



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 Albuquerque School of Excellence, hereafter "the school," effective on 6/12/2020.

Current Governing Body Members and Positions: Sean Fry- President, Moriah MacCleod-Vice President, Necati Sahin-Treasurer, Yunus Akbas-Member, Osman Anderoglu-Member, Baymuhammet Dadebayev-Member

Governing Body Member(s) Resigning or Removed: Cemal Cakez


New Governing Body Member(s) and Position(s): Angela Lopez

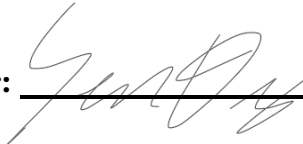
Contact information for New Governing Body Member(s) (phone, email): 505-660-9496, alopez9496@gmail.com

Number of personnel changes (Head Administrator/Business Manager/Procurement Officer, Governing Board Member), including this change, submitted to PEC in the last 12 months: 3

Effective Date: 9/22/2023

The school's notification is hereby submitted by:

Signature of School Representative:  **Date:** 9/25/2023

Signature of Governing Board Chair:  **Date:** 9/25/2023

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:** _____

Meeting Minutes
Albuquerque School of Excellence
Governing Council
Special Meeting

Meeting Location: Online via Google Meet.

Date: September 21, 2023, Time: 5:30 PM – 5:41

- I. **Attendance:** The meeting was called to attendance by Sean Fry. The following council members were present, Ms. MacCleod, Dr.Sahin, Mr. Fry, and Mr.Akbas. Mr. Ayik was also present. Dr.Anderoglu and Mr.Dadebayev were not in attendance.

- II. **Call to Order and establishment of quorum.**
The people listed above are named the Governing Council of the Albuquerque School of Excellence in the Articles of Incorporation and their attendance constitutes a quorum.

- III. **Public Comments**
 - a. No public comments

- IV. **(Discussion/Action) Approval of current agenda items**
 - a. Dr. Sahin moved to approve the agenda; Ms. MacCleod seconded. A vote was taken, and approval of the agenda passed unanimously.

- V. **Consideration of Governing Council Applicants (Discussion/Action)**
 - a. Upon reviewing the application of Ms.Lopez, a former ASE Staff for a Governing Council position, a decision was made to offer her a position, nominated by Mr. Fry to fill Seat 5 formerly held by Mr.Cakez.

 - b. Mr.Fry moved to offer Ms. Lopez a Governing Council position; Dr. Sahin seconded, a vote was taken and the offer to Ms. Lopez was unanimously approved.

Closing remarks and adjournment

- a. The meeting was adjourned at 5:41 pm.



Mustafa Ayik <mayik@abqse.org>

Fwd: Albuquerque School of Excellence

1 message

Sean Fry <sfry@abqse.org>
To: Mustafa Ayik <mayik@abqse.org>

Mon, Sep 25, 2023 at 11:29 AM

Sent from my iPhone

Begin forwarded message:

From: Cemal Cakez <cemalc@gmail.com>
Date: July 18, 2023 at 06:46:11 MDT
To: Sean Fry <sfry@abqse.org>
Subject: Re: Albuquerque School of Excellence

Hi Sean,

Happy Monday.

Yes, I resign.

It was a pleasure to work with you and thank you all.

Bests,
Cemal

On Mon, Jul 17, 2023, 22:11 Sean Fry <sfry@abqse.org> wrote:

Good evening Mr. Cakez,

I hope that this email finds you and your family well. Thank you very much for helping the governing council out a few weeks ago so that we could have a quorum to conduct needed business. I know that the schedule for our regular meeting has been near impossible to get to work with your busy schedule. At our meeting this past Saturday, we adopted our annual open meetings Act which sets the date and time for the regular meeting. Once again, the 3rd Saturday of each month was the date that worked for the membership and this is what was approved for this new school year. We are able to change this of course, with the adoption of a new Open Meetings Act.

