



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 or members of the school's Governing Body. The school may report multiple member resignations/removals and designations on the same form.

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@ped.nm.gov 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 Explore Academy - Albuquerque, hereafter "the school," effective on July 1, 2019.

Current Governing Body Members and Positions: Patrick Molina - Chair, Martha Barrera - Vice Chair, Dotty McKinney - Secretary, Dr. Richard Griffin - Member

Governing Body Member(s) Resigning or Removed: John Garletts - Member

New Governing Body Member(s) and Position(s): Aaron Hamilton - Member

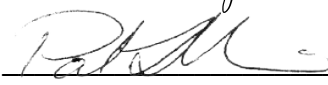
Contact information for New Governing Body Member(s) (phone, email): 970-946-031; aaronhamilton86@gmail.com

Number of personnel changes (Head Administrator/Business Manager/Procurement Officer, Governing Board Member), including this change, submitted to PEC in the last 12 months: 0

Effective Date: August 8, 2023

The school's notification is hereby submitted by:

Signature of School Representative:  **Date:** 08/24/2023

Signature of Governing Board Chair:  **Date:** 08/24/2023

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:** _____

From: John Garletts <johngarletts@gmail.com>
Sent: Tuesday, July 11, 2023 11:45 AM
To: Molina, Patrick <pmolina@phs.org>
Subject: letter of resignation

WARNING: Stop. Think. Read. This is an external email.

Good morning,

I am writing to inform you as Chair of the Explore Academy Governing Council, the Governing Council itself, and our Head Administrator of the coming end to my role as a Governing Council member. My six year term officially ends in November, but I will be stepping down a few months earlier due to an increased need to focus on my professional development. As such, August 8th will be my last day as a member.

I leave this role intensely proud of the work that has been accomplished during my time as a member. The massive expansion of the campus, number of students, grade levels offered, and, most importantly, the mission and vision of Explore Academy has been truly incredible. I am grateful and honored to have had a very small role to play in service to those goals. The work that Explore Academy does is clearly of tremendous value to students, but I also feel that I have benefited greatly as a teacher from witnessing the innovation and passion with which Explore educates its students. That is certainly what I will miss most.

Having worked alongside you all for quite a while now, I know that I leave the Governing Council in very capable hands. However, should you have any future need for me, please do not hesitate to ask. Thank you for affording me the opportunity to contribute to the success of Explore Academy, and I will continue to root for its future success.

John Garletts

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One attachment • Scanned by Gmail

AFFIDAVIT OF GOVERNING BODY MEMBER

STATE OF NEW MEXICO)
)
COUNTY OF)

I, Aaron Hamilton, after being duly sworn, state:

1. My name is Aaron Hamilton and I reside in Albuquerque, New Mexico.
2. I am a member of the governing body of Explore Academy in Albuquerque, 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’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.

Aaron Hamilton
[Signature]

8/23/2023
Date

Aaron Hamilton
[Print]

VERIFICATION

The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 23 day of August, 2023.

[Notary Seal:]

CLAUDIA LIZBETH WOODWARD
Notary Public - State of New Mexico
Commission # 1139560
My Comm. Expires Jan 20, 2027

[Signature]
NOTARY PUBLIC

My commission expires: Jan. 20, 2027.

ASSURANCES

My name is Aaron Hamilton and I reside in Albuquerque, New Mexico. I am a member of the governing body for Explore Academy a charter school which is located at Albuquerque, New Mexico, 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.

Aaron Hamilton
Printed Name

Chae Hamilton
Signature

8/23/2023
Date

STATEMENT OF GOVERNING BODY TO CONSULT WITH PED

We, the undersigned, make up the governing body of the Explore Academy, located in Albuquerque, New Mexico.


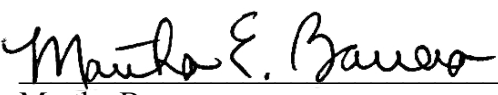
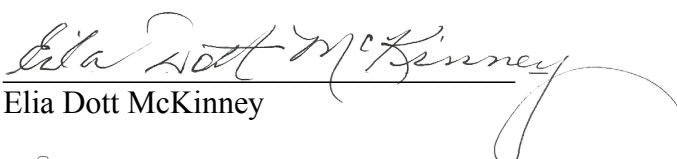
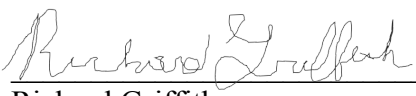
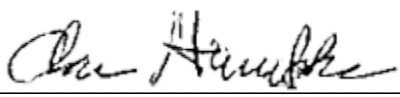
In accordance with 6.80.4.16 NMAC, we agree to consult with the New Mexico Public Education Department on any matter not covered by the manual of accounting and budgeting before taking any action related to funds held as a board of finance.

