

## Governing Body By-Laws Amendment Form

The Charter Contract was entered into by and between the New Mexico Public Education Commission and [SANDOVAL ACADEMY OF BILINGUAL EDUCATION ], hereafter "The School", effective [ 16th ] of [ February ], [ 2022 ]. The school was approved for a [ FIVE ] Charter Contract.

The School requests the Public Education Commission approve the changes to the Governing Body By-Laws as follows:

**EFFECTIVE DATE OF CHANGE:**

February 16, 2022

**DESCRIPTION OF CHANGES:**

Updated Governing Board By-Laws to include updates from original By-Laws from initial charter.

**Submit this form and all supporting documents to [charter.schools@state.nm.us](mailto:charter.schools@state.nm.us)**

The School's Governing Body By-Laws Amendment is hereby submitted by [ JACKIE RODRIGUEZ ] on [ 06/23/2022 ], and affirms the school meets the following eligibility criteria:

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

**Jackie Rodriguez** Digitally signed by Jackie Rodriguez  
Date: 2022.06.23 12:30:13 -06'00'

**06/23/2022**

Charter School Representative Signature

Date

The School's Governing Body By-Laws Amendment was:

- Approved       Denied

Chair, Public Education Commission

Date

<b>MINUTES</b> <b>Sandoval Academy of Bilingual Education (SABE)</b> <b>Governing Board Regular Meeting</b>
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Location:	Via Zoom Meeting  Join Zoom Meeting: <a href="https://zoom.us/j/2145335070?pwd=VXpZcjFjdndmcWhiMUtXU2dudTJnQT09">https://zoom.us/j/2145335070?pwd=VXpZcjFjdndmcWhiMUtXU2dudTJnQT09</a> Meeting ID: 214 533 5070    Passcode: sabe
Date:	Wednesday, February 16, 2022
Time:	6:30 pm
Future Meeting Date:	Wednesday, March 16, 2022

**Governing Council Members:**

Becky A. Torres, President - present via Zoom  
Brennan Divett - absent  
Lisa Spangler - present via Zoom  
Scott Heller - present via Zoom at 6:46 PM  
Mario Martinez - present via Zoom

**Others:**

Jackie Rodriguez – Director/Principal, present via Zoom  
Ashley Wolfel – The Vigil Group, present via Zoom until 7:08 PM  
Alice Banks – Assistance with meeting notes, present via Zoom  
Kelly Callahan – Public Charter Schools of NM, present via Zoom

Agenda details:

- I. Call to Order  
**Becky called the meeting to order at 6:36 PM.**
  
- II. Approval of Agenda  
**Lisa moved and Mario seconded the motion to approve the agenda. The motion was passed unanimously.**
  
- III. Approval of Minutes from January 19, 2022  
**Mario moved and Lisa seconded the motion to approve the minutes of the January 19, 2022 Regular Meeting. The motion was passed unanimously.**
  
- IV. Financial Report: August: Ashley Wolfel, SABE Business Manager, The Vigil Group  
**Ashley reviewed information from the Finance Committee meeting that was held prior to the Governing Council meeting.**
  
- V. Action Items:
  - a. BAR 31703-563-000-2122-0020-I  
**Scott moved that the increase BAR for the SB9 State Match Cash as presented by Ashley be approved, and Mario seconded. The motion was passed unanimously.**

- b. BAR 24316-563-000-2122-0021-IB  
**Scott moved that the initial budget BAR for the Air Quality Grant as presented by Ashley be approved, and Mario seconded. The motion was passed unanimously.**
  
- c. BAR 11000-563-000-2122-0022-D  
**Scott moved that the decrease BAR based on the 40th day adjustment for enrollment as presented by Ashley be approved, and Mario seconded. The motion was passed unanimously.**
  
- d. BAR 24330-563-000-2122-0023-IB  
**Scott moved that the initial budget BAR for ARP funds as presented by Ashley be approved, and Mario seconded. The motion was passed unanimously.**
  
