

Public Education Commission Governing Body Member Change Amendment Form

The Charter Contract was entered into by and between the New Mexico Public Education Commission and [Raices del Saber Xinachtli Community School], hereafter "The School", effective [27] of [OCTOBER] 2022. The School was approved for a [5 YEARS] Charter Contract.

NUMBER OF MEMBERS REQUIRED UNDER YOUR SCHOOL'S BYLAWS: 5-9

NUMBER OF CURRENTLY SEATED GOVERNING BOARD MEMBERS: 6

RESIGNATION

EFFECTIVE DATE OF RESIGNATION, AS PROVIDED ON THE WRITTEN NOTICE FROM THE RESIGNING BOARD MEMBER: 10/27/2022

NAME OF INDIVIDUAL RESIGNING: Holaya Ponce-Acosta

REMOVAL

DATE OF REMOVAL:

NAME OF INDIVIDUAL BEING REMOVED:

REASON FOR REMOVAL:

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

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

NAME OF INDIVIDUAL BEING DESIGNATED:

HOME ADDRESS:

PHONE NUMBER:

EMAIL ADDRESS:

NAME OF BOARD MEMBER BEING REPLACED:

REQUEST FOR EXTENSION:

VOTE NOT TO REPLACE MEMBER:

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

The School's Governing Body Member Change Amendment is hereby submitted by [Michael Brewer, Interim Head Administrator] on [November 7, 2022] and affirms the school meets the following eligibility criteria:

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

DocuSigned by:

Michael Brewer

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11/7/2022

Charter School Representative Signature

Date

The School's Governing Body Member, or Charter Representative Change Amendment was: Mr. Michael Brewer, Interim Head Administrator.

Approved

Denied

Chair, Public Education Commission

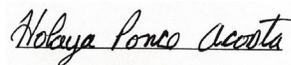
Date

October 27, 2022

To Whom It May Concern:

At this time I am submitting my letter of resignation to take into effect the date of our next governance board meeting scheduled for October 27, 2022. I am submitting this letter ahead of time as a reminder that the position will be open for your consideration. My service time as part of this board has come to an end after years of service, and with it I take memorable experiences. I have met amazing individuals and seen the Xinachtli Community School grow as a result of great effort and sacrifice by so many individuals such as staff, community members, supporters, volunteers, parents, and above all, the children that make up the heart of this school. I release my position as governance board chair with the hope that this school continues to grow, and that the knowledge these children carry make our world a better place. Thank you for the opportunity.

Sincerely,

A handwritten signature in cursive script that reads "Holaya Ponce Acosta". The signature is written in black ink on a white background.

Holaya Ponce Acosta

CERTIFICATE OF GOVERNING BODY VOTE

This document certifies that on October 27, 2022 at 6:30 p.m., a meeting of the Governing Body of Raíces del Saber Xinachtli Community School, a New Mexico public charter school, was held Virtually, via Zoom Meeting. The meeting and all votes were conducted in compliance with the New Mexico Open Meetings Act.

A quorum of the Governing Body's members being present and voting, it was voted 5 in favor and 1 absent to Accept resignation from Ms. Holaya Ponce-Acosta.

The members voting in favor were: Holaya Ponce-Acosta, Raul Aldair Marquez, Veronica Lucio, Patsy Lopez, and Maria Elena Vargas.

The member voting absent was: Ray Reich.

I, the undersigned, certify that this is a true copy.

DocuSigned by:

Raul Aldair Marquez

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Raul Aldair Marquez

Governance Board new Chair

CERTIFICATE OF GOVERNING BODY VOTE

This document certifies that on October 27, 2022 at 7:30 p.m., a meeting of the Governing Body of Raíces del Saber Xinachtli Community School, a New Mexico public charter school, was held Virtually, via Zoom Meeting. The meeting and all votes were conducted in compliance with the New Mexico Open Meetings Act.

A quorum of the Governing Body's members being present and voting, it was voted 4 in favor, 1 abstained, and 1 absent to Accept Mr. Raul Aldair Marquez as the new Chair of the Governance Board.

The members voting were: Holaya Ponce-Acosta, Veronica Lucio, Patsy Lopez, and Maria Elena Vargas in favor; Mr. Raul Aldair Marquez abstained.