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 EXPLORE ACADEMY GIVE THE FOREGOING STATEMENT THIS 10th DAY OF August, 2023.

1. 
Patrick Molina, Interim Chair/Secretary
2. 
Martha Barrera
3. 
Elia Dott McKinney
4. 
Richard Griffith
5. 
Aaron Hamilton

Attach additional pages if membership exceeds five.

GOVERNING COUNCIL MINUTES **DRAFT**

EXPLORE ACADEMY GOVERNING COUNCIL
5100 Masthead Ave (K-5) / 6600 Gulton Ct (6-12)
Albuquerque, NM 87109



Meeting minutes recorded by Dotty McKinney, Governing Council Secretary

Tuesday, August 8, 2023 (regular meeting)
5:30 p.m. MST

I. PROCEDURAL AGENDA

- A. This meeting of the Explore Academy Governing Council (GC) was called to order at 5:36 p.m. by Chair Patrick Molina.
- B. A quorum of the GC was present as follows: Chair Patrick Molina, Vice Chair Martha Barrera, and Secretary Dotty McKinney, validated via roll call by Secretary Dotty McKinney. It is noted here that John Garletts is no longer a member of the GC.
- C. Staff in attendance: Justin Baiardo - Head Administrator; Elisha Baiardo - Director of Operations; Samantha Gonzales - Compliance Manager; and Josh Padilla - Axiom Analytics (School Business Official);
- D. The meeting was held on the Zoom[®] platform.
- E. No others were identified as present.
- F. The board chair led the Pledge of Allegiance.

II. PUBLIC COMMENT regarding items on the agenda

No public comments were offered.

III. APPROVAL OF AGENDA

Patrick Molina moved for approval of the [agenda](#); the motion was seconded by Martha Barrera. The motion was approved unanimously with a roll-call vote of 3-0.

Board member Dr. Richard Griffith joined the meeting at 5:39 pm.

IV. APPROVAL OF MINUTES

Each school board member reviewed the [minutes](#) from the 07/11/2023 meeting. Patrick Molina moved to approve the minutes; the motion was seconded by Martha Barrera. The motion was approved unanimously with a roll-call vote of 4-0.

V. FINANCIAL COMMITTEE

- A. [Check Register](#) - July 2023
- B. [Bank Reconciliation](#) - July 2023

C. Budget Adjustment Requests (BARs) - none

D. Audit Committee Entrance Conferences completed.

Following questions and general discussion, Patrick Molina moved to approve the financial reports as presented; Dotty McKinney seconded the motion. A roll-call vote resulted in unanimous approval of 4-0.

VI. ADMINISTRATION REPORT

Justin Bariardo presented an informative update of preparations for the upcoming school year as follows:

A. SY24 Enrollment and Hiring Update

Enrollment is strong, some rooms aren't quite ready, but teachers are rotating rooms. Fear kids waiting es starts this week, hitting right above 1450 students, increase of approx 200 students. Make sure we are on budget. Hiring = science teacher resigned, new teacher - was overwhelmed. Working to fill the position. Math teacher gave a 30 days notice. But have filled the math position. Looking for a spec ed staff member for the ES. wants to come in as soon as possible to manage spec ed properly.

B. Facilities/Construction Update

We are continuing to push through, to have both campuses ready for students. ES had delays again with inspection delays from the CofA. Build out additional office spaces for staff. Postponing offices to be built out at the next break (fall or Thanksgiving). Exterior rooms of 2 classrooms, doing creative rotations with elective teachers. Gym - roof almost finished. Dug into the earth to build the gym Late Oct or Nov delivery date - also doing creative scheduling for teachers to work, utilizing the Teacher lounge.

C. [Foundation Report](#)

Quarterly reporting basis - ensure our operational reserve funds - putting money away every month, over threshold. One is operational, may draw down some of those funds this fall.

2nd operational reserve fund can draw from any time for facilities. Has no limits - if drawn down to 0, not a problem. It's like a rainy day fund for repair or replace. Gets balances every quarter so we know where they are. Looking for a lower interest rate in 2025 for future construction. Will help pay down other construction.

