



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 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

The Charter Contract was entered into by and between the New Mexico Public Education Commission (PEC) and La Academia Dolores Huerta, hereafter "the school," effective on 7/1/2021.

Current Governing Body Members and Positions: Adrian Gaytan, President; Hilda Paz, Vice-President; Dalina Matsumoto, Treasurer; Elaine Palma, Secretary; Nelly Garcia, General Member

New Governing Body Member(s) and Position(s): Beatrice Quintana-Heiserman, Parent Representative

Contact information for New Governing Body Member(s) (phone, email): 575-805-9375; bqquintana.bq@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: 6

Effective Date: 7/5/2023

The school's notification is hereby submitted by:

Signature of School Representative: Elaine Palma, Secretary **Date:** 7.30.23

Elaine Palma

Signature of Governing Board Chair: Adrian Gaytan, President **Date:** 7.30.2023

Adrian R Gaytan

For PEC/CSD use only

PEC Meeting Date:

Agenda: Consent (typical) Regular (unusual circumstance)

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

Electronic signature of CSD Director: _____ **Date:** _____



La Academia Dolores Huerta Charter Middle School

“A Dual Language Charter Middle School”

400 W. Bell St.

Las Cruces, NM 88005

Phone: 575-526-2984

Fax: 575-523-5407

The mission of La Academia Dolores Huerta is to provide a diverse bilingual educational program in the arts that fosters the development of a strong socio-cultural identity while achieving academic success.

La misión de La Academia Dolores Huerta es proporcionar un programa educativo bilingüe diverso de las artes que fomenta el desarrollo de una fuerte identidad sociocultural mientras se logra el éxito académico.

Regular Governing Council Meeting Minutes DRAFT

Wednesday July 05, 2023 at 5:30 PM, LADH Conference Room

Join Zoom Meeting:

<https://us06web.zoom.us/j/83787203735?pwd=Z0YxaFg3eFIWMVc3dVNpOHFZbWlXUT09>

Meeting ID: 837 8720 3735

Passcode: YfYg3g

- 1) Adrian Gaytan called meeting to order at 5:36 PM.
- 2) Roll call and establish quorum

GC Members Present:

Adrian Gaytan, President

Dalina Matsumoto, Treasurer (left at 7:34 pm)

Elaine Palma, Secretary

Hilda Paz, Vice-President

Nelly Garcia, General Member

Quorum established

Guests: Sylvy Galvan de Lucero, Head Administrator; Mirna Rodriguez, LADH Business Specialist; Dalia Gallegos, Community Schools Coordinator; Beatrice Quintana-Heiserman, GC parent candidate

- 3) Approval of agenda
Adrian Gaytan moved to approve the 7.05.23 agenda; Dalina Matsumoto seconded

Roll Call Vote:

Elaine Palma: yes

Adrian Gaytan: yes

Hilda Paz: yes

Dalina Matsumoto: yes

Nelly Garcia: yes

None opposed; motion passed

4) Open forum-public input*

Public comments and observations regarding education policy and governance issues, as well as the strategic planning are heard at this time. Time limit per presenter may be imposed by Chair

No guests present in person or via Zoom to provide public input.

5) Review, discussion, and possible approval of June 08, 2023, Regular GC Meeting Minutes.

Adrian Gaytan moved to approve the June 08, 2023, regular GC meeting minutes; Dalina Matsumoto seconded

Roll Call Vote:

Elaine Palma: yes

Adrian Gaytan: yes

Hilda Paz: yes

Dalina Matsumoto: yes

Nelly Garcia: abstain

None opposed; motion passed

ACTION ITEMS

- 6) Review, discussion, and possible approval of the 2023-2024 Head Administrator's contract. Presented by Elaine Palma.
Mrs. Palma noted that salary includes the 6% raise approved by NM Legislators. Changes requested by Mirna Rodriguez were made (e.g., number of contract days and "stipend" versus "bonus"). She also noted that the contract is the same as the one offered to Mrs. Galvan de Lucero with the exception of the salary and the number of contract days.

