



## 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 membership 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.

#### **The school must provide:**

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

Contact [charter.schools@state.nm.us](mailto:charter.schools@state.nm.us) with questions about completing or submitting documents.

**Governing Body Member Change Notification Form**

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

The Charter Contract was entered into by and between the New Mexico Public Education Commission (PEC) and Dził Dítł'ooí School of Empowerment, Action & Perseverance, hereafter "the school," effective on July 20, 2023.

**Current Governing Body Members and Positions:**

Rebecca Jones, Chair

Aaron Billie, Vice-Chair

Amberia Tolino, Secretary

Gavin Sosa, Treasurer

Zachariah Ben, Member - Resigned as of June 30, 2023 \*

**New Governing Body Member(s) and Position(s):**

Shandiin Nez, Member - Voted in as of July 20, 2023

Contact information for New Governing Body Member(s) (phone, email): 505-862-9438, nshandiin@gmail.com

Number of personnel changes (Head Administrator/Business Manager/Procurement Officer, Governing Board Member), including this change, submitted to PEC in the last 12 months: 2

Effective Date: July 20, 2023

The school's notification is hereby submitted by: Kayla D. Begay, Head Administrator

Signature of School Representative:  Date: July 28, 2023

Signature of Governing Board Chair:  Date: July 28, 2023

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**For PEC/CSD use only**

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**PEC Meeting Date:**

Agenda:  Consent (typical)       Regular (unusual circumstance)

The school's notification was:  Accepted  Rejected (provide reason)

Electronic signature of CSD Director: \_\_\_\_\_ Date: \_\_\_\_\_

Zachariah Ben  
3624 Zia Dr  
Gallup, NM, 87301

DEAP Charter School  
Indian Service Rte 109  
Navajo, NM 87328

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*RE: Resignation Letter*

Dear DEAP Governing Council,

I would first like to express my gratitude to have been part of this governing board for the past year. The work that the school is doing for children in our community is incredibly important and valuable. It is with regret that I must inform you all I will no longer be able to serve in my capacity on this governing council. My family is expanding and my business is becoming more demanding than in previous years. I do not anticipate having enough time to fulfill the duties of a governing council member starting in July 2023. I feel it would be best to step down and replace my position with another community member who could provide the time and dedicated attention to the role.

Please accept this request to step down from the position. I enjoyed getting to work with my fellow governing council members and DEAP leadership, and look forward to continued partnership to support student learning in the future.

Ahe'hee,

Zachariah Ben  
[zachben0110@gmail.com](mailto:zachben0110@gmail.com)  
[bidiiibabyfoods@gmail.com](mailto:bidiiibabyfoods@gmail.com)  
505-860-2962



*As a result of a DEAP education, students will be able to use their cultural, vocational, and academic skills to analyze their surroundings in order to plan the transformation of their community and their world, live a healthy life and use the tools they were taught to achieve holistic wellness, use their understanding of identity, and its impact on local and global communities to promote the restoration and perpetuation of Diné culture, and honor the history and the legacy of the Dził Dítł'ooí area by consciously balancing the needs of the land with the needs of the people.*

### Governing Council Meeting

July 20, 2023- 6 PM

Location: Zoom / Telecommunication

Join Zoom Meeting

<https://us02web.zoom.us/j/84693057636?pwd=Z296Ny9EcUNNMFNfdTVkb29xOTRkUT09>

### Meeting Minutes

#### A. Meeting Call to Order 6:06pm

#### B. Roll Call

Rebecca Jones, President/Chair - Present

Aaron Billie, Vice-Chair - Present

Amberia S. Tolino, Secretary - Present

Gavin Sosa, Treasurer - Present, Exited at 6:52pm. Rejoined at (Note: not sure when Gavin rejoined)

Member – Vacant

Guests: Kayla B., Shandiin, Kylee G., Terence C., and Charlotte A.

#### C. Review and Approval of the Agenda

Motion: Amberia T., Second: Rebecca J. Vote: 4-0-0

#### D. Review and Approval of meeting minutes

##### 1. June 8, 2023

a. Recommendations to include the administrative contract offer as well as the final HA evaluation submission (Copy of document to be included).

b. Corrections made accordingly

c. Motion to approve: Gavin S. Second: Aaron B. Vote: 4-0-0

#### F. Discussion & Action Items

##### A. GC Membership: Discussion & Approval of GC membership for Shandiin Nez

a. Introductions

b. Letter of Interest was shared with GC members via email

c. Motion: Rebecca J., Second: Aaron B. Vote: 4-0-0

i. Following vote in an affidavit will be sent out via Doc You Sign by Kayla next to finalize membership and Zachariah Ben resignation.

