



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 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 Middle College High School, hereafter "the school," effective on 7/1/2024.

Current Governing Body Members and Positions: Ms. Lisa Bracken (President), Ms. Monica Yazzie (Vice President), Dr. Carolyn Kuchera (Secretary), and Ms. Janene Yazzie (Member)

Governing Body Member(s) Resigning or Removed: Mr. Olin Kieyoomia

New Governing Body Member(s) and Position(s): Mr. Joshua Turney (Member) and Ms. Heather Clah (Member)

Contact information for New Governing Body Member(s) (phone, email): Joshua Turney (email: joshua@turneyagency.com, phone: 505-726-3621); Heather Clah (email: hlanderson2000@hotmail.com, phone: 505-635-9020)


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: None

Effective Date: 9/28/2024

The school's notification is hereby submitted by:

Signature of School Representative:  **Date:** 8/28/2024

Signature of Governing Board Chair:  **Date:** 8/28/2024

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:** _____

STATEMENT OF GOVERNING BODY TO CONSULT WITH PED

We, the undersigned, make up the governing body of the Middle College High School, located in Gallup, 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 Middle College High 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.

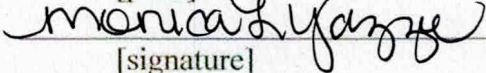
We understand that we must submit an Affidavit of Governing Body Member to the Public Education Commission within 60 days of a change in membership of our governing body.

THE FOLLOWING MEMBERS OF THE [INSERT NAME OF SCHOOL] GIVE THE FOREGOING STATEMENT THIS 28th DAY OF August, 2023.

1. 
[signature]

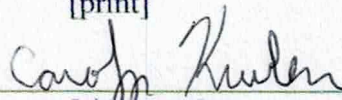
Ms. Lisa Bracken

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2. 
[signature]

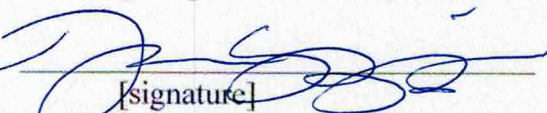
Ms. Monica Yazzie

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3. 
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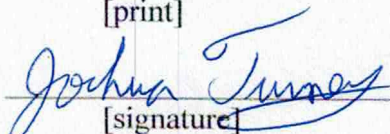
Dr. Carolyn Kuchera

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4. 
[signature]

Ms. Janene Yazzie

[print]

5. 
[signature]

Mr. Joshua Turney

[print]

Attach additional pages if membership exceeds five.

6. Heather Clah

[signature]

Heather Clah

[print]

7. _____

[signature]

[print]

AFFIDAVIT OF GOVERNING BODY MEMBER

STATE OF NEW MEXICO)
)
COUNTY OF McKinley)

I, Josuha Turney, after being duly sworn, state:

1. My name is Joshua Turney and I reside in Jamestown, New Mexico.
2. I am a member of the governing body of the Middle College High School in Gallup, 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 Middle College High 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.

Joshua Turney
[Signature]

August 28, 2024
Date

Joshua Turney
[Print]

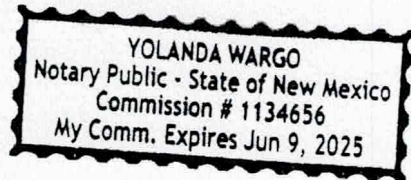
VERIFICATION

The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 28th day of August, 2024.

[Notary Seal:]

Yolanda Wargo
NOTARY PUBLIC

My commission expires: June 9, 2025.



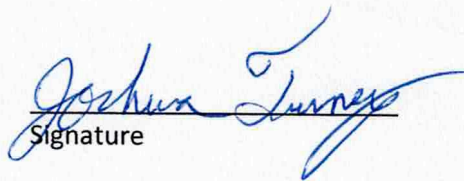
ASSURANCES

My name is Joshua Turney and I reside in Jamestown, NM. I am a member of the governing body for Middle College High School a charter school which is located at 939 Gurley Ave in Gallup, 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.

Joshua Turney
Printed Name


Signature

8/28/2024
Date


ASSURANCES

My name is Heather Clah and I reside in Gallup, NM. I am a member of the governing body for Middle College High School a charter school which is located at 939 Gurley Ave in Gallup, 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.
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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.
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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.

Heather Clah
Printed Name


Signature

8/28/2024
Date

AFFIDAVIT OF GOVERNING BODY MEMBER

STATE OF NEW MEXICO)
)
COUNTY OF McKinley)

I, Heather Clah, after being duly sworn, state:

1. My name is Heather Clah and I reside in Gallup, New Mexico.
2. I am a member of the governing body of the Middle College High School in Gallup, 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 Middle College High 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.