Arian Gaytan moved to approve the 2023-2024 Head Administrator's contract; Dalina Matsumoto seconded

Roll Call Vote:

Elaine Palma: yes

Adrian Gaytan: yes

Hilda Paz: yes

Dalina Matsumoto: yes

Nelly Garcia: yes

None opposed; motion passed

- 7) Review, discussion, and possible approval of the 2023-2024 lease agreement with Las Cruces Public Schools (LCPS). Presented by Mirna Rodriguez.

LCPS Board approved the lease on June 20, 2023. Added addendum which stipulated that the lease was bound to the same terms as original lease with an extension of one year and that the lease would now be reviewed and renewed on an annual basis.

Adrian Gaytan moved to approve the 2023-2024 lease agreement with Las Cruces Public Schools; Elaine Palma seconded

Roll Call Vote:

Elaine Palma: yes

Adrian Gaytan: yes

Hilda Paz: yes

Dalina Matsumoto: yes

Nelly Garcia: yes

None opposed; motion passed

- 8) Review, discussion, and possible approval of the 2023-2024 Open Meetings Act (OMA) Annual Resolution. Presented by Elaine Palma

Mrs. Palma presented the annual resolution which states that monthly GC meetings will be held at the LADH campus on the second Thursday of each month at 5:30 pm. Beatrice Quintana-Heiserman asked about where the meeting announcement were posted and Mrs. Palma responded that they are posted on the website and at the school. Mrs. Quintana-Heiserman noted that she had never seen the postings and recommended announcing/posting the meetings on the school's Facebook page and sending reminders on the Remind App. All GC members agreed.

Mrs. Palma will send Chris Burns email requesting that the approved OMA be posted on the website.

Adrian Gaytan moved to approve the 2023-2024 Open Meetings Act (OMA) Annual Resolution; Dalina Matsumoto seconded

Roll Call Vote:

Elaine Palma: yes

Adrian Gaytan: yes

Hilda Paz: yes

Dalina Matsumoto: yes

Nelly Garcia: yes

None opposed; motion passed

Mrs. Palma will send Chris Burns email requesting that the approved OMA be posted on the website.

- 9) Review, discussion, and possible approval of new GC member, Beatrice Quintana-Heiserman.

Mrs. Quintana- Heiserman noted she was excited to add the perspective of parents at GC meeting. She expressed that she did not want to be a member of the finance committee.

Adrian Gaytan moved to approve Beatrice Quintana- Heiserman as a new GC member; Dalina seconded

Roll Call Vote:

Elaine Palma: yes

Adrian Gaytan: yes

Hilda Paz: yes

Dalina Matsumoto: yes

Nelly Garcia: yes

None opposed; motion passed

10) Review, discussion, and possible approval of GC officers.

GC discussed available positions and duties associated with each. After discussion, the following officers were selected:

President: Adrian Gaytan

Vice-president: Hilda Paz

Treasurer: Dalina Matsumoto

Secretary: Elaine Palma

Parent representative/general member: Beatrice Quintana-Heiserman

General member: Nelly Garcia

Adrian Gaytan moved to approve slate of GC officers; Elaine Palma seconded

Roll Call Vote:

Elaine Palma: yes

Adrian Gaytan: yes

Hilda Paz: yes

Dalina Matsumoto: yes

Nelly Garcia: yes

None opposed; motion passed

11) Review, discussion, and possible approval of changes to the LADH annual leave policy in the employee handbook. Sylvy Galvan de Lucero presented.