- e. BAR 27153-563-000-2122-0024-IB  
**Scott moved that the initial budget BAR for the Extended Learning Transportation Award as presented by Ashley be approved, and Mario seconded. The motion was passed unanimously.**
  
- f. BAR 24308-563-000-2122-0025-T  
**Scott moved that the transfer BAR for CRRSA funds as presented by Ashley be approved, and Mario seconded. The motion was passed unanimously.**
  
- g. Adopt Governing Board Bylaws  
**Lisa discussed the proposed changes to the Governing Board bylaws. Kelly was instrumental in identifying possible issues in the bylaws.**  
  
**Lisa moved that the Governing Board Bylaws, as amended, be approved. Scott seconded the motion, and it was passed unanimously.**  
  
**Jackie will post the amended bylaws on the SABE website.**
  
- h. Designate: Treasurer & Finance Committee Chair, Secretary  
**Mario moved that Lisa be appointed as Treasurer and Finance Committee Chair. Scott seconded the motion, and it was passed unanimously. Lisa abstained from the vote.**  
  
**Lisa moved that Scott be appointed as Secretary. Mario seconded the motion, and it was passed unanimously.**
  
- i. Adopt Black Education Policy  
**Jackie spoke about the NMPED expectation that schools adopt a Black Education Policy. The staff will receive appropriate professional development regarding this policy.**  
  
**Lisa moved that the Black Education Policy be adopted. Scott seconded the motion, and it was passed unanimously.**

VI. Discussion Items

- a. Governing Council Training - Kelly Callahan
  - i. Monthly Training Update
  - ii. Policy Committee Update

**Kelly reminded the Governing Board that their training hours are integrated into the monthly meetings. After this meeting, the members will have 10 hours completed. The Policy Committee will continue to conduct monthly meetings and present their findings to the Governing Board. The next task will be to address the Student and Staff Handbooks.**

b. NM Educator Fellows Program

**Jackie presented information about this program. The state will use a portion of their ARP funds to support an interested candidate in obtaining a Teaching Credential. Jackie is still working with Ashley to determine all of the pertinent details regarding this funding.**

VII. Closed Session-Pursuant to OMA NMSA 1978 §10-15-1 (H) (6)

a. Contract Service Considerations for 2022-2023

i. Finance/Business Manager Official

ii. Transportation Services

**1. Becky requested that a motion be made to move into Closed Session. Scott made the motion and Lisa seconded. The motion was passed unanimously, and the Closed Session began at 7:47 PM.**

**The Closed Session ended at 8:35 PM. Becky asserted that no actions were taken, and that no additional topics were discussed.**

VIII. Principal's Update

a. Enrollment

b. Instructional Update (Assessment)

c. COVID Specific Updates

d. Other updates

**Our current enrollment is 215. Our mid-year assessments are nearly complete. Our attendance has improved greatly since the last Governing Board meeting.**

**We will have an in-person site visit from the Charter School Division in the coming weeks.**

**The teachers are continuing to work on completing their Bilingual Trajectory Tools (BTT).**

**We are having many Individualized Education Plan (IEP) and Student Assistance Team (SAT) meetings at this time.**

**Mrs. Reyes is working on implementing and adhering to our Attendance Plan.**

**We have begun our recruitment efforts to increase enrollment for next year. The number of students in grades 6-8 is low.**

**The state has made some minor changes regarding COVID surveillance testing of staff members.**

IX. Public Comment

**None**

X. Announcements

**None**

XI. Adjourn

**Scott moved and Lisa seconded that the meeting be adjourned. The motion passed unanimously, and the meeting was adjourned at 9:01 PM.**



## **Sandoval Academy of Bilingual Education Governing Board Bylaws**

### **Article I - The Governing Board**

#### **Section 1: Purpose**

Oversight of Sandoval Academy of Bilingual Education (SABE) is entrusted to the Governing Board. It is the responsibility of the Governing Board to direct the school according to the dictates of the Charter and the Performance Contract, thus fulfilling the requirements of the New Mexico Charter Schools Act, NMSA 1978 22-8B-2.

