



New Mexico Public Education Commission (PEC)

Governing Body Member Change Notification Instructions

Purpose:

To notify the Public Education Commission (PEC) of a change in a member of the school's governing body.

Submission Deadline:

Changes to the governing body do not require prior approval of the PEC; however, notice must be received within 30 calendar days of the change.

Notifications completed 14 days prior to the next PEC meeting will be placed on the next agenda. Notifications of this type are typically placed on the consent agenda; however, any notification may be removed from the consent agenda and moved to the regular agenda for full discussion and possible action by the PEC.

Meeting minutes of the governing board of the school and the PEC will serve as an amendment to, or compliance with, the charter contract regarding this membership change. The documentation will be added to the board of finance documentation on file with CSD.

Information provided by the School:

- X Fully completed form
- X Approved board minutes or certification of the vote taken by the board accepting the new member
- X Resignation Letter or board meeting minutes removing the previous member
- X Statement of Governing Body Member to Consult with PED
- X Affidavit of Governing Body Member
- X Assurances of Governing Body Member

Contact charter.schools@ped.nm.gov if you have questions about completing or submitting documents.



New Mexico Public Education Commission (PEC)

Governing Body Change Notification Request FORM

Submit this form and all supporting documents to charter.schools@ped.nm.gov

The Charter Contract was entered into by and between the New Mexico Public Education Commission (PEC) and Explore Academy – Rio Rancho, hereafter "the school," effective on 5/1/2023.

Current Governing Body Officers:

Chair/President: Michael Mierzejewski

Vice Chair/Vice President: Veronica Sanders

Secretary: Sterling Mackay

Current Governing Body members (non-officers): Cathy Gaarden, Barbara Sena

Resigned or removed Governing Body member: Barbara Sena

New Governing Body member(s) and position(s), please include contact information such as phone number(s) and email(s): Contact Information: Christopher Kenworthy, 2800 Vista de Colinas Ct SE, Rio Rancho, NM 87124, Phone Number: 505-417-2595, Email: skyhawk133@gmail.com, Position: Non-Officer

Number of personnel changes and governing body changes submitted to PEC in the last 12 months: Zero. This is the school's first governing body change notification request.

The School's Governing Body notification is hereby submitted by:



Samantha Gonzales/
Charter School Representative

05/12/2023

Date

School Amendment Approval (electronic signature governing board chair):



Michael Mierzejewski/
Governing Board Chair/President

05/12/2023

Date

For PEC/CSD use only

PEC Meeting Date: Click or tap to enter a date.

Agenda:

Regular

Consent

Notification Number: Click or tap here to enter text.

Number of personnel changes in last 12 months: Click or tap here to enter text.

The Governing Body Notification was:

Approved

Denied (see transcript)

Electronic signature of CSD:

CSD

Click to enter signature

Date

Click or tap to enter a date.

CERTIFICATION OF GOVERNING BOARD VOTE

EXPLORE ACADEMY - RIO RANCHO
6090 Zenith Court
Rio Rancho, NM 87144



This document certifies that a meeting of the Governing Body of **Explore Academy - Rio Rancho**, a public state charter school authorized by the New Mexico Public Education Commission (PEC), was held on April 20, 2023 at 5:00 pm. 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 four (4) in favor and zero (0) opposed to designate Christopher Kenworthy as a board member.

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

A handwritten signature in blue ink, appearing to read 'Michael Mierzejewski', is written over a horizontal line. The signature is fluid and cursive.

Michael Mierzejewski, Board President

Barbara Sena
1769 15th Avenue SE
Rio Rancho, NM 87124
barbsena@aol.com

April 10, 2023

Explore Academy – Rio Rancho Board Chair Michael Mierzejewski
via email to board-rio@explore.academy

Dear Mike:

Please be advised that I must step down from my position as board member for Explore Academy – Rio Rancho, effective May 1, 2023. Unfortunately, due to personal and professional obligations, I am unable to continue to serve on the board at this time.

I enjoyed helping the charter contract get approved and will continue to support and promote the Explore Academy model. Thank you for the wonderful opportunity.

Respectfully,

A handwritten signature in black ink, appearing to be the initials 'BS' followed by a cursive flourish.

Barbara Sena

cc: Director of Compliance/Board Liaison via email to karen.woerner@explore.academy

AFFIDAVIT OF GOVERNING BODY MEMBER

STATE OF NEW MEXICO)
)
COUNTY OF)

I, Christopher Kenworthy, after being duly sworn, state:

1. My name is Christopher Kenworthy and I reside in Rio Rancho, New Mexico.
2. I am a member of the governing body of the Explore Academy - Rio Rancho in Rio Rancho, 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 Explore Academy - Rio Rancho'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]

4/21/23
Date

Christopher Kenworthy
[Print]

VERIFICATION

The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 21st day of April, 2023.

[Notary Seal:]

[Handwritten Signature]
NOTARY PUBLIC

My commission expires: 11/9, 2025.

STATE OF NEW MEXICO
NOTARY PUBLIC
CODY M. SMITH
COMMISSION # 1103196
COMMISSION EXPIRES 11/09/2025

ASSURANCES

My name is Christopher Kenworthy and I reside in Rio Rancho, NM. I am a member of the governing body for Explore Academy - Rio Rancho a charter school which is located at 6090 Zenith Court NE, Rio Rancho NM. 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.

Christopher Kenworthy
Printed Name


Signature

4/21/23
Date

STATEMENT OF GOVERNING BODY TO CONSULT WITH PED

We, the undersigned, make up the governing body of the Explore Academy – Rio Rancho, located in Rio Rancho, 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 Explore Academy - Rio Rancho'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 financially 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 EXPLORE ACADEMY – RIO RANCHO GIVE THE FOREGOING STATEMENT THIS 20th DAY OF APRIL, 2023.

1. Cathy Gaarden
signature of Cathy Gaarden

2. Sterling Mackay
signature of Sterling Mackay

3. Michael Mierzejewski
signature of Michael Mierzejewski

4. Veronica J. Sanders
signature of Veronica Sanders

5. Christopher Kenworthy
signature of Christopher Kenworthy