



## 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. Vacancies must be filled within 45 days; one 30-day extension may be requested.

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](mailto: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](mailto:charter.schools@ped.nm.gov)

**The Charter Contract was entered into by and between the New Mexico Public Education Commission (PEC) and , hereafter "the school," effective on .**

**Current Governing Body Members and Positions: Art Silva, President**

**Gary Boyd, Vice President**

**Vicente Vargas, Secretary**

**Lora Sedore, Member**

**Anne Desiderio, Member**

**Natalie Maes, Member**

**Governing Body Member(s) Resigning or Removed:**

**New Governing Body Member(s) and Position(s): Greg Gutierrez - Member**

**Contact information for New Governing Body Member(s) (phone, email):**

**505-252-0932 Cell, JUPEnterprises@gmail.com**

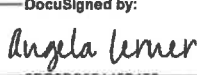
**Is the school requesting an extension to fill a vacancy:  yes     no**

**If so, provide date of vacancy:**

**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: March 21, 2024**

**The school's notification is hereby submitted by:**

Signature of School Representative:  DocuSigned by: 20838C551458438... Date: 3/28/2024

Signature of Governing Board Chair:  DocuSigned by: A982D82BD0CC434... Date: 3/28/2024

**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:**  
\_\_\_\_\_

**21st. Century Public Academy  
Governance Council Meeting  
March 21, 2024**

**Members Present:** Art Silva, President  
Gary Boyd, Vice President  
Lora Sedore, Member  
Greg Gutierrez, Member

**Members Absent:** Vicente Vargas, Secretary  
Natalie Maes, Member  
Anne Desiderio, Member

**Guests:** Jeremy Peckens, Principal  
Mary Tarango, CEO  
Angela Lerner, COO  
Aaron Savoia, Vigil Group  
Kathy Potter

**Governance Council called to order by Art Silva, President at 5:30 pm**

**Roll Call:**

- Quorum met.

**Approval of Agenda**

- Motion to Approve – Lora Sedore  
2<sup>nd</sup> – Gary Boyd  
Motion Unanimously Approved

**Approval of Previous Governance Council Meeting Minutes of February 15, 2024**

- Motion to Approve – Gary Boyd  
2<sup>nd</sup> – Lora Sedore  
Motion Unanimously Approved

**Discussion and Possible Action on New GC Member, Greg Gutierrez**

- Motion to Approve new Board Member Gary Gutierrez – Gary Boyd  
2<sup>nd</sup> – Lora Sedore  
Motion Unanimously Approved

**Presentation and Discussion of Budget Reports** – Aaron Savoia reported on all budget reports for February, 2024.

- Motion to Approve Cash Disbursements and Bank Reconciliation – Lora Sedore  
2<sup>nd</sup> – Garay Boyd  
Motion Unanimously Approved
- Motion to Approve BARS – Lora Sedore  
580-000-2324-0036-IB  
580-000-2324-0038-D  
580-000-2324-0039-I  
580-000-2324-0042-I  
580-000-2324-0043-I  
580-000-2324-0045-I  
580-000-2324-0046-I  
580-000-2324-0047-D  
580-000-2324-0049-I  
580-000-2324-0050-I  
580-000-2324-0051-I  
580-000-2324-0052-I  
580-000-2324-0053-T  
2<sup>nd</sup> – Gary Boyd  
Motion Unanimously Approved

**Presentation and Discussion of 2024-2025 Calendar** – Mary Tarango reported that the rule for APS stated that there will be 180 instructional days and 1140 hours for all schools and 16 hours of Professional Development. She also presented the information to staff and went over the new calendar with Board members. Calendar will be voted on in April along with the budget.

**Presentation and Discussion of Special Education Director** – Mary Tarango reported for Jennifer Elliot on the Special Education Program.

**Presentation and Discussion of Principal’s Report** – Jeremy Peckens reported on all items.

**Presentation & Discussion of COO Report** – Angela Lerner reported on all items.

**Presentation & Discussion of Superintendent’s Report** – Mary Tarango reported on all items.

#### **Next Meeting**

- April 18, 2024 at 5:30 pm

**Motion to Adjourn**

- Motion to adjourn – Greg Gutierrez  
2<sup>nd</sup> – Lora Sedore  
Motion Unanimously Approved

**Meeting adjourned at 6:17 pm**

**AFFIDAVIT OF GOVERNING BODY MEMBER**

STATE OF NEW MEXICO )  
 )  
COUNTY OF )

I, Greg Gutierrez, after being duly sworn, state:

1. My name is Greg Gutierrez and I reside in Albuquerque, New Mexico.
2. I am a member of the governing body of the [insert name of school] in 21st Century Public Academy 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.

[Signature]  
[Signature]

3-27-24  
Date

Greg Gutierrez  
[Print]

**VERIFICATION**

The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 27 day of March, 2024

[Notary Seal:]

[Signature]  
NOTARY PUBLIC

My commission expires: 5/4, 2024.

STATE OF NEW MEXICO  
NOTARY PUBLIC  
AMY M. MORGA  
COMMISSION # 1128633  
COMMISSION EXPIRES 05/04/2024

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## ASSURANCES

My name is Greg Gutierrez and I reside in Albuquerque. I am a member of the governing body for 21st Century Public Academy charter school which is located at Albuquerque. 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.

Greg Gutierrez

Printed Name



Signature

3-27-24

Date

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

We, the undersigned, make up the governing body of the <sup>21st Century Public Academy</sup> [insert name of 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 [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 <sup>21st Century Public Academy</sup> [INSERT NAME OF SCHOOL] GIVE THE FOREGOING STATEMENT THIS 21 DAY OF March, 2023.

- 1.   
[signature]  
Greg Gutierrez  
[print]
- 2. \_\_\_\_\_  
[signature]  
\_\_\_\_\_  
[print]
- 3. \_\_\_\_\_  
[signature]  
\_\_\_\_\_  
[print]
- 4. \_\_\_\_\_  
[signature]  
\_\_\_\_\_  
[print]
- 5. \_\_\_\_\_  
[signature]  
\_\_\_\_\_  
[print]

Attach additional pages if membership exceeds five.