Questions regarding LADH's annual leave policy have recently come up due to a former employee who during the academic year moved from a 12 to a 10-month position. The concern was immediately discussed with the school's attorney, Natasha Cuylear. Ms. Cuylear recommended that when an employee moves to a position under which annual leave cannot be transferred, the employee may elect to receive a lump sum payment of the untransferred leave for a maximum of 30-days. However, Mrs. Galvan de Lucero noted that given the past and current enroll data, such a change cannot be implemented due to budgetary restrictions. Therefore, she has changed the policy to state that the

annual leave will be converted to sick leave. GC members asked about what a typical LADH contract looks like and what it includes.

As the GC does not approve the employee handbook, no vote was needed or taken on this item.

NEW BUSINESS: DISCUSSION ITEMS ONLY – NO ACTION WILL BE TAKEN

12) Finance Committee Report

No report as the finance committee did not meet prior to this July GC meeting. Therefore, next month the committee will report on two months of data.

13) Spring 2023 final School Visit Site report review and responses: Presented by Sylvy Galvan de Lucero

Mrs. Galvan de Lucero uploaded and submitted all required/requested end of year data and received a response letting her know that review of data will begin in a few weeks. The Friday after she had uploaded the information, she received an email from a different person asking for only mission specific data by July 17th and for a self-rating. Mrs. Galvan de Lucero will again provide that information by the deadline.

14) School Safety Committee follow-up: submission deadline

Mrs. Galvan de Lucero has not received a response from PED as to when deadline is. She will continue to try and get the information.

15) New building search committee: review listings of available properties

Adrian Gaytan noted that The Spot location was opening, but Mrs. Galvan de Lucero noted that there is a dispensary next door. However, if we find a suitable building near a dispensary the LADH needs to request a special permit from the Las Cruces City Council.

Mrs. Matsumoto has not received information from her friend who is in real estate. Will continue to pursue.

Mrs. Paz' daughter noted that the old Kmart building was not listed and did not find any listings that met initial specifications noted.

Ms. Garcia initiated discussion about looking into large private homes. Mr. Gaytan stated that we should look at all available options.

16) Title I reimbursement follow-up presented by Mirna Rodriguez

Mrs. Rodriguez sent email on June 14th and has yet to receive a response. On June 22nd she emailed the director of Title I and has not received a response. Mrs. Palma asked that Mrs. Rodriguez send a follow-up email, but this time include GC member(s) so that they can also try to follow-up. Mrs. Rodriguez has also tried to call but call immediately goes straight to voicemail. Mrs. Palma asked that adjustment be delayed until response is received.

- 17) SPED policy update follow-up: Presented by Elaine Palma
Discussed search and how other schools only link to IDEA and NM PED special education guidelines. She emailed Missy Brown for guidance but has not received a response.
- 18) Annual calendar review: Presented by Elaine Palma
Reviewed and discussed July and August items.
- 19) Equity Council
Mrs. Galvan de Lucero noted no updates due to summer. Mid-August meetings will resume.
- 20) 2023-2024 student recruitment/enrollment update: Presented by Sylvy Galvan de Lucero
Up to 66-stuents. Handful came in for tours and picked up registration packets.
Sun-News called about press release and wrote story.
- 21) Head Administrators Report: Presented by Sylvy Galvan de Lucero
- Teachers return to school July 17th
 - Students return to school July 20th
 - Open house/Kermes July 21st 4-8pm
 - Vacancies: SPED inclusion teacher/SPED EA; day custodian; science teacher
- 22) Secretary Report
- Completion of annual conflict of interest statements
 - GC Recruitment: search for member with financial expertise
 - GC Trainings:
 - All 2022-2023 GC trainings were completed by all members!
 - Remember to start working on the 2023-2024 trainings.
 - LADH GC onboarding
 - Feedback on example emailed to GC. Please remember to review for next month.
 - GC retreat July 14th details: Hacienda 4-6pm
- 23) Adjourn to close session:
To discuss personnel matters relating to any individual employee, including hiring, promotion, demotion, dismissal, resignation, or investigation of complaints or charges against an employee [10-15-1(H)(2) NMSA 1978].
- Discuss personnel concerns/litigation