#### **Section 2: Powers and Authority**

The Governing Board will have the following powers and responsibilities in addition to those already conferred by New Mexico Law:

- A. Establish policies regarding educational goals and school operations that fulfill SABE's mission;
- B. Establish administrative policies for the Governing Board and the school;
- C. Approve amendments to the Charter before submission to the authorizer for final approval;
- D. Amend Bylaws as needed with unanimous vote;
- E. Conduct meetings in accordance with the Open Meetings Act by providing adequate notice of time and place and public access to all meetings;
- F. Hire and routinely assess the efficiency of the Head Administrator [referenced as "Director"] of the school. The Board will evaluate the Director once a year and renew his/her contract and verify salary and make adjustments as needed;
  1. The Governing Board authorizes the Director to administrate the regular operations of the school. The Board will not deal with day-to-day school procedures and activity.
  2. The Board authorizes the Director to enforce policies and procedures as outlined by the Board. The Director is to have in his/her possession all official Board documents: the Charter, Performance Contract, bylaws, policies, etc.
  3. The Director will employ the staff serving under his/her supervision including FTE teachers, support staff, ancillary services contracts, etc.
  4. The Board authorizes the Director to approve payment for all school expenditures under \$20,000. Expenditures above this amount must be brought before the Governing Board for authorization.
- G. Mediate problems and disagreements that are brought to the Governing Board in accordance with SABE policy;
- H. Evaluate the execution of the annual budget including income and expenditures; vote on budget adjustments and approve expenditures exceeding \$20,000 monitor budget in preparation for financial audits;
- I. Oversee the acquirement of resources for the school: grant writing, fundraising, recruiting and mobilizing volunteers, and public relations activity;
- J. Develop a plan of action to ensure that the school meets its educational goals and complies with terms of the Charter Performance Contract;

- K. Protect school interests and originate or defend litigation as necessary;
- L. Procure, lease, and transfer property according to applicable laws;
- M. Approve maintenance of property belonging to SABE;
- N. Accept or rejects grants and donations on behalf of SABE;
- O. Apply for capital outlay funds;
- P. Claim other powers that are included in the Charter consistent with New Mexico Statutes.

**Section 3: Members of the Governing Board**

Based on the availability of qualified individuals and the cohesiveness of the Governing Board, the Governing Board will determine a number of members, which will be no less than five and no more than nine. Members will be selected from the community according to their professional competences to include areas such as finance, legal, educator, real estate, or other relevant professional needs. These members will be appointed and ratified by the Governing Board. Members will serve for a three-year term. When the term is completed, a member may request a second term, and that request may be granted according to the discretion of the Governing Board. Members may not serve more than two terms, unless a successor cannot be found. To preserve institutional knowledge and continuity, the Governing Board will have staggered terms. The Governing Board will determine three (3) members to be of one group elected in odd numbered school years and two (2) members to be of one group elected in even numbered school years. If the total number of Governing Board members changes, the Governing Board members fall into the odd or even numbered school years for re-election. Additional policies are as follows:

- A. At any time a Governing Board member may be dismissed from the Governing Board by majority vote if the Governing Board determines that such a removal is in the best interest of SABE and its students.
- B. Meeting attendance is required. A Governing Board member may be removed for absenteeism, defined as two missed meetings without prior notice. Phone or videoconference presence is acceptable provided that it complies with the stipulations of the Open Meetings Act.
- C. A member may resign at will by providing written notice to the President of the Governing Board. This resignation is effective immediately and does not need a vote for approval. As a courtesy, it is expected that a member provide thirty days' notice, if possible, to allow for the selection of a new Governing Board member.
- D. Vacancies created by term expiration and other situations will be filled by selection and approval from the rest of the Governing Board.

**Section 4: Quorum**

A quorum shall be defined as a simple majority of the total number of members as determined by the number of members serving on the Board. If a quorum is not reached, members will defer voting until the next meeting.

**Section 5: Compensation and Reimbursements**

Members of the Governing Board may not receive a salary for their service on the Board. However, a member may be reimbursed for travel or other expenses from performing school business as stated in the New Mexico Mileage and Per Diem Act.