Heather Clah
[Signature]

August 28, 2024
Date

Heather Clah
[Print]

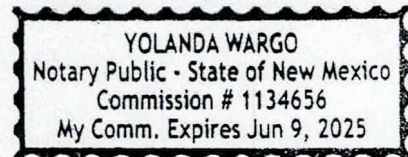
VERIFICATION

The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 28th day of August, 2024.

[Notary Seal:]

Yolanda Wargo
NOTARY PUBLIC

My commission expires: June 9, 2025.



Minutes of the Governing Council Meeting

Date: August 28, 2024 at 5:00 p.m.

Location: Middle College High School Administrative Office

Meeting was in-person with all materials available at mchsgallup.com

Governing Council Members:

Ms. Lisa Bracken, President – Present

Ms. Monica Yazzie, Vice President – Present

Dr. Carolyn Kuchera, Secretary – Present

Mr. Olin Kieyoomia, Member – Not Present

Ms. Janene Yazzie, Member – Not Present

Agenda Item I

1. Call to Order-Ms. Bracken called the meeting to order at 5:03 pm.
2. Roll Call declared open meeting; quorum was present for the meeting.

Agenda Item II

1. Approval of the August 28, 2024 Agenda: *Ms. Bracken asked for a motion to approve the agenda. Dr. Kuchera motioned to approve, seconded by Ms. Monica Yazzie. Roll call vote with all members in favor.*
2. Approval of the May 29, 2024 Governing Board Regular Meeting Minutes, as presented: *Ms. Bracken asked for a motion to approve the minutes. Ms. Monica Yazzie motioned to approve, seconded by Dr. Kuchera. Roll call vote with all members in favor.*

Agenda Item III

1. Public Comment: *No public comment.*
2. Teacher's Report: *New MCHS English teacher, Matthew Touchin, introduced himself to the board. He is from the community of Gallup and is excited to return home and work with the MCHS team.*
3. Counselor's /Student Support Director's Report: *Mr. Knowles reported that start of the school year has gone pretty smooth with about 98% of all students receiving their college materials by the start of classes. New MCHS Counselor, Vanessa Sandoval, introduced herself to the board. She is excited to be able to put her higher ed background to effective use in the school's early college high school setting.*
4. Principal's Report: *Ms. Gonzales reported the start of the school year is off to a great start. She is happy that the staff has put forth energy and vision, as well as care and concern for the students, and reports that things are moving in a positive direction.*
5. GC Board Members' Report: *No GC Board Members' report.*
 - a. Summary of Finance Committee Meeting: *Ms. Bracken reported that only routine expenditures for May, June and July were presented in the Finance Committee packet.*
6. Finance Report: *May Forecast-Financial Report presented by Ms. Katie Rarick*
7. CEO's Report
 - a. Facility Update: *Dr. Hunter introduced Mr. Jhonty Cresto to present the facility update. He stated the first of the steel beams have been placed. Once completed, the pouring of concrete foundation will follow. All the underground lines have been completed. Soil tests and compaction reports have been completed and passed. Building completion date estimated to be May 2025 with move in date ready for August 2025.*
 - b. Equity Council Update: Professional Development related to LGBTQ+ Support and Safe Spaces: *Dr. Hunter reported that staff participated in professional development on this topic and that it is ongoing. We are trying to find better strategies to help support our LGBTQ+ students, to make sure they feel welcomed and safe.*

Agenda Item IV

Action Items-New Business:

1. Business Office Action Items
 - a. Discussion and Possible Action on Out-of-State Travel for Hannah Thompson: *Ms. Bracken asked Ms. Thompson for a brief description of her duties as Student Advisor. Ms. Thompson's out-of-state travel will be to attend a college visitation fly-in program for counselors, hosted by Yale, Brown, and MIT. The program's focus is to help increase college access to rural and small-town students. Ms. Bracken asked for a motion to approve. Ms. Monica Yazzie motioned to approve, seconded by Dr. Kuchera. Roll call vote with all members in favor.*
 - b. Discussion and Possible Action on Laptop Incentive Program: *This incentive was drafted by teacher David Segura. If approved, it would allow incoming freshman to receive a new laptop at the beginning of the school year. The students would be expected to take care of their laptop for the next four years, and if they are able to maintain their laptops with no damage or defects, they will use the same laptop until graduation. Upon graduation, after the laptop has routine maintenance, inspection, and has been deactivated from the MCHS monitoring system, the student may take personal possession of it. This incentive would help minimize the number of laptops that get*

disposed of. The school's business manager and legal counsel were consulted on this plan and concurred that because the laptops are on a four-year replacement cycle and substantially depreciated in value, it would not run afoul of the state's anti-donation clause. Ms. Bracken asked for a motion to approve. Ms. Monica Yazzie motioned to approve, seconded by Dr. Kuchera. Roll call vote with all members in favor.