D. Operations Report (Elisha Baiardo, Director, Operations)

Not a formal report - total update, buses - 19, can go the distances in many directions, have a few more stops placed in the schedule. Still have adjustments to make once all the students that signed up are using the buses or not. Carryover from the spring - grant applications are all on track, Sam is doing the work. Ed. Major - switch to pay salary for major classes they teach. It does help to hopefully not having to cut a class.

Onboarding of new assessment person is going well, has worked in the assessment bureau of PED and Title III EL program. She will have time to do a consortium application

for bi-lingual program, and will be helping with testing later in the fall. Every new student in STARS is examined for correctness - updated as needed.

E. Governing Board Training Options

F. Annual Review of [Charter Contract](#) and [Performance Framework](#)

G. Upcoming Events/Reminders

1. Charter Contract [Renewal Application](#) due Oct 1

NOTE: PEC amended the [Charter Contract](#) in April 2022 and is working on revisions to the [Performance Framework](#). All renewals will be on the new versions.

VII. GOVERNING COUNCIL BUSINESS

A. End of Year Renewal/Non-Renewal Notices

Following questions and general discussion, Patrick Molina moved to update the end of year renewal/non-renewal notices policy to match the statutory language requiring 15 days prior to the end of school.; Dotty McKinney seconded the motion. A roll- call vote resulted in a unanimous approval of 4-0.

B. Attendance Policy (and activity/athletic absences)

Following questions and general discussion, Dr. Griffith moved to approve the attendance policy; Martha Barrera seconded the motion. A roll- call vote resulted in a unanimous approval of 4-0.

C. Updated [Staff Handbook](#) and [Student Handbook](#)

Following questions and general discussion, moved to approve the staff and student handbooks as presented; seconded the motion. A roll- call vote resulted in a unanimous approval of 4-0.

- D. Recommendations, if any, for vacant Governing Board seat. Aaron Hamilton was introduced to the GC. Patrick Molina nominated Mr. Hamilton to the board. Martha Barrera moved to accept the nomination, and Dr. Griffith seconded the motion. A roll-call vote resulted in a unanimous approval of 4.0

VIII. BOARD COMMENTS

Patrick Molina and Dotty McKinney gave a report on the Charter School Conference. And Patrick Molina noted that Explore Academy Albuquerque is celebrating 10 years!

IX. PUBLIC COMMENT regarding items not on the agenda

The floor was opened for public comment. It was noted Jennifer Hathaway who sits on the Board for Alice King Charter School was in the audience.

X. GENERAL DISCUSSION & ADJOURNMENT

The next regular meeting of the GC is scheduled for September 12, 2023 at 5:30 p.m. via Zoom®. The meeting was officially adjourned at 7:22 p.m. by Chair Patrick Molina.

NOTICE OF PUBLIC MEETING



EXPLORE ACADEMY GOVERNING COUNCIL

Please note that a quorum of the board may attend school or community events and activities. If this occurs, no decisions will be made at these gatherings. All board discussion regarding decisions and voting occur at publicly noticed meetings.

Explore Academy (in Albuquerque) will conduct a public meeting on Tuesday, August 8, 2023, beginning at 5:30 pm.

This meeting will be held in accordance with the New Mexico Open Meeting Law and the Governing Council's (GC) [annual Open Meetings Act \(OMA\) Resolution](#). During the pandemic, members of the public may view the meeting online via the virtual meeting room link listed in the agenda.

If a member of the public would like to view a document referred to in any meeting of the Explore Academy Governing Council and is not able to easily find or access said document, please email karen.woerner@explore.academy and it will be made available within five (5) business days.

Public comment time will be allotted during each board meeting (1) at the beginning of the meeting regarding items on the agenda before any items are discussed on which action may be taken so comments may be heard by the governing body, and (2) at the end of the meeting prior to adjournment for items not on the agenda. No action may be taken regarding any topic during this public comment section and the council members are not allowed to respond, but rather must wait until the topic at hand is included as an action item on an agenda. A time limit of three (3) minutes will be imposed on public comments to allow all members of the public the opportunity to speak. These comments will not be restricted based on viewpoint.

The GC reserves the right to limit or curtail repetitive comments or other expressions that are obscene, profane, disruptive of the orderly conduct of the GC's meeting, harassing or defamatory or not in keeping with the decorum of a school board meeting which includes students or other minors.

Complaints regarding personnel matters or involving students may be redirected to appropriate administrative procedures for review and handling.

