

**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 [Las Montañas Charter], hereafter "The School", effective [1] of [July], [2020]. The School was approved for a [5 year] Charter Contract.

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

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: September 20, 2022

NAME OF INDIVIDUAL BEING REMOVED: Patrick Doyle

REASON FOR REMOVAL: Non-Attendance at GC Meetings - Career change caused non-attendance

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: October 25, 2022

NAME OF INDIVIDUAL BEING DESIGNATED: Diane Montoya

HOME ADDRESS: 1495 Foster Rd. Las Cruces, NM 88001

PHONE NUMBER: 575-621-7050

EMAIL ADDRESS: tinkerbella@comcast.net

NAME OF BOARD MEMBER BEING REPLACED: Patrick Doyle

☐ REQUEST FOR EXTENSION:

☐ VOTE NOT TO REPLACE MEMBER:

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

The School's Governing Body Member Change Amendment is hereby submitted by [Caz Martinez] on [November 8, 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.

Caz Martinez 11-9-22  
Charter School Representative Signature Date

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

☐ Approved ☐ Denied

Chair, Public Education Commission

Date

## CERTIFICATE OF GOVERNING BODY VOTE


This document certifies that on October 25, 2022 at 5:30 p.m. a meeting of the Governing Body of Las Montañas Charter, a New Mexico public charter school, was held at via Zoom. 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 and 0 opposed to Approve Ms. Diane Montoya to the Governance Council of Las Montañas Charter High School.

The members voting in favor were: Carrion, Davis, Freitas, Gonzales

The members voting in opposition were: None

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

A handwritten signature in cursive script, appearing to read "Carrion", is written over a horizontal line.

Secretary

## ASSURANCES

My name is Diane Montoya and I reside in Las Cruces NM. I am a member of the governing body for Las Montañas a charter school which is located at 1405 S Solano. 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.

Diane Montoya  
Printed Name

Diane Montoya  
Signature

11-15-22  
Date

**AFFIDAVIT OF GOVERNING BODY MEMBER**

STATE OF NEW MEXICO )  
 )  
COUNTY OF )

I, Diane Montoya, after being duly sworn, state:

1. My name is Diane Montoya, and I reside in Las Cruces, New Mexico.
2. I am a member of the governing body of the Las Montañas Charter 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 <sup>Las Montañas</sup> ~~[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.

Diane Montoya  
[Signature]

11-12-2022  
Date

Diane Montoya  
[Print]

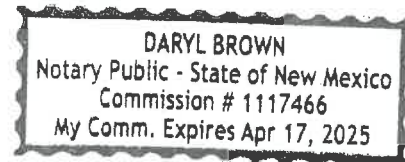
**VERIFICATION**

The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 12<sup>th</sup> day of November, 20 22.

[Notary Seal:]

[Signature]  
NOTARY PUBLIC

My commission expires: 04-17, 20 25.



## STATEMENT OF GOVERNING BODY TO CONSULT WITH PED

We, the undersigned, make up the governing body of the Las Montañas Charter located in Las Cruces, 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 Las Montañas Charter'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 Las Montañas Charter GIVE THE FOREGOING STATEMENT THIS 15 DAY OF Nov., 2022.

1. Diane Montoya  
[signature]  
Diane Montoya  
[print]

Attach additional pages if membership exceeds five.