



## 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:**

X Fully completed form

Approved board minutes or certification of the board's vote accepting the new member

X 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

***Unchecked documents will be submitted when a new member is designated.***

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 Explore Academy (557-001), hereafter "the school," effective on 7/1/2024.**

**Current Governing Body Members and Positions:** Chair Patrick Molina, Vice Chair Martha Barrera, Secretary Dotty McKinney, and Aaron Hamilton

**Governing Body Member(s) Resigning or Removed:** Dr. Richard Griffith

**New Governing Body Member(s) and Position(s):** TBD

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

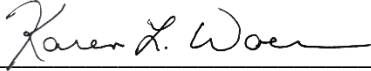
**Is the school requesting an extension to fill a vacancy:**  yes  no


**If so, provide date of vacancy:** 8/13/2024

**Number of personnel changes (Head Administrator/Business Manager/Procurement Officer, Governing Board Member), including this change, submitted to PEC in the last 12 months:** 1 Head Administrator change

**Effective Date:** 1/15/2024

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

**Signature of School Representative:**  **Date:** 9/10/2024

**Signature of Governing Board Chair:**  **Date:** 9/10/2024

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**For PEC/CSD use only**

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**PEC Meeting Date:**

**Agenda:**  Consent (typical)  Regular (unusual circumstance)

**The school's notification was:**  Accepted  Rejected (provide reason)

**Electronic signature of CSD Director:** \_\_\_\_\_ **Date:** \_\_\_\_\_

# GOVERNING COUNCIL MINUTES

EXPLORE ACADEMY GOVERNING COUNCIL  
5100 Masthead Ave (K-5) / 6600 Gulton Ct (6-12)  
Albuquerque, NM 87109



*Meeting minutes recorded by Dotty McKinney, Governing Council Secretary*  
**Meeting was recorded and the video will be posted on the Governing Council's YouTube channel..**

Tuesday, July 9, 2024 (regular meeting)  
5:30 p.m. MST

## I. PROCEDURAL AGENDA

- A. This meeting of the Explore Academy Governing Council (GC) was called to order at 5:34 p.m. by Chair Patrick Molina.
- B. A quorum of the GC was present as follows: Chair Patrick Molina, Vice Chair Martha Barrera, Secretary Dotty McKinney, and Aaron Hamilton, validated via roll call by Secretary Dotty McKinney. Dr. Richard Griffith was not present.
- C. Staff in attendance: Jake Kolander - Head Administrator; Karen Woerner - Director of Compliance; Katie Rarick -Axiom Analytics (School Business Official); Dr. Esmeralda Valdez, new K-5 Principal; and Dustin Sparks - School Attorney.
- D. The meeting was held on the Zoom<sup>®</sup> platform.
- E. The board chair led the [Pledge of Allegiance](#).

## II. PUBLIC COMMENT regarding items on the agenda

No public comments were offered.

## III. APPROVAL OF AGENDA

Chair Patrick Molina moved for approval of the agenda; seconded by Martha Barrera; approved unanimously with a vote of 4-0.

## IV. APPROVAL OF MINUTES

Each school board member reviewed the minutes from the [June 11, 2024](#) meeting. Chair Patrick Molina moved to approve the minutes; seconded by Aaron Hamilton; approved unanimously with a vote of 4-0.

## V. FINANCIAL COMMITTEE

Patrick Molina moved to accept the financial reports; Dotty McKinney seconded the motion.

Katie Rarick shared the Explore Academy check register and bank reconciliation and reviewed the financials for the month of June, 2024.

- A. [Check Register](#)
- B. [Bank Reconciliation](#)
- C. [Revenue Receipts](#)
- D. [Journal Entries](#)

E. Budget Adjustment Requests (BARs)

The following BARs were discussed:

1. [557-000-2324-0032-I Food Services](#) already approved by Chair Molina.
2. [Transportation \(bus replacements\)](#) postponed until August.

Chair Molina requested that, at the August meeting, the School Business Official (Axiom Analytics) present examples of recurring payments and explain how those are procured and handled at the next meeting.

Katie Rarick will send a copy of the Check Register and Revenue/Journal Entries that were reviewed during the meeting as those were not linked on the agenda. Ms. Rarick reported that all Request for Reimbursements (RfRs) were due to PED on Monday by noon and all were submitted timely.