**Section 6: Conflict of Interest**

Members of the Governing Board must disclose in writing any possible conflicts of interest before voting on issues pertaining to the potential conflict. A member with a conflict of interest must not vote on such

matters and must not influence the vote of other members of the Governing Board. Written disclosures will be attached to the accompanying Board meeting minutes for reference. Board members may not contract with the school or be compensated in any way, except for reimbursement as defined in Section 5. Failure to disclose potential conflicts of interest is grounds for removal from the Board.

### **Section 7: Limitations of Power**

Board members may only exercise authority when acting as group at official Governing Board meetings. A Governing Boardmember has no power to act alone. The Governing Board is not bound by any actions or statements made by a member acting independently, except when on special assignments authorized and recorded in the meeting minutes.

## **Article II - Officers**

### **Section 1: Titles**

Officers shall include President of the Governing Board, Vice-President, Secretary, and Treasurer, and each will serve for a term of one year. Officers may be re-elected provided that their service does not exceed three terms.

### **Section 2: Eligibility**

Any member of the Governing Board may be elected to office by the majority vote of Governing Board members.

### **Section 3: Election**

Officer election will take place at the first Governing Board meeting of each school year.

### **Section 4: Duties**

The duties of Board member officers are as follows:

- A. Duties of the President of the Governing Board
  - Preside at meetings
  - Act on behalf of the Governing Board when authorized by majority vote
  - Have signing power on legal documents
  - Consult with the Director of SABE to create agenda topics for each meeting
  - Holds the same voting rights as other members
- B. Duties of the Vice-President
  - Assumes the duties of the President in his/her absence
  - Serves as interim President if the President must vacate office for any reason until a new President is elected
  - Performs duties delegated by the President
- C. Duties of the Secretary
  - Issues notices of all meetings and keep minutes. This may be delegated to school staff.
  - Circulates minutes to the Governing Board and to the community
  - Serves as custodian of school records and creates general reports as necessary
- D. Duties of the Treasurer
  - Supervises school funds and monitors budget
  - Attends budget training as necessary



- Reviews financial reports monthly
- May serve as the Chair of the Finance Committee
- Serves on the Audit Committee

### **Section 5: Consultants**

The Board may appoint or hire consultants to assist in the fulfillment of Board duties.

### **Section 6: Vacancies**

Should a vacancy arise before a term expires, the Governing Board will hold an election to fill the vacancy at the next Governing Board meeting.

## **Article III – Meetings**

### **Section 1: Meeting frequency**

Board meetings shall occur once a month throughout the entire calendar year. All meetings will comply with the New Mexico Open Meetings Act.

### **Section 2: Parliamentary Authority**

The board shall be governed by the Bylaws. Robert’s Rules of Order shall govern any situation not covered by the bylaws. Failure to strictly comply with parliamentary rules shall not invalidate actions taken.

### **Section 3: Training**

Board member training will be held in accordance with New Mexico State Statute 22-8B-5.1 and 6.80.5.9 NMAC. Members will complete eight hours of training annually through a PED sanctioned entity. First year members will complete ten hours of training pursuant to 6.80.5.8 NMAC.

## **Article IV – Committees**

### **Section 1: Organization**

The Board can establish committees as needed, be they standing or ad-hoc. Members of the Board appoint committee members and determine the terms of the committees. Members of the community and parents may serve on committees and may be elected as committee chairs.

### **Section 2: Standing Committees**

As required by NM 22-8-12.3, the following standing committees are required and the members will be appointed at the beginning of each school year:

- A. Audit Committee - The Audit Committee consists of the Treasurer, one other Board member, one parent with a student currently attending the school, and one non-parent community member with a background in finance or business. The school's Director and business manager are *ex officio* members who advise and suggest but have no voting rights, and their attendance is not mandatory. The purpose of this committee to oversee the use of public funds and prepare for and ensure compliance with annual audits. The committee is to meet with external auditors and be accessible to them throughout the course of the audit. The audit committee reviews and reports audit findings to the Governing Board and then issues a corrective plan. The Audit Committee meets as required by law to

ensure that the committee is meeting statutory requirements.