Public comment can also be submitted prior to a meeting via email (karen.woerner@explore.academy) to be included in the minutes and provided to the Board.

The Board reserves the right to take agenda items out of order, items may be removed or delayed from the agenda at any time, and two or more items may be combined for consideration.

The Board is happy to make reasonable accommodations for any member of the public who has a disability and wishes to attend the meeting. If special arrangements are necessary, please notify the Board via email (karen.woerner@explore.academy).

AGENDA



EXPLORE ACADEMY GOVERNING COUNCIL

Masthead Building: 5100 Masthead, grades K-5

Gulton Building: 6600 Gulton Ct, grades 6-12

MISSION Explore Academy will provide each student with a personalized educational experience through the power of student choice, allowing each student to create a unique educational pathway in preparation for a college future.

Chartering Authority: Public Education Commission (PEC)
Support Staff to the PEC: Charter Schools Division (CSD) of the PED
Department of Education: Public Education Department (PED)

Meeting Date: Tuesday, August 8, 2023

Meeting Time: 5:30 pm

Meeting Location: [Virtual Meeting Room Link](#) Webinar ID: 868 8399 1767

Location: <https://us06web.zoom.us/j/86883991767>

Or dial in via telephone: 669 444 9171 or 669 900 6833 or 719 359 4580 or 253 215 8782 or 346 248 7799 or 408 638 0968 or 309 205 3325 or 312 626 6799 or 386 347 5053 or 564 217 2000 or 646 876 9923 or 646 931 3860 or 301 715 8592

Webinar ID: 868 8399 1767

I Call to Order Roll Call and Ascertain Quorum Pledge of Allegiance

II Public Comment regarding any item on the agenda **For information**

Members of the public attending this meeting are invited to address the Board regarding items listed on the agenda at this time. Board members should not respond until the topic is discussed later in the agenda. Comments are limited to three (3) minutes. Commenters should state their name and the agenda item to which they are speaking. Comments regarding other topics will be heard at the end of the meeting.

III Approval of Current Agenda **For action**

Following a request for any declarations of conflicts of interest, the Chair will request a motion to approve the agenda.

IV Approval of Meeting Minutes from [July 11, 2023](#) **For action**

V Finance Committee / Reports (*Axiom Analytics*) **For action**

- A. [Check Register](#) - July 2023
- B. [Bank Reconciliation](#) - July 2023
- C. Budget Adjustment Requests (BARs) - none
- D. Audit Committee Entrance Conferences completed

VI Administration Report **For possible action**

- A. SY24 Enrollment and Hiring Update
- B. Facilities/Construction Update
- C. [Foundation Report](#)

-
- D. Operations Report (Elisha Baiardo)
 - E. Governing Board Training Options
 - F. Annual Review of [Charter Contract](#) and [Performance Framework](#)
 - G. Upcoming Events/Reminders
 - 1. Charter Contract [Renewal Application](#) due Oct 1
- NOTE: PEC amended the [Charter Contract](#) in April 2022 and is working on revisions to the [Performance Framework](#). All renewals will be on the new versions.

VII Governing Council Business **For possible action**

- A. End of Year Renewal/Non-Renewal Notices
- B. Attendance Policy (and activity/athletic absences)
- C. Updated [Staff Handbook](#) and [Student Handbook](#)
- D. Recommendations, if any, for vacant Governing Board seat

VIII Board Comments **For discussion only**

An opportunity for comments, announcements or updates, including future agenda items, from Board members. No action will be taken.

IX Public Comment regarding any item *not* on the agenda **For information**

Members of the public are invited to address the Board regarding items not listed on the agenda but within the Board's jurisdiction. Comments are limited to three (3) minutes. Commenters should state their name and the topic of their comment. There shall be no action taken, nor should there be comments on, responses to, or discussion of a topic not on the agenda. The Board members may (1) acknowledge receipt of information/report; (2) refer to staff with no direction as to action or priority; or (3) refer the matter to the next agenda.

X Adjournment

- Next meeting - Tuesday, September 12, 2023 at 5:30 pm
-

Reminders/Resources:

- [Governing Council Annual Calendar](#) of meeting topics
- Work Session Topics - Please advise staff of any topics of interest for discussion or training at future meetings
- [NMPED/CSD Trainings Offered / Governing Council Training Schedule](#)
 - [2022-2023 Training Tracker](#) with NMPED/CSD
 - [Internal Tracker](#)