Following discussion, a roll call vote resulted in an unanimous approval of 4-0.

## VI. ADMINISTRATION/STAFF REPORT

### A. School Leader Report *(Jake Kolander)*

1. **Introduction of Dr. Esmeralda Valdez, new K-5 Principal**

Mr. Kolander introduced Dr. Valdez to the GC. She comes to NM from Washington state, with 19 years experience in varying educational administrative and instructional capacities.

2. **Facility/Construction including gym roof issue and Masthead campus roof**

Mr. Kolander reported on the Masthead roof project, indicating that the administration has been in conversations regarding how the project will be funded, and the selection of a roofing contractor through the use of CES cooperative agreement. The EA-A's new legal council, Dustin Sparks, will report at the next GC meeting regarding funding. The Gulton gym issue was then discussed. Mr. Kolander reported that the number one issue at this point is being able to safely occupy the 8 adjacent classrooms. A crane is on site moving debris, and inspections are underway to ensure the walls are intact and the classrooms can safely be occupied.

3. **Staffing**

There are only five positions left to be filled for the start of the school year. If for any reason the classrooms at Gulton aren't ready for occupation, a schedule for sharing spaces will need to be implemented. The administration has hired a full-time Groundskeeper and will also be hiring a full-time HVAC technician, thereby eliminating the need to contract with outside firms for these services.

2. **Student Enrollment**

The goal for the coming school year is 1,500 students. EA-A has the capacity to accommodate 1,700 students between both campuses. The administration is working to meet the 1,500 student count to ensure the budgetary requirements for the year can be accommodated.

3. **Academic Data**

Mr. Kolander shared data related to core curriculum scores for students identified through the Yazzie/Martinez lawsuit that reflected gains in several areas. Those areas that didn't show improvement will be addressed with instructors for the coming year, to map a plan for improvement.

4. **[SY24 Mission Goal Report](#)** *(Karen Woerner)*

Ms. Woerner shared the report of the compiled data which indicates that Explore

Academy **exceeded** the mission goal contained in the Performance Framework of the current Charter Contract.

- B. **Equity Council** Advisement (*Sonia Carrillo*)  
This item was postponed until the August meeting.

## VII. GOVERNING COUNCIL BUSINESS

### A. **Proposed Facility Agreement**

School attorney Dustin Sparks explained the concept regarding a proposed agreement for obtaining the funds for the Masthead campus roof repair for the board's discussion and consideration. If authorized to proceed, the actual agreement with details will be presented for approval in August.

Mr. Sparks explained that the proposal involves a bank, H J Sims, making a loan to a new foundation that would in turn provide funds for specific projects at Explore Academy (roof of the elementary school campus), Explore Academy - Las Cruces, and Explore Academy - Rio Rancho. The verbal proposal is for a 5-year, short-term, unsecured (no lien) "loan" that would not be cross-defaulted so each school would be responsible only for its share.

Patrick Molina moved to approve having legal counsel pursue this option and bring a written proposal to the board for approval in August; seconded by Aaron Hamilton. A roll-call vote resulted in an unanimous approval of 4-0.

### B. **Open Meetings Act (OMA) [Resolution](#)**

Patrick Molina moved to approve the OMA Resolution for Explore Academy for SY25 as presented; seconded by Martha Barrera. A roll-call vote resulted in an unanimous approval of 4-0..

### C. **Board Member - Term Renewals**

#### 1. **Martha Barrera**

Patrick Molina moved to approve another 2-year term renewal for Martha Barrera; seconded by Aaron Hamilton. A roll-call vote resulted in an unanimous approval of 4-0.

#### 2. **Dotty McKinney**

Patrick Molina moved to approve another 2-year term renewal for Dotty McKinney; seconded by Martha Barrera. A roll-call vote resulted in an unanimous approval of 4-0.

#### 3. **Richard Griffith**

Patrick Molina moved to approve another 2-year term renewal for Richard Griffith; seconded by Dotty McKinney. The motion failed by a roll call vote of 1-3 [Patrick Molina - No; Martha Barrera - No; Aaron Hamilton - Aye; and Dotty McKinney - No] Chair Molina advised that he would reach out to Mr. Griffith and the removal would be effective on August 13, 2024.