B. Finance Committee - The Finance Committee consists of the Treasurer and at least one other Board member. The purpose of this committee is to review the operational budget(including compensation) and present it to be approved by the Board in its entirety. The Finance committee meets monthly to monitor income and expenditures and bank reconciliations and makes recommendations to the Board regarding financial planning.

C. Policy Committee – The Policy Committee consists of one or two Governing Board members, the Director, and any other members deemed appropriate by the Board. The purpose of this committee is to review and edit policies, monitor Legislative actions requiring new or changed policies, create and carry-out an annual policy review process, and recommend approval of policies to the full Governing Board.

### **Section 3: Ad hoc Committees**

The Governing Board can create ad hoc committees to address specific needs. Upon creation, each ad-hoc committee will have a date set to report to the Board and determine if its purpose was met and whether or not the committee should then be dissolved or sustained.

### **Section 4: Chairpersons**

Chairpersons will be appointed at the beginning of the school year for standing committees and upon creation of ad hoc committees. They will report committee activity and decisions to the Board.

### **Section 5: Removal and resignation**

Committee members may be removed by action of the Board if such removal is in the best interest of S.A.B.E. Committee members may also resign by submitting written notice to committee chair.

### **Section 6: Reimbursements**

Like members of the Governing Board, no committee member may receive a salary for their service, but they may have justifiable expenses reimbursed per the New Mexico Mileage and Per Diem Act.

## **Article V - Employees**

### **Section 1: Recruitment and Retention**

The school Director is responsible for recruiting, hiring, supervising, and terminating staff. Contracts will be renewed each year, and salary will be determined by the salary schedule set forth in the Charter and approved by the Board. Faculty will be supervised and evaluated by the school Director. Faculty and staff may be terminated before the annual contract renewal decision in cases of gross misconduct.

### **Section 2: Non-discrimination**

The Director shall not discriminate on the basis of race, religion, national origin, gender, sexual preference or identity, disability, age, or any other protected class during the hiring process or in any other supervisory procedure.

## **Article VI: Fiscal Year**

Fiscal year begins on July 1st and ends on June 30th. Audits will be conducted in accordance with state law.

Adopted: February 16, 2022

## **Article VII - Records**

The Governing Board and the school Director shall maintain the following records:

- Meeting minutes to include time, place, and attendance list
- Account records of all transactions
- SABE's Charter, Bylaws, and Performance Contract

## **Article VIII - Indemnification**

### **Section 1: Liability**

The Board will authorize the purchase of liability insurance to protect employees and Board members from legal claims against SABE and its employees and Board members.

### **Section 2: Indemnification**

Neither a Board officer, nor Board member, nor Director, nor employee of SABE shall be held personally liable for damages, except in the case of willful violations of law.

## **Article IX - Disqualifications/Nepotism Rule**

In no event shall a Council member be a SABE employee, spouse of another Council member, or have a contract for provision of services or property with SABE. The Council will not initially employ as Director 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, daughter-in-law, sister, sister-in-law, brother, brother-in-law, or sibling (collectively "family members") of any Council member. Upon petition by the Director, the Council may approve the Director's hiring of the Director's family members by majority vote at a public meeting. Prior to approving the Director's request to hire said individual, the Council shall carefully consider the potential impact on the integrity, efficiency, discipline, and public perception of SABE in the employment of any person who is a family member of the Director or the parent of a currently enrolled SABE student. Nothing in this section shall prohibit the continued employment of a person employed on or before the adoption date of these Bylaws.



APPENDIX B

Sandoval Academy of Bilingual Education
Governing Board of Directors Bylaws

Article I - The Governing Board of Directors

Section 1: Purpose

Oversight of Sandoval Academy of Bilingual Education (SABE) is entrusted to the Governing Board of Directors. It is the responsibility of the Governing Board of Directors to direct the school according to the dictates of the Charter and the Performance Contract charter, thus fulfilling the requirements of the New Mexico Charter Schools Act, NMSA 1978 22-8B-2.