I am emailing you to let you know about the schedule and commitments and ask you about your ability to make these work with your schedule. I am extremely grateful to you for the years of service you have given the school and know that your expertise and background are assets that the school can and will need. If however you cannot make the necessary meetings, I would ask that you please consider resigning so that we can fill your position with another willing volunteer. If you find that you must resign, please write and email a letter to me stating such. I truly hope that we can make a schedule work so that you are able to continue helping and guiding the school as a member of the governing council.

Regards,

Sean Fry
505-215-1987

Sent from my iPhone

STATEMENT OF GOVERNING BODY TO CONSULT WITH PED

We, the undersigned, make up the governing body of the Albuquerque School of Excellence, located in 13201 Lomas Blvd NE, Albuquerque, NM 87112, New Mexico.

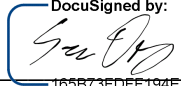
In accordance with 6.80.4.16 NMAC, we agree to consult with the New Mexico Public Education Department on any matter not covered by the manual of accounting and budgeting before taking any action related to funds held as a board of finance.


We make this statement as part of Albuquerque School of Excellence’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.

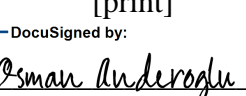
We understand that we must submit an Affidavit of Governing Body Member to the Public Education Commission within 60 days of a change in membership of our governing body.


THE FOLLOWING MEMBERS OF THE ALBUQUERQUE SCHOOL OF EXCELLENCE GIVE THE FOREGOING STATEMENT THIS 28 DAY OF AUGUST, 2023.

1. 
DocuSigned by:
165B73FDFF194EF...
Sean Fry [signature]

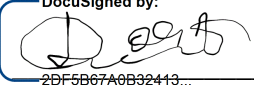
2. 
DocuSigned by:
51D7A87FB3F8421...
Moriah MacCleod [signature]

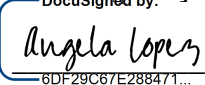
3. 
DocuSigned by:
A355E30F732E4FE...
Necati Sahin [signature]

4. 
DocuSigned by:
998DBE71D6E945F...
Osman Anderoglu [signature]

5. 
DocuSigned by:
F551B6271B66472...
Yunus Emre Arbas [signature]

[print]

6. 
DocuSigned by:
2DF5B67A0B32413...
[signature]
Baymuhammet Dadebayev

7. 
DocuSigned by:
6DF29C67E288471...
[signature]
Angela Lopez
[print]

ASSURANCES

My name is Angela Lopez and I reside in Albuquerque, NM. I am a member of the governing body for Abq School of Excellence a charter school which is located at 13201 Lomas Blvd. NE. 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.

Angela Lopez
Printed Name

Angela Lopez
Signature

9/29/2023
Date

AFFIDAVIT OF GOVERNING BODY MEMBER

STATE OF NEW MEXICO)
)
COUNTY OF)

I, Angela Lopez, after being duly sworn, state:

1. My name is Angela Lopez and I reside in Albuquerque, New Mexico.

2. I am a member of the governing body of the Albuquerque School of Excellence [insert name of school] 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 [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.

Angela Lopez
[Signature]

9/29/2023
Date

ANGELA LOPEZ
[Print]

VERIFICATION

The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 29~~th~~ day of September, 2023.

[Notary Seal:] STATE OF NEW MEXICO
NOTARY PUBLIC
Brian S. Montoya
Commission No. 1117396

Brian S. Montoya
NOTARY PUBLIC

My commission expires: 04/05 April 05, 2025.

CERTIFICATE OF GOVERNING BODY VOTE

This document certifies that on Saturday, September 21 at 5:30 pm, a meeting of the Governing Body of Albuquerque School of Excellence a New Mexico public charter school, was held. 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 make a motion to approve Angela Lopez's Governing Board membership.

The members voting in favor were: **Sean Fry, Moriah MacCleod, Yunus Akbas, and Necati Sahin.**

The members voting in opposition were: NA

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

A handwritten signature in black ink, appearing to read "Sean Fry". The signature is written in a cursive, flowing style.

Sean Fry,

Governing Council President