Adrian Gaytan moved to adjourn to close session at 7:14pm; Elaine Palma seconded

Roll Call Vote:

Elaine Palma: yes

Adrian Gaytan: yes

Hilda Paz: yes

Dalina Matsumoto: yes

Nelly Garcia: yes

None opposed; motion passed

24) Adrian Gaytan moved to adjourn from close session/resume general GC meeting at 8:00pm; Elaine Palma seconded

Roll Call Vote:

Elaine Palma: yes

Adrian Gaytan: yes

Hilda Paz: yes

Nelly Garcia: yes

None opposed; motion passed

25) Adrian Gaytan moved to adjourn GC general meeting at 8:00 pm; Elaine Palma seconded

Roll Call Vote:

Elaine Palma: yes

Adrian Gaytan: yes

Hilda Paz: yes

Nelly Garcia: yes

None opposed; motion passed

*Any individual attending a board meeting may sign in to participate in the Public Input section of the Agenda, if any. Such persons may speak on any item after the individual is recognized by the President of the Board and introduces himself/herself at the podium. The Governing Council of La Academia Dolores Huerta will not take action on any item presented under Public Input, until an opportunity to do so is afforded. La Academia Dolores Huerta will provide an interpreter for the Hearing Impaired and simultaneous Spanish translation upon request. Requests should be submitted to the chancellor's office three days prior to the meeting.

AFFIDAVIT OF GOVERNING BODY MEMBER

STATE OF NEW MEXICO)
)
COUNTY OF)

I, Beatriz Quintana-Heiserman, after being duly sworn, state:

1. My name is Beatriz Quintana-Heiserman and I reside in Las Cruces, New Mexico.
2. I am a member of the governing body of the La Academia Dobros Huertos [insert name of 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 [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.

[Signature]

[Signature]

07-11-23

Date

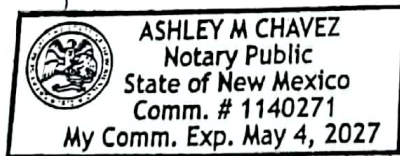
Beatriz Quintana-Heiserman

[Print]

VERIFICATION

The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 11 day of July, 2023.

[Notary Seal:]



[Signature]
NOTARY PUBLIC

My commission expires: May 4, 2027.

ASSURANCES

My name is Beatriz Quintana-Helserman and I reside in Las Cruces, NM. I am a member of the governing body for La Academia Dolores Huerta a charter school which is located at 400 Bell Ave, Las Cruces. 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.

Beatriz Quintana-Heisaman
Printed Name

B. Quintana
Signature

07-11-23
Date

AFFIDAVIT OF GOVERNING BODY MEMBER

STATE OF NEW MEXICO)
)
COUNTY OF)

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[Signature]
[Signature]

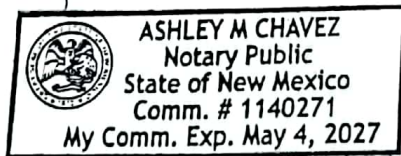
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Beatriz Quintana-Heiserman
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18. The CHARTER SCHOOL had and will develop a curriculum that is aligned to the New Mexico State Standards found in Title 6 Chapter 29 of the New Mexico Administrative Code, as amended.

Beatriz Quintana-Heisaman
Printed Name

B. Quintana
Signature

07-11-23
Date

STATEMENT OF GOVERNING BODY TO CONSULT WITH PED

We, the undersigned, make up the governing body of the La Academia Dolores Huerta, 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 [insert name of 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 La Academia Dolores Huerta GIVE THE FOREGOING STATEMENT THIS 5 DAY OF July, 2023.

1. _____
Adrian Gaytan

2. _____
Hilda Paz

3. _____
Dalina Matsumoto

4. _____
Elaine Palma

5. _____
Nelly Garcia

6.  _____
Beatrice Quintana- Heiserman