Section 2: Powers and Authority Power

The Governing Board of Directors will have the following powers and responsibilities in addition to those already conferred by New Mexico Law:

- A. Establish policies regarding educational goals and school operations that fulfill SABE's mission;
B. Establish/Implement administrative policies for the Governing Board of Directors and the school;
C. Approve amendments to the Charter charter before submission to the authorizer for final approval;
D. Amend Bylaws/bylaws as needed with unanimous vote;
E. Conduct meetings in accordance with the Open Meetings Act by providing adequate notice of time and place and public access to all meetings;
F. Hire and routinely assess the efficiency of the Head Administrator [referenced as "Director"]/Principal of the school. The Board will evaluate the Director/Principal once a year and renew his/her contract and verify salary and make adjustments as needed;
1. The Governing Board of Directors authorizes the Director/Principal to administrate the regular/quotidian operations of the school. The Board will not deal with day-to-day school procedures and activity.
2. The Board authorizes the Director/Principal to enforce policies and procedures as outlined by the Board. The Director/Principal is to have in his/her possession all official Board documents: the Charter, Performance Contract charter, bylaws, policies, etc.
3. The Director/Principal will employ the staff serving under his/her supervision including FTE teachers, support staff, ancillary services contracts, etc.

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4. The Board authorizes the ~~Director~~Principal to approve payment for all school expenditures under \$~~2010~~,000. Expenditures above this amount must be brought before the Governing Board for authorization.
- G. Mediate problems and disagreements that are brought to the Governing Board in accordance with SABE policy;
- H. Evaluate the execution of the annual budget including income and expenditures; vote on budget adjustments and approve expenditures exceeding \$~~2010~~,000; monitor budget in preparation for financial audits;
- I. ~~Oversee~~Organize the acquirement of resources for the school: grant writing, fundraising, recruiting and mobilizing volunteers, and public relations activity;
- J. Develop a plan of action to ensure that the school meets its educational goals and complies with terms of the Charter Performance Contract; ~~charter~~;
- K. Protect school interests and originate or defend litigation as necessary;
- L. Procure, lease, and transfer property according to applicable laws;
- M. Approve maintenance of property belonging to SABE;
- N. Accept or rejects grants and donations on behalf of SABE;
- O. Apply for capital outlay funds;
- P. Claim other powers that are included in the Charter~~charter~~ consistent with New Mexico Statutes.

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### Section 3: Members of the Governing Board of Directors

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Based on the availability of qualified individuals and the cohesiveness of the Governing Board, the Governing Board will determine a number of members, which will be no less than five and no more than nine. Members will be selected from the community according to their professional competences to include areas such as finance, legal, educator, real estate, or other relevant professional needs. These members will be appointed and ratified by the Governing Board. Members will serve for a three-year term. When the term is completed, a member may request a second term, and that request may be granted according to the discretion of the Governing Board. Members may not serve more than two terms, unless a successor cannot be found. To preserve institutional knowledge and continuity, the Governing Board will have staggered terms. The Governing Board will determine three (3) members to be of one group elected in odd numbered school years and two (2) members to be one group elected in even numbered school years. If the total number of Governing Board members changes, the Governing Board members fall into the odd or even numbered school years for re-election. Additional policies are as follows:

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- A. At any time a Governing Board member may be dismissed from the Governing Board by majority vote if the Governing Board determines that such a removal is in the best interest of SABE and its students.
- B. Meeting attendance is required. A Governing Board member may be removed for absenteeism, defined as two missed meetings without prior notice. Phone~~Physical attendance is preferable, but phone~~ or videoconference presence is acceptable provided that it complies with the stipulations of the Open Meetings Act.
- C. A member may resign at will by providing written notice to the President of the Governing Board. This resignation is effective immediately and does not need a vote for approval. As a courtesy, it is expected that a member provide~~give~~ thirty days' notice, if possible, to allow for the selection of a new Governing Board member.

