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September 30, 2024

Secretary Designate Mariana Padilla
Goeffrey Tager
Public Education Department
Via Email
c/o Goeffrey Tager, Goeffrey.Tager@ped.nm.gov

Alyce Ramos, Program Manager
Public School Finance Authority
Via Email
aramos@nmopsfa.org

RE: Failure of San Diego Riverside Charter School's Governing Board to Approve Charter Contract

Dear Secretary Designate Padilla, Mr. Tager and Ms. Ramos:

As you may know, the New Mexico Public Education Commission (PEC) renewed San Diego Riverside Charter School's Charter (school) in December 2023 for a three-year charter term. As required by statute, the school and the PEC negotiated a charter contract which included the terms and conditions of the three-year Charter Contract. We are writing to let you know that as of the date of this letter, there is **not** a fully executed contract between the PEC and the school, and, therefore, there is presently not a valid charter contract between the PEC and the school. We understand that a Charter Contract is required for the school to obtain funding from both of your entities.

One of the requirements of the parties (and a required attachment to the Charter Contract) is that each entity provide meeting minutes of the Governing Board of the school and the PEC showing when each entity approved the Charter Contract. PEC has reached out to the school numerous times to ask for the meeting minutes showing that a quorum of the school's

Governing Board was present at an open meeting and voted to approve the Charter Contract and attachments.

At the PEC meeting of September 20, 2024, the PEC again requested that the school provide the required documentation showing that the Charter Contract was approved. The PEC voted that the school was to provide meeting minutes showing approval of the Charter Contract to the PEC by September 27, 2024. While a Governing Council agenda was posted on the school's website showing that a special meeting would be held on September 26, 2024, no minutes are posted showing action taken, none were sent to the PEC and there is no tape of a Zoom meeting posted on-line.

At this point, the PEC believes that it has an obligation to inform you of the lack of a valid Charter Contract between the school and the PEC. The PEC intends to take further action under the intervention ladder regarding this issue as well.

Thank you

Sincerely,

e/ Patricia Gipson

Chair, Public Education Commission

cc: Margaret Creel, mcreel01@yahoo.com
Governing Board Chair, San Diego Riverside Charter School

Tony Archuleta, tarchuleta67@gmail.com>
Head administrator, San Diego Riverside Charter School

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