- c. Discussion and Possible Action on Assurance of Compliance with the PEC Performance Framework Indicators: *Dr. Hunter reported that the Public Education Commission approved the new performance framework, which is how Charter Schools are evaluated. A number of revisions were added to the new framework, which was sent out in the board packet. This is the same framework through which MCHS advocated that the school's academic performance be partially evaluated through the students' performance on the Accuplacer test. Dr. Hunter also referred board members to the CSD's most recent renewal recommendation document, within which the school received a rating of "does not meet standard" under accounting principles for an audit finding related to coding an end-of-year bill to the incorrect fiscal year. Reviewing the business manager's response to this item, board members acknowledged their responsibility to maintain compliance with the framework's respective indicators. Ms. Bracken asked for a motion to give assurance of compliance with the performance framework indicators. Ms. Monica Yazzie motioned to approve, seconded by Dr. Kuchera. Roll call vote with all members in favor.*
- d. Discussion and Possible Action on Purchase Card through New Mexico Bank and Trust: *Ms. Katie Rarick reported that the school was using a Bento Purchase card for specific expenses with vendors who do not accept a traditional purchase order. However, the Bento company canceled the program. A new equivalent of a credit card is needed for the school. An approval to open an account with the bank is being requested, so the school can obtain a purchase card. Ms. Bracken asked for a motion to approve. Ms. Monica Yazzie motioned to approve, seconded by Dr. Kuchera. Roll call vote with all members in favor.*
- e. Discussion and Possible Action on 2024-2025 Open Meetings Act Resolution: *The Board discussed the annual resolution, assuring its compliance and adherence to the Open Meetings Act. Ms. Bracken asked for a motion to approve, Ms. Monica Yazzie motioned to approve, seconded by Dr. Kuchera. Roll call vote with all members in favor.*
- f. Discussion and Possible Action on Removal of GC Member for Non-attendance: *After acknowledging appreciation for all that Mr. Kieyoomia has done for the school over the past few years, the Board noted that he has not been in attendance at a meeting since September 2023. Dr. Hunter reached out to him last week, but received no response. It was decided and voted on that Mr. Olin Kieyoomia be removed from the MCHS Governing Board Council due to non-attendance. Ms. Bracken asked for a motion to be approved. Ms. Monica Yazzie motioned to approve, seconded by Dr. Kuchera. Roll call vote with all members in favor.*
- g. Discussion and Possible Action on Appointment of New Governing Council Member: *The Board decided and voted on the appointment of Mr. Joshua Turney and Ms. Heather Clah to the MCHS Governing Council. Ms. Clah and Mr. Turney introduced themselves to the Board and provided brief background information related to their careers as Deputy Attorney General for the Navajo Nation and a local business owner, respectively. Ms. Bracken asked for a motion to approve. Ms. Monica Yazzie motioned to approve, seconded by Dr. Kuchera. Roll call vote with all members in favor.*
- h. Discussion and Possible Action on 2023-2024 May, June and 2024-2025 July Bank Rec and Check Register: *Bank documents presented by Ms. Katie Rarick. Ms. Monica Yazzie asked what was the purpose of Red Rock Security and Patrol? Dr. Hunter answered they were used for Prom and Graduation security detail. Ms. Bracken asked for a motion to approve. Ms. Monica Yazzie motioned to approve, seconded by Dr. Kuchera. Roll call vote with all members in favor.*
- i. Discussion and Possible Action on BARs: *Ms. Bracken asked for a motion to approve all BARs. Ms. Monica Yazzie motioned to approve, seconded by Dr. Kuchera. Roll call vote with all members in favor.*
 - a. 0001-I State Funded USDA Program:
 - b. 0002-I Additional SEG Funds:
 - c. Additional BARs:

Agenda V

1. Executive Session

- a. The Governing Council Board will meet in Executive Session on a limited personnel matter pursuant to NMSA 1978 §10-5-1(H)(2) regarding the Chief Executive Officer's evaluation. *Ms. Bracken asked for a motion to enter Executive Session at 6:14 pm. Dr. Kuchera motioned to approve, seconded by Ms. Monica Yazzie.*

Ms. Monica Yazzie motioned to exit Executive Session at 6:30 pm, seconded by Dr. Kuchera, indicating that only the personnel matter listed for closure was discussed.

- c. Potential action relating to Item V.1.a., above. ***Ms. Bracken reported that only the matter of the CEO's evaluation was discussed as defined in the motion for closure and that the evaluation was completed with no additional action deemed necessary.***

Adjourn: ***With no further business, meeting was adjourned at 6:33 pm. Next regularly scheduled meeting will be on Wednesday, September 25, 2024, at 5:00 pm.***

Ms. Lisa Bracken, Council President

Recording Secretary