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Adopted: February 16, 2022

D. Vacancies created by term expiration and other situations will be filled by selection and approval from the rest of the Governing Board.

#### Section 4: Quorum

A quorum shall be defined as a simple majority of the total number of three members as determined by the number of members serving on the Board. If a quorum is not reached, members will defer voting the vote until the next meeting.

#### Section 5: Compensation and Reimbursements

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#### Section 6: Conflict of Interest

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### Article II - Officers

#### Section 1: Titles

Officers shall include President of the Governing Board of Directors, Vice-President, Secretary, and Treasurer, and each will serve for a term of one year. Officers may be re-elected provided that their service does not exceed three terms.

#### Section 2: Eligibility

Any member of the Governing Board may be elected to office by the majority vote of Governing Board members.

#### Section 3: Election

Officer election will take place at the first Governing Board meeting of each school year.

#### Section 4: Duties

The duties of Board member officers are as follows:

- A.      — A. Duties of the President of the Governing Board
  - ◆      Preside at meetings

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- Act on behalf of the Governing Board when authorized by majority vote
- Have signing power on legal documents
- Consult with the Director~~Principal~~ of SABE to create agenda topics for each meeting
- Holds the same voting rights as other members

B. ~~B.~~ Duties of the Vice-President

- Assumes the duties of the President in his/her absence
- Serves as interim President if the President must vacate office for any reason until a new President is elected
- Performs duties delegated by the President

C. ~~C.~~ Duties of the Secretary

- Issues notices of all meetings and keep minutes. This may be delegated to school staff.
- Circulates minutes to the Governing Board and to the community
- Serves as custodian of school records and creates general reports as necessary

D. ~~D.~~ Duties of the Treasurer

- Supervises school funds and monitors budget
- Attends budget~~regulatory~~ training as necessary
- Reviews~~and creates~~ financial reports monthly as necessary
- May serve as the Chair of the Finance Committee
- Serves on the Audit Committee

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**Section 5: Consultants**

The Board may appoint or hire consultants to assist in the fulfillment of Board duties.

**Section 6: Vacancies**

Should a vacancy arise before a term expires, the Governing Board will hold an election to fill the vacancy at the next Governing Board meeting.

**Article III — Meetings**

**Section 1: Meeting frequency**

Board meetings shall occur once a month throughout the entire calendar year when school is in session. ~~The Board will be in recess during summer vacation.~~ All meetings will comply with the New Mexico Open Meetings Act.

**Section 2: Parliamentary Authority**

The board shall be governed by the Bylaws. Robert's Rules of Order shall govern any situation not covered by the bylaws. Failure to strictly comply with parliamentary rules shall not invalidate actions taken.

**Section 3: Training**

Board member training will be held in accordance with New Mexico State Statute 22-8B-5.1 and 6.80.5.94.29 NMAC. Members will complete eight~~attend five~~ hours of training annually through a PED sanctioned entity. ~~First year members will complete ten hours of the New Mexico Coalition for~~

Adopted: February 16, 2022

~~Charter Schools. Members may attend a two-day training pursuant to 6.80.5.8 NMAC, given by the Coalition or attend its webinars as their schedules dictate.~~

## Article IV ~~–~~ Committees

### Section 1: Organization

The Board can establish committees as needed, be they standing or ad-hoc. Members of the Board appoint committee members and determine the terms of the committees. Members of the community and parents may serve on committees and may be elected as committee chairs.

