

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 ACES Tech Charter School, hereafter "the school," effective on 7/1/2020.

Current Governing Body Members and Positions: Vic Berniklau Treasurer, Jeff Blair, Ruth Bouldes Vice Chair & Secretary, Theresa A. Carson, Judy Labovitz, Warren Wilhelm Chair

Governing Body Member(s) Resigning or Removed: N/A

New Governing Body Member(s) and Position(s): Jonathan Johnson, Member

Contact information for New Governing Body Member(s) (phone, email): 971-322-6427, jfjohnson63@msn.com

Is the school requesting an extension to fill a vacancy: yes no

If so, provide date of vacancy: [Click or tap here to enter text.](#)

Number of personnel changes (Head Administrator/Business Manager/Procurement Officer, Governing Board Member), including this change, submitted to PEC in the last 12 months: 9

Effective Date: 10/12/2023

The school's notification is hereby submitted by: Warren Wilhelm

Signature of School Representative: *Jeron T. Campbell* **Date:** 10/16/2023

Signature of Governing Board Chair: *Warren Wilhelm* **Date:** 10/16/23

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:** _____

AFFIDAVIT OF GOVERNING BODY MEMBER

STATE OF NEW MEXICO)

COUNTY OF Sandoval)

I, Jonathan F. Johnson, after being duly sworn, state:

1. My name is Jonathan F. Johnson and I reside in 2627 Camino COrdoba, Rio Rancho, New Mexico.
2. I am a member of the governing body of the ACES Technical Charter 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.

[Handwritten Signature]
[Signature]

11/14/23
Date

Jonathan F. Johnson
[Print]

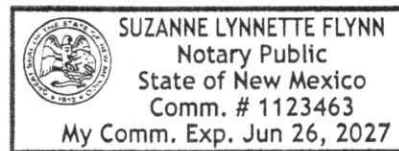
VERIFICATION

The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 14th day of November, 2023.

[Notary Seal:]

[Handwritten Signature]
NOTARY PUBLIC

My commission expires: June 26, 2023.



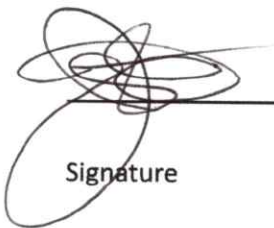
ASSURANCES

My name is Jonathan F. Johnson and I reside in Rio Rancho NM. I am a member of the governing body for ACES Charter School a charter school which is located at 4501 Montgomery Blvd NE Ste C-1, Albuquerque, 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.

Jonathan F. Johnson
Printed Name



Signature

11/14/23
Date

STATEMENT OF GOVERNING BODY TO CONSULT WITH PED

We, the undersigned, make up the governing body of the ACES Technical Charter School located in Albuquerque, New Mexico.

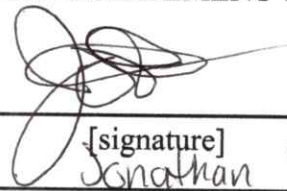
In accordance with 6.80.4.16 NMAC, we agree to consult with the New Mexico Public Education Department on any matter not covered by the manual of accounting and budgeting before taking any action related to funds held as a board of finance.

We make this statement as part of ACES Technical Charter 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 ACES Technical Charter School GIVE THE FOREGOING STATEMENT THIS _ DAY OF November 14th, 2023.

- 1. 

[signature]
Jonathan F. Johnson

[print]
- 2. _____
[signature]

[print]
- 3. _____
[signature]

[print]
- 4. _____
[signature]

[print]
- 5. _____
[signature]

[print]

Attach additional pages if membership exceeds five.



Governing Board ZOOM Meeting Minutes
Thursday, October 12, 2023 @ 5:30pm

- I. **Call to Order**—Warren called the meeting to order at 5:30pm.
 - A. **Roll Call**—Vic Berniklau, Jeff Blair, Ruth Bouldes, Theresa Carson, Judy Labovitz, Warren Wilhelm, Jonathan Johnson. Guests: Dr. Jeron Campbell, Dan Hill attorney, Mike Vigil
 - B. **Adoption of the Oct. 12, 2023 Governing Board Meeting Agenda**—Approved by acclimation.
 - C. **Approval of Sept. 14, 2023 minutes**—Judy motioned to approve, it was seconded and approved by majority vote, Ruth abstained..
- II. **Recognition of Students, Staff, and Community**—N/A
- III. **Debrief of Board visit to the School**—Jeff advised that the visit was insightful, inspirational, and informative and allowed for greater understanding of the school operations and challenges. Judy, Ruth and Vic concurred.
- IV. **Public Forum (2 minutes per speaker)**—N/A
- V. **Action Items**
 - A. **Discuss/Elect potential new board member**—Ruth motioned to accept Jonathan Johnson as a new board member, it was seconded and unanimously approved.
 - B. **OMA Resolution**—Jeff motioned to resolve that the GC will adhere to the resolution, it was seconded and unanimously approved.
- VI. **Financials (J. Campbell and M. Vigil)**
 - A. **Budget Update**—Vic advised that he and Seth Mender had spoken and reviewed the financials. Mike Vigil advised that the SEG was coming in as normal. The Vigil group is waiting for the 40 Day certified enrollment numbers in order to make the annual budget adjustments.
 - B. **BARS Approval vote**—Vic motioned to approve Bars 579 000 2324 0006-I and 579 000 2324 0004-I, it was seconded and unanimously approved.
- VII. **Principal's Report**
 - A. **School Activities Update**—There is no space to grow enrollment, and an additional facility is needed. PTO is planning a Halloween event and the board is requested to donate candy; the snack shack was a success. Boys basketball has started (not enough girls signed up for a girls team); McKinley will be the home school gym. Dr. Campbell to attend the upcoming charter school conference.



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- B. **40D count**—Previously discussed.
- VIII. **Board President Report and Discussion**—The November GTC meeting will be the annual meeting and officer positions will be voted on. The GC is working on Dr. Campbell’s performance review structure. Ruth and Warren to discuss goals with Dr. Campbell.
- IX. **Announcement of Upcoming Board Meetings**
 - A. The next meeting will be held on Thursday, November 9, 2023 at 5:30pm
- X. **Adjournment at 6:43pm.**

Submitted by Ruth Bouldes, Secretary