### D. **Board Officer Elections**

1. Nominations for each officer role (Chair, Vice Chair, and Secretary) were invited and accepted.
2. Patrick Molina moved to approve Patrick Molina as the Chair, Martha Barrera as the Vice Chair and Dotty McKinney as the Secretary; seconded by Aaron Hamilton.. A roll-call vote resulted in an unanimous approval of 4-0.

### E. **SY25 [Bus Transportation Contract](#)**

Patrick Molina moved to approve the SY25 Bus Transportation Contract with Herrera Coaches;

seconded by Dotty McKinney. A roll-call vote resulted in an unanimous approval of 4-0.

**F. Handbooks (Draft versions)**

1. [Staff](#)
2. [Student](#)

The draft versions of the handbooks were shared with the board. Final versions are pending legal review. The board was asked to review the handbooks prior to the August meeting, with a focus on any school policies (as opposed to procedures set by the school administration). Updated versions will summarize key policies with links to the detailed Governing Council policies, as appropriate.

**G. CLOSED SESSION**

The board may enter Closed Session for the purpose of discussing limited personnel matters specifically as it relates to evaluations of the Head Administrator(s) and Director of Operations for SY24, as permitted under *Section 10-15-1 (H)(2)* of the New Mexico Open Meetings Act. The Board may rely on staff or others for assistance when considering matters in a closed session.

Patrick Molina moved to go into Closed Session at 7:48 pm; Aaron Hamilton seconded the motion; A roll call vote resulted in an unanimous approval of 4-0.

Patrick Molina moved to return to Open Session at 8:31 pm; Martha Barrera seconded the motion. A roll call vote resulted in an unanimous approval of 4-0.

**H. RETURN TO OPEN SESSION and ACTION, IF ANY**

Action by the board, if any, as a result of the closed session must be voted on in open session.

Chair Molina confirmed that the matters discussed in the closed session were limited only to those specified on the agenda.

Chair Molina moved to approve the evaluations for Jake Kolander, Justin Baiardo, Elisha Baiardo, and the Governing Board Self-Assessment; seconded by Dotty McKinney. A roll-call vote resulted in an unanimous approval of 5-0.

**I. Evaluations**

Evaluations were approved (see above)

1. Head Administrator Jake Kolander (Spring 2024) and Head Administrator Justin Baiardo (Fall 2023)
2. Director of Operations
3. Governing Board Self-Assessment

**J. [Strategic Plan](#) and Key Objectives / SY25 Head Administrator Evaluation**

Chair Molina will meet with Jake Kolander to review the Strategic Plan and establish objectives for SY25, which will be the foundation of the Head Administrator evaluation for the upcoming school year. The key objectives will be shared with the board at a future meeting.

**VIII. BOARD COMMENTS**

Chair Molina thanked the board for a very robust meeting.

Also, please note the reminders posted on each agenda which include the Governing Council Annual Calendar and Governing Council Training Opportunities/Updates and Training Trackers.

**IX. PUBLIC COMMENT regarding items not on the agenda**

The floor was opened for public comment.

No public comments were offered.

**X. ADJOURNMENT**

The next regular meeting of the GC is scheduled for Tuesday, August 13, 2024 at 5:30 p.m. via Zoom<sup>®</sup>. Note: Karen Woerner will be on vacation and Melissa Hernandez will facilitate the board meeting that night. The meeting was officially adjourned at 8:35 pm by Chair Patrick Molina.



## New Mexico Public Education Commission (PEC)

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#### **The school must provide:**

- X Fully completed form
- X Approved board minutes or certification of the board's vote accepting the new member  
Resignation Letter or board meeting minutes removing the previous member  
*submitted separately with the removal of prior board member, Dr. Griffith*
- X Statement of Governing Body Member to Consult with PED
- X Affidavit of Governing Body Member
- X Assurances of Governing Body Member

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**Current Governing Body Members and Positions:** Chair Patrick Molina, Vice Chair Martha Barrera, Secretary Dotty McKinney, and Aaron Hamilton

**Governing Body Member(s) Resigning or Removed:** Dr. Richard Griffith (removal already reported)

**New Governing Body Member(s) and Position(s):** Heather Anderson, Member

**Contact information for New Governing Body Member(s) (phone, email):** (505) 263-5704 , feathermog@gmail.com

**Is the school requesting an extension to fill a vacancy:**  yes  no  
**If so, provide date of vacancy:** 8/13/2024

**Number of personnel changes (Head Administrator/Business Manager/Procurement Officer, Governing Board Member), including this change, submitted to PEC in the last 12 months:** 1 Head Administrator change on 1/15/2024