### Section 2: Standing Committees

As required by NM 22-8-12.3, the following standing committees are required and the members will be appointed at the beginning of each school year:

~~A.~~ Audit Committee - The Audit Committee consists of the Treasurer, one other Board member, one parent with a student currently attending the school, and one non-parent community member with a background in finance or business. The school's ~~Director~~Principal and

~~business manager~~ are *ex officio* members who advise and suggest but have no voting rights, and their attendance is not mandatory. The purpose of this committee to oversee the use of public funds and prepare for and ensure compliance with annual audits. The

~~A.~~ committee is to meet with external auditors and be accessible to them throughout the course of the audit. The audit committee reviews and reports audit findings to the Governing Board of ~~Directors~~ and then issues a corrective plan. The Audit Committee ~~audit committee~~ meets as required by law ~~quarterly~~ to

ensure ~~that the committee plan is meeting statutory requirements, carried out.~~

~~B.~~ Finance Committee - The Finance Committee consists of the Treasurer and at least one other Board member. The purpose of this committee is to review the operational budget (including compensation) and present it to be approved by the Board in its entirety. The Finance committee meets monthly to monitor income and expenditures and bank ~~B.~~ reconciliations and makes recommendations to the Board regarding financial planning.

~~C.~~ Policy Committee – The Policy Committee consists of one or two Governing Board members, the Director, and any other members deemed appropriate by the Board. The purpose of this committee is to review and edit policies, monitor Legislative actions requiring new or changed policies, create and carry-out an annual policy review process, and recommend approval of policies to the full Governing Board.

### Section 3: Ad hoc Committees

The Governing Board can create ad hoc committees to address specific needs. Upon creation, each ad-hoc committee will have a date set to report to the Board and determine if its purpose was met and whether or not the committee should then be dissolved or sustained.

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**Section 4: Chairpersons**

Chairpersons will be appointed at the beginning of the school year for standing committees and upon creation of ad hoc committees. They will report committee activity and decisions to the Board.

**Section 5: Removal and resignation**

Committee members may be removed by action of the Board if such removal is in the best interest of SABE. Committee members may also resign by submitting written notice to committee chair.

**Section 6: Reimbursements**

Like members of the Governing Board of Directors, no committee member may receive a salary for their service, but they may have justifiable expenses reimbursed per the New Mexico Mileage and Per Diem Act.

**Article V - Employees**

**Section 1: Recruitment and Retention**

The school Director/Principal is responsible for recruiting, hiring, supervising, and terminating staff. Contracts will be renewed each year, and salary will be determined by the salary schedule set forth in the Charter/charter and approved by the Board. Faculty will be supervised and evaluated by the school Director/Principal. Faculty and staff may be terminated before the annual contract renewal decision in cases of gross misconduct.

**Section 2: Non-discrimination**

The Director/Principal shall not discriminate on the basis of race, religion, national origin, gender, sexual preference or identity, disability, or age, or any other protected class during the hiring process or in any other supervisory procedure.

**Article ~~VIII~~: Fiscal Year**

Fiscal year begins on July 1st and ends on June 30th. Audits will be conducted in accordance with state law.

**Article VII - Records**

The Governing Board of Directors and the school Director/Principal shall maintain the following records:

- Meeting minutes to include time, place, and attendance list
- Account records of all transactions
- SABE's Charter, ~~and~~ Bylaws, and Performance Contract

**Article VIII - Indemnification**

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**Section 1: Liability**

The Board will authorize the purchase of liability insurance to protect employees and Board members from legal claims against SABE and its employees and Board members.

**Section 2: Indemnification**

Neither a Board officer, nor Board member, nor ~~Director~~Principal, nor employee of SABE shall be held personally liable for damages, except in the case of willful violations of law.

Article IX -

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Adopted: February 16, 2022

## Amendment to SABE Governing Council By-Laws

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### Disqualifications/Nepotism Rule

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In no event shall a Council member be a SABE employee, spouse of another Council member, or have a contract for provision of services or property with SABE. The Council will not initially employ as ~~Principal~~ Director 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, 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~~ Director, the Council may approve the ~~Principal's~~ Director's hiring of the ~~Principal's~~ Director's family members by majority vote at a public meeting. Prior to approving the ~~Principal's~~ Director's request to hire said individual, the Council shall carefully consider the potential impact on the integrity, efficiency, discipline, and public perception of SABE in the employment of any person who is a family member of the ~~Principal~~ Director or the parent of a currently enrolled SABE student. Nothing in this section shall prohibit the continued employment of a person employed on or before the adoption date of these Bylaws.

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