The member voting absent was: Ray Reich.

I, the undersigned, certify that this is a true copy.

DocuSigned by:
veronica lucio
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Veronica Lucio,
Interim Secretary

Public Education Commission Governing Body Member Change Amendment Form

The Charter Contract was entered into by and between the New Mexico Public Education Commission and [RAICES DEL SABER XINACHTLI COMMUNITY SCHOOL], hereafter "The School", effective [1] of [July], [2019]. The School was approved for a [FIVE YEARS] Charter Contract.

NUMBER OF MEMBERS REQUIRED UNDER YOUR SCHOOL'S BYLAWS: 5-7

NUMBER OF CURRENTLY SEATED GOVERNING BOARD MEMBERS: 5

RESIGNATION

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

NAME OF INDIVIDUAL RESIGNING:

REMOVAL

DATE OF REMOVAL:

NAME OF INDIVIDUAL BEING REMOVED:

REASON FOR REMOVAL:

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

EFFECTIVE DATE OF APPOINTMENT, AS PROVIDED IN WRITTEN NOTICE FROM THE BOARD: November 17, 2022

NAME OF INDIVIDUAL BEING DESIGNATED: Patricia Minjarez

HOME ADDRESS: 471 Gorman, Anthony, NM 88021

PHONE NUMBER: 915-412-8005

EMAIL ADDRESS: patriciaminjarez@yahoo.com

NAME OF BOARD MEMBER BEING REPLACED: Holaya Ponce-Acosta

REQUEST FOR EXTENSION:

VOTE NOT TO REPLACE MEMBER:

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

The School's Governing Body Member Change Amendment is hereby submitted by [Raul Aldair Marquez, GB Chair] on [November 29, 2022], and affirms the school meets the following eligibility criteria:

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

DocuSigned by:

 _____ 11/29/2022
 Chair, Public Education Commission e Signature Date

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

Approved Denied

Chair, Public Education Commission

Date



**Raices del Saber Xinachtli Community School
Governance Board Special Virtual Meeting Minutes –
APPROVED**

November 17, 2022

Approved: (On November 22, 2022 on a Called Special Meeting)

Location: Raices del Saber Xinachtli Community School, 2211 N. Valley Drive

The Meeting was conducted in person with the public joining by the Zoom Meeting Platform

Time: 6:14 PM to 7:47 PM

Roll Call and Call to Order:

The following Board Members confirmed attendance and stated their full name via Roll Call:

| Governance Board Members | | | | | | |
|--------------------------|---------------------|--------------------|--|--------|--------------|----------------|
| | Name | Office | Present | Absent | Arrived Late | Departed Early |
| 1 | Raul Aldair Marquez | Chair | x | | | |
| 2 | Pat Minjarez | Interim Vice-Chair | Was presented, accepted, and nominated during this meeting | | | |
| 3 | Veronica Lucio | Interim Secretary | | | X 6:15 | |
| 4 | Ray Reich | Treasurer | | | x 6:20 | |
| 5 | Maria Elena Vargas | Director at Large | | | X 6:23 | |
| 6 | Patricia López | Director at Large | x | | | |

Upon determining at 6:14 PM a quorum, Governance Board (GB), Veronica Lucio, Interim Secretary will be taking minutes, meeting was then called to order at.

Staff and other Participants: Mike Brewer, Head administrator; Lucia Carmona, Operations and Community Engagement Dir; Terrance Hester, Business Officer; Elva Varela, Office Manager.

Others in Attendance: Parents: Daniel Aguilera

1. *Conflict of Interest Declaration* – None were declared
2. *Consent Agenda* – includes approval of the following:
 - *Agenda for November 17, 2022, Monthly Governance Board Virtual Meeting*
 - *Minutes of the previous meeting October 27, 2022, Governance Board Special Meeting*

Motion: Patsy Lopez moved to approve the consent agenda for November 17, 2022 and Minutes from GB monthly Meeting of October 27, 2022.

Second: Veronica Lucio

Vote: Motion passed unanimously by roll call vote from all governing board members present.