**Effective Date:** 10/1/2024

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

**Signature of School Representative:** Karen L. Woen **Date:** 9/16/2024

**Signature of Governing Board Chair:** [Signature] **Date:** 9/16/2024

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**For PEC/CSD use only**

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**PEC Meeting Date:**

**Agenda:**  Consent (typical)  Regular (unusual circumstance)

**The school's notification was:**  Accepted  Rejected (provide reason)

**Electronic signature of CSD Director:** \_\_\_\_\_ **Date:** \_\_\_\_\_

# CERTIFICATION OF GOVERNING BOARD VOTE

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EXPLORE ACADEMY

5100 Masthead (K-5) / 6600 Gulton (6-12)

Albuquerque, NM 87109



This document certifies that a meeting of the Governing Board of **Explore Academy**, a public state charter school authorized by the New Mexico Public Education Commission (PEC), was held on September 10, 2024 at 5:30 pm. The meeting and all votes were conducted in compliance with the New Mexico Open Meetings Act.

A quorum of the Governing Board's members being present and voting, it was voted three(3) in favor and zero (0) opposed to designating Heather Anderson to the school's Governing Council..

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

A handwritten signature in black ink, appearing to read 'Patrick Molina', is written over a horizontal line.

Patrick Molina, Board President

## ASSURANCES

My name is Heather Anderson and I reside in Albuquerque, NM. I am a member of the governing body for Explore Academy a charter school which is located at 6600 Gulton Ct NE, 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.

Heather Anderson  
Printed Name

Justin Arns  
Signature

9/14/24  
Date

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

We, the undersigned, make up the governing body of the Explore Academy, located in Albuquerque, New Mexico.

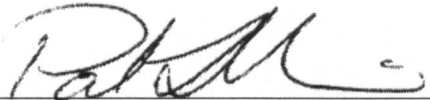
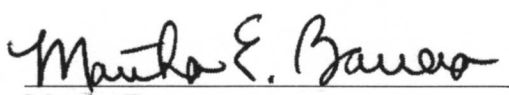
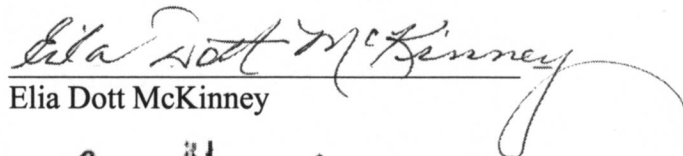
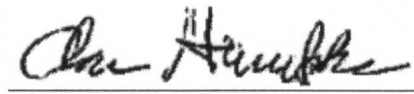
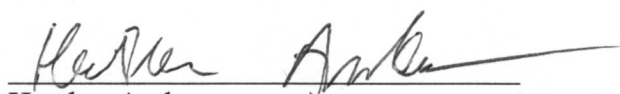
In accordance with 6.80.4.16 NMAC, we agree to consult with the New Mexico Public Education Department on any matter not covered by the manual of accounting and budgeting before taking any action related to funds held as a board of finance.

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 EXPLORE ACADEMY GIVE THE FOREGOING STATEMENT THIS 10th DAY OF September, 2024.

1.   
Patrick Molina, Interim Chair/Secretary
2.   
Martha Barrera
3.   
Elia Dott McKinney
4.   
Aaron Hamilton
5.   
Heather Anderson

Attach additional pages if membership exceeds five.

**AFFIDAVIT OF GOVERNING BODY MEMBER**

STATE OF NEW MEXICO    )  
  )  
COUNTY OF BERNALILLO )

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

1. My name is Heather Anderson and I reside in Albuquerque, New Mexico.
2. I am a member of the governing body of the Explore Academy 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.

*Heather Anderson*  
[Signature]

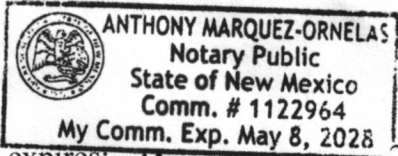
9/14/24  
Date

Heather Anderson  
[Print]

**VERIFICATION**

The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 14<sup>th</sup> day of September 2024.

[Notary Seal:]



*[Signature]*  
NOTARY PUBLIC

My commission expires: May 8<sup>th</sup> 2028.