrollment. The offer of enrollment must be accepted within a specified period or the student will forfeit his/her space to the next student on the waiting list. After an offer of enrollment has been accepted, students will have a designated period of time to complete all enrollment requirements or forfeit their space to the next student on the waiting list.

Pecos Connection Academy/ Pecos Cyber Academy

Appendix 7

Board Compliance Certificate

## ASSURANCES

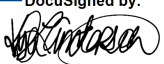
My name is Kyla Anderson and I reside in Santa Fe, NM. I am a member of the governing body for Pecos Cyber Academy, a charter school which is located at 1841 Old US Highway 66 Edgewood, NM 87015. I assure that in my capacity as a member of the governing body, the CHARTER SCHOOL complies with all applicable 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.

Kyla Anderson

Printed Name

DocuSigned by:  
  
C9CEAADD05844EF...  
Signature

6/23/2022

Date

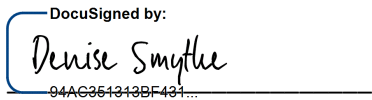
## ASSURANCES

My name is Denise Smythe and I reside in Estancia, NM. I am a member of the governing body for Pecos Cyber Academy a charter school which is located at 1841 Old US Highway 66 Edgewood, NM 87015. 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.

Denise Smythe	 DocuSigned by: Denise Smythe 94AG3E4343BF431...	6/28/2022
_____ Printed Name	_____ Signature	_____ Date

## ASSURANCES

My name is Lorissa Marshall and I reside in Albuquerque, NM. I am a member of the governing body for Pecos Cyber Academy a charter school which is located at 1841 Old US Highway 66 Edgewood, NM 87015. 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.

Lorissa Marshall

Printed Name

DocuSigned by:



Signature

6/29/2022

Date

## ASSURANCES

My name is Brandy Tillian and I reside in Edgewood, NM. I am a member of the governing body for Pecos Cyber Academy a charter school which is located at 1841 Old US Highway 66 Edgewood, NM 87015. 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.

Brandy Tillian

Printed Name

DocuSigned by:

Brandy Tillian

58BFA0AB90E0435...

Signature

6/28/2022

Date

## ASSURANCES

My name is Vivian Cullen and I reside in Rio Rancho, NM. I am a member of the governing body for Pecos Cyber Academy a charter school which is located at 1841 Old US Highway 66 Edgewood, NM 87015. 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.

Vivian Cullen

Printed Name

DocuSigned by:

*Vivian Cullen*

4CF0DF06A229473...  
Signature

6/28/2022

Date

Pecos Connection Academy/ Pecos Cyber Academy

Appendix 8

Discretionary Waivers



Pecos Connection Academy/ Pecos Cyber Academy

Appendix 9

Lease/ Lease Purchase documentation

Not applicable to this school