3. Finance Committee and Audit Committee Report by Terrance Hester, SWREC, and GB Treasurer,
 - a. Discussion of any GB member questions on the Finance Report.
 - b. Discussion and possible action on Budget Adjustment Requests (BARs).
- a. The Monthly Finance Report to include:
 - I. Monthly Account Summary of Expenses
 - II. Monthly Account Summary of Revenue,
 - III. Monthly Bank Statement
 - IV. Monthly Bank Reconciliation Statement,
 - V. Monthly Update in Preparation for the Quarterly Cash Report
 - VI. Monthly Voucher by Warrant Report
 - VII. Monthly Finance Committee Meeting Notes from Finance Committee Chair (The notes are for the actual month of the Meeting)

Motion: Patsy Lopez moved to accept the **BAR No. 577-000-2223-0009-IB, BAR No. 577-000-2223-00010-IB, and BAR No. 577-000-2223-00011-IB.**

Second: Veronica Lucio

Vote: Motion passed unanimously by roll call vote from all governing board members present.

4. Public Input – See rules for public input at the end of this agenda- *called out but no one signed up.*
5. *Review of Authorizer Unique Correspondence –By Michael Brewer. None currently*
6. *Principal’s Report – By Interim Head Administrator, Michael Brewer.*
7. Concilio de Padres and Community Engagement Reports – By Mrs. Karen Chavez Chair of the Concilio de Padres, and Lucia Carmona, Director of Operations and Community Engagement
8. Reports from Committees –
 - a. Academic Performance Committee – Vacant position to Chair this committee, report by Mr. Brewer, Interim Head Administrator.
 - b. Governance Board Development Committee – Vacant position to Chair this committee, report by Mr. Aldair Marquez, Chair.
 - i. Discussion and Possible action to accept new Board Member Ms. Patricia Minjarez

Motion: Patsy Lopez moved to accept Ms. Patricia Minjarez as a board member.

Second: Veronica Lucio

Vote: Motion passed unanimously by roll call vote from all governing board members present

- c. Facilities Committee - By Committee Chair, Ray Reich
- d. Safe School Committee – Vacant position, to Chair this committee. - NOTE: Mrs. Lei Lani Nava-Jimenez, 3rd grade mom is joining to this committee to represent the Concilio de Padres. - Other

community members: Teddy Carrasco RN, ADN, BSN, BIS (certified Nurse) and Community Liaison from Las Cruces Church of Christ; Gilbert Padilla, Health Promotion Specialist from Department of Health (DOH); Nicholas Hempel, Fire Chief, Doña Ana County Fire Department; Manion Long, Major, Doña Ana County Sheriff's Department; Fred Mobley, FYI Facilities Manager.

- Staff Members: Head Administrator; Elva Varela, Office Manager; and Lucia Carmona, Director of Operations and Community Engagement.

e. School Development Committee - This committee is still under development.

9. Unfinished Business – None this time

10. New Business –

a. Discussion and Possible action to accept Ray Reich to continue serving the Raíces Board and keeping same position as Treasurer.

Motion: Patsy Lopez moved to accept Ray Reich to continue serving Raices Board and Treasurer.

Second: Elena Garza

Vote: Motion passed unanimously by roll call vote from all governing board members present

b. Discussion and Possible action to present and accept the new Head Administrator and starting the onboarding process.

c. Discussion and Possible action to nominate Ms. Verónica Lucio as the permanent Secretary of the Governance Board.

Motion: Ray Reich moved to accept Ms. Veronica Lucio as the permanent Secretary of the Governance Board.

Second: Patsy Lopez

Vote: Motion passed unanimously by roll call vote from all governing board members present

d. Discussion and Possible action to nominate the new Vice-Chair of the Governance Board.

Motion: Veronica Lucio moved to nominate Ms. Pat Minjarez as Vice-Chair of the Governance Board.

Second: Aldair Marquez

Vote: Motion passed unanimously by roll call vote from all governing board members present

e. Discussion and Possible action to remove from the bank account to Ms. Holaya Ponce-Acosta and include Mr. Raul Aldair Márquez, the new GB Chair.

Motion: Patsy Lopez action to remove from the bank account to Ms. Holaya Ponce-Acosta and include Mr. Raul Aldair Márquez, the new GB Chair.