##### B. Executive Session regarding finance and employee updates.

a. Motion to move into session: Rebecca J., Second: Amberia T. Vote: 4-0-0

i. Began at 6:35pm

b. Exit executive session at 6:51pm

- i. Motion: Rebecca J., Second: Aaron B. Vote: 3-0-0
- G. Reports
  - a. Business Manager - Charlotte A.
    - i. BARS
    - ii. Financial Reports
    - iii. Journal Entries
      - Clean up grants and move around funds according to grant specifications
    - iv. Bank Reconciliation
      - 1. Items that cleared in June 2023
        - a. One hundred and forty-nine thousand
      - 2. Paid out the Summer payroll
      - 3. Bank Reconciliation had a zero variance
        - a. Gavin asked for further clarification with two individuals with the last name Yazzie as well as The Grant Plant.
      - 4. Cash Summary Report June 2023
    - v. Approval for BARS and JE
      - 1. BAR 0055-IB-FUND 31700
      - 2. Journal Entries-set up to use grants that were ending 6/30/2023:
        - a. #9219 - Reclassify from 21000 to 1100
        - b. #13847 - Reclassify from 24308 to 26333 and 11000
        - c. #9453 - Reclassify from 24330 to 26333 and 11000
        - d. #9230 - Reclassify from 11000 to 24101
        - e. #9325 - Reclassify from 11000 to 24154
        - f. #9326 - Reclassify from 24330 to 24189
        - g. #9327 - Reclassify from 24330 to 11000 and 27150
        - h. #9329 - Reclassify from 31703 to 31700
        - i. #9330 - Reclassify from 11000 to 27150
        - j. #9331 - Reclassify from 31703 to 31700
        - k. #9337 - Reclassify from 11000 to 31200
        - l. #9341 - Reclassify from 29107 to 29138
        - m. #9433 - Reclassify from 24330 to 26233
        - n. #9449 - Client Analysis Service Charge for June 2023
          - i. Bank service charge that accumulates monthly
      - 3. Motion: Aaron B., Second: Rebecca J. Vote 4-0-0
  - b. Director of Learning - Kylee G.
    - i. Report Shared
    - ii. DEAP Master Schedule
      - 1. Schedule adjustments due to the larger enrollment of high schoolers.
        - a. 28 High Schoolers
    - iii. Project Bike Tech
      - 1. Elective course
      - 2. Career technical education program
        - a. Students can get certified
    - iv. Dual Credit Partnerships
      - 1. Dine College
        - a. Total of 12 students participating in dual credit courses
          - i. 10 students that will be taking Composition I
          - ii. 2 students that will be taking Intro To Literature
          - iii. Others will be taking online coursework to get caught up on credits.
      - 2. UNM Gallup

- a. 4 students enrolled in the automotive program
    - b. 1 student enrolled in the nursing program
    - c. Other students interested in participating in online coursework with the college.
  - 3. Dual Credit support initiative
    - a. Kylee added more built-in admin time to the school schedule
    - b. Tierra is advancing her role within the office and she and Kylee will be working together to provide a mentorship structure.
    - c. Advisory support
- v. College and Career Fair for the Fall
  - 1. Planning stages
  - 2. An invitation was extended out to Navajo Pine as well as Six Directions
  - 3. Career Panel
  - 4. Guest Speaker
  - 5. Tabeling
  - 6. Workshops for Middle and High school
    - a. High School - Mock Interviews
- vi. Kylee asked for recommendations on behalf of GC as to what the reports can consist of.
  - 1. Highlights, achievements, academic retention, academic grading updates (passing and failing and the pros and cons in those areas)
  - 2. Events
  - 3. Proficiency levels on a school-wide basis, school-wide program or strategy that addresses intervention needed.
  - 4. Connecting back to the mission, visuals, and pictures.
- c. Head Administrator - Kayla B.
  - i. GC Meeting Calendar
  - ii. DEAP School Calendar
  - iii. Staff Professional Development
    - 1. Staff Handbook
  - iv. Student Orientation on August 9th and Student Conferences on August 10th.
  - v. First day of school August 14th.
  - vi. Enrollment
    - 1. More High Schoolers than Middle Schoolers
  - vii. Financials
    - 1. Audit season
    - 2. Grants
      - a. Outdoor Learning Grant

H. Public Comment: None

I. The next GC meeting for DEAP will be August 17, 2023 at 6pm.

J. Adjournment at 7:27pm

SIGNATURE OF APPROVAL: \_\_\_\_\_

Amberia S. Tolino, GC SECRETARY OF DEAP

## ASSURANCES

My name is Shandiin Nez and I reside in Gallup, NM. I am a member of the governing body for DEAP a charter school which is located at Navajo, 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.

Shandiin Nez  
Printed Name

  
Signature

07/31/2023  
Date



**AFFIDAVIT OF GOVERNING BODY MEMBER**

STATE OF NEW MEXICO )  
  )  
COUNTY OF McKinley )

I, Shandiin Nez, after being duly sworn, state:

1. My name is Shandiin Nez and I reside in Gallup, New Mexico.
2. I am a member of the governing body of the Deit Dita'Nooi School of Empowerment, Action and Resilience (DEAR) in Navajo, 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.

Shandiin Nez  
[Signature]  
Shandiin Nez  
[Print]

8/3/2023  
Date

**VERIFICATION**

The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 3rd day of August, 2023.

[Notary Seal:]

[Signature]  
NOTARY PUBLIC

My commission expires: 01/21, 2024.

STATE OF NEW MEXICO  
ALICIA PALACIOS  
NOTARY PUBLIC  
Commission #: 1009049  
Expiration Date: 01/21/2024

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

We, the undersigned, make up the governing body of the **Dzil Diti'ooí School of Empowerment, Action & Perseverance (DEAP)**, located in Navajo, New Mexico.

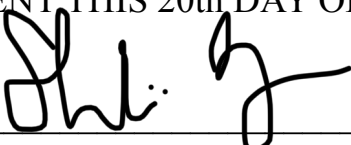

In accordance with 6.80.4.16 NMAC, we agree to consult with the New Mexico Public Education Department on any matter not covered by the manual of accounting and budgeting before taking any action related to funds held as a board of finance.

We make this statement as part of **Dzil Diti'ooí School of Empowerment, Action & Perseverance (DEAP)**'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 **DZIL DITL'OOÍ SCHOOL OF EMPOWERMENT, ACTION & PERSEVERANCE (DEAP)** GIVE THE FORGOING STATEMENT THIS 20th DAY OF JULY 2023.

1.  Shandiin Nez, Member
2. Gavin Sosa Gavin Sosa, Member
3.  Rebecca Jones, Chair
4. Amberia S. Tolino Amberia Tolino, Secretary
5. Aaron Billie Aaron Billie, Vice Chair