Second: Pat Minjarez

Vote: Motion passed unanimously by roll call vote from all governing board members present

Agenda items for Next Meeting –

- Discussion and Possible action to search new treasurer for GB.

12. *Date of the Next Governance Board Meeting* – December 15, 2022, at 6:00 pm- NOTE: this month, the fourth Thursday of this month is on a holiday Week. virtual via Zoom Meeting.

Motion: Pat Minjarez action to have Next Governance Meeting- December 15, 2022.

Second: Patsy Lopez

Vote: Motion passed unanimously by roll call vote from all governing board members present

Adjournment – Vote to adjourn by roll call vote at 7:05 pm

Motion: Raul Aldair Marquez moved to adjourn this meeting.

Second: Pat Minjarez

Vote: Motion passed unanimously by roll call vote from all governing board members present.

By: Veronica Lucio (*Secretary*)

Date Approved: 11/18/22

ASSURANCES

My name is Patricia Minjarez, and I reside in 471 Gorman, Anthony, NM 88021. I am a member of the governing body for Raíces del Saber Xinachtli Community School, a charter school which is located at 2211 N. Valley Drive, Las Cruces, NM 88007, 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.

Patricia Minjarez
Printed Name

DocuSigned by:
Patricia Minjarez
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Signature

11/29/2022
Date

CERTIFICATE OF GOVERNING BODY VOTE

This document certifies that on November 17, 2022 at 7:15 p.m., a meeting of the Governing Body of Raíces del Saber Xinachtli Community School, a New Mexico public charter school, was held Virtually, via Zoom Meeting. The meeting and all votes were conducted in compliance with the New Mexico Open Meetings Act.

A quorum of the Governing Body's members being present and voting, it was voted 5 in favor and 0 absence to Accepted as new board member to Ms. Patricia Minjarez.

The members voting in favor were: Raúl Aldair Márquez, Verónica Lucio, Ray Reich, Patricia López, and Maria Elena Vargas.

The member voting absent was: -----.

I, the undersigned, certify that this is a true copy.

DocuSigned by:

Raul Aldair Marquez _____

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Mr. Raúl Aldair Márquez
Governance Board Chair

AFFIDAVIT OF GOVERNING BODY MEMBER

STATE OF NEW MEXICO)
)
COUNTY OF DOÑA ANNA)

I, Patricia Minjarez, after being duly sworn, state:

1. My name is Patricia Minjarez and I reside In 471 Gorman Anthony, NM, 88021.
2. I am a member of the governing body of the [Raices del Saber Xinachtli Community School] in Las Cruces, 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 [Raices del Saber Xinachtli Community 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.

[Handwritten Signature]
[Signature]

11/28/2022
Date

Patricia Minjarez
[Print]

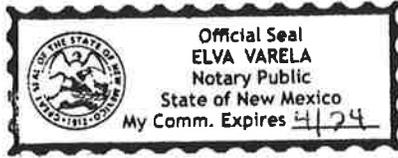
VERIFICATION

The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 28 day of November 2022

[Notary Seal:]

[Handwritten Signature]
NOTARY PUBLIC

My commission expires: April 17, 2024



STATEMENT OF GOVERNING BODY TO CONSULT WITH PED

We, the undersigned, make up the governing body of the [Raíces del Saber Xinachtli Community School], located in 2211 N. Valley Drive, Las Cruces, New Mexico 88007.

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 [Raíces del Saber Xinachtli Community 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 [RAICES DEL SABER XINACHTLI COMMUNITY SCHOOL] GIVE THE FOREGOING STATEMENT THIS 17th DAY OF NOVEMBER, 2022.

1. DocuSigned by:

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[Raúl Aldair Márquez, Chair]

7. _____

[signature] _____

2. 
[signature] _____

[Patricia Miniarez, Vice-Chair]

[member at large]

3. DocuSigned by:

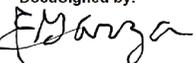
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[Veronica Lucio, Secretary]

4. DocuSigned by:

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[Ray Reich, Treasurer]

5. DocuSigned by:

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[María Elena Vargas, member at large]

6. DocuSigned by:

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[Patricia Lopez, member at large]

Attach additional pages if membership exceeds five.