



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
- X 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

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 Explore Academy – Las Cruces, hereafter "the school," effective on 7/1/2021.

Current Governing Body Members and Positions: Chair Clara Raley, Vice Chair Gabriela Graham, Secretary Jenifer Lichtenfels, Claren Mulhall, and Lanell Pahe

Governing Body Member(s) Resigning or Removed: Jenifer Lichtenfels

New Governing Body Member(s) and Position(s): Dr. Christine Reyes

Contact information for New Governing Body Member(s) (phone, email): (816) 382-5638
drcmr2013@gmail.com

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

If so, provide date of vacancy: 8/14/2024

Number of personnel changes (Head Administrator/Business Manager/Procurement Officer, Governing Board Member), including this change, submitted to PEC in the last 12 months: 3 (board member Lanell Pahe added in February; board member Kimberly Knox resigned in April, and new Head Administrator Dr. Toni Hull started on 5/1/2024)

Effective Date: 8/14/2024

The school's notification is hereby submitted by:

Signature of School Representative:  **Date:** 9/11/2024

Signature of Governing Board Chair:  **Date:** 9/11/2024

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:** _____

Document shared with you: "GC resignation, July 2024"

1 message

Jenifer Lichtenfels (via Google Docs) <drive-shares-dm-noreply@google.com>

Mon, Jul 15, 2024 at 10:58
AM

Reply-To: Jenifer Lichtenfels <jenlich@gmail.com>

To: karen.woerner@explore.academy

Cc: raleyclara@gmail.com

Jenifer Lichtenfels shared a document



Jenifer Lichtenfels (jenlich@gmail.com) has invited you to **edit** the following document:

 GC resignation, July 2024



Jenifer Lichtenfels is outside your organization.

Open

If you don't want to receive files from this person, block the sender from Drive

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

You have received this email because jenlich@gmail.com shared a document with you from Google Docs.

Google™

Meeting Minutes



EXPLORE ACADEMY - LAS CRUCES GOVERNING COUNCIL

prepared by Jenifer Lichtenfels, Board Secretary

Meeting was recorded and the video will be posted on the Governing Council's YouTube channel.

Wednesday, July 10, 2024 (regular meeting)

6:00 pm

I. PROCEDURAL AGENDA

- A. This meeting of the Explore Academy - Las Cruces Governing Council (GC) was called to order at 6:08pm by Chair Clara Raley.
- B. A quorum of the GC was present as follows: Chair Clara Raley, Vice-Chair Gabriela Graham (joined 6:11pm), Secretary Jenifer Lichtenfels, Claren Mulhall. Lanell Pahe was not in attendance.
- C. Staff in attendance: Dr. Toni Hull - Head Administrator, Ashlynn Johnson - ELS Director of Administration, Karen Woerner - ELS Director of Compliance, and Josh Padilla - Axiom Analytics (School Business Official).
- D. The meeting was held on the Zoom platform.

II. PUBLIC COMMENT regarding items on the agenda

There were no public comments.

III. Approval of Agenda

Claren Mulhall motioned for approval of the agenda; seconded by Jenifer Lichtenfels; Approved by the GC, 3-0.

IV. Approval of Minutes

Jenifer Lichtenfels motioned to approve the minutes of [June 25, 2024](#) with no corrections; seconded by Gabriella Graham; Approved by the GC with Graham, Lichtenfels, and and Raley voting in favor; none opposed and 1 abstention (Mulhall).

V. GOVERNING COUNCIL BUSINESS

A. Proposed Facility Agreement

School attorney Dustin Sparks explained the concept regarding a proposed agreement for obtaining the funds for the school 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 (furniture, equipment, and other fixed assets for the new building), 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. The interest rate will likely be ~9% since it is unsecured.

When NM Public Schools Facility Authority (PSFA) applications become available for new capital asset funding for charter schools, the school can apply for a loan. That loan would be at a better interest rate and can be used to pay off the higher rate obligation.

Chair Raley asked if there was a conflict of interest since Justin Baiardo is Executive Director of ELS, a for-profit organization, and also on the board of the new non-profit foundation.

Jenifer Lichtenfels moved to authorize legal counsel to explore this option and bring a written proposal to the board for approval in August; seconded by Claren Mulhall. A roll-call vote resulted in an unanimous approval of 4-0.

VI. FINANCIAL REPORT

- A. [Check Register](#)
- B. [Bank Reconciliation](#)
- C. [Revenue Receipts](#)
- D. [Journal Entries](#)
- E. SY 24 Budget Adjustment Requests (BARs)
 1. [581-000-2324-0019-I](#) Food Services, already approved by designee
 2. [581-000-2324-0020-T](#) Transfer, already approved by designee

Josh Padilla presented the financial reports. Following questions and general discussion, Claren Mulhall moved to accept the financial reports; Gabriella Graham seconded the motion. A roll call vote resulted in an unanimous approval of 4-0.

Discussion of BAR 19-1, 20-1 with staff and Josh Padilla. These were pre-approved by the board designee. A board member is needed to approve high dollar amounts (>\$10,000.00).

VII. ADMINISTRATION/STAFF REPORT

- A. School Leader Report (*Dr. Toni Hull*)
 1. Introduction of Mr. Rey Gomez, K-5 Principal, and Antonio Zapata, Vice Principal
 2. Facilities/Construction
 3. Staffing

4. Student Enrollment
5. CTE Update
6. [SY24 Mission Goal Report](#) (Karen Woerner)

No board action taken on these items.

VIII. GOVERNING_ COUNCIL BUSINESS (continued)

A. **Proposed Facility Agreement**

This was moved to Section V due to scheduling conflict

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

Jenifer Lichtenfels moved to approve the SY25 OMA Resolution as presented; seconded by Claren Mulhall. A roll-call vote resulted in an unanimous approval of 4-0.

C. **Recommended Board Member Candidate**

[Dr. Christine Reyes](#)

Dr. Reyes was introduced to GC and her background, academic interests, and CV were discussed.

Claren Mulhall moved to designate Dr. Reyes to the Board, to be effective on August 14, 2024; seconded by Gabriella Graham. A roll-call vote resulted in an unanimous approval of 4-0.

D. **Board Member - Term Renewals**

Jenifer Lichtenfels

Jenifer Lichtenfels is relocating out of state and gave notice of her resigning from the governing council, effective at the next meeting, August 14, 2024. She will submit her letter of resignation to Chair Clara Raley.

E. **Board Officer Elections**

1. Chair
2. Vice Chair
3. Secretary

Jenifer Lichtenfels moved to table the board officer elections until the August regular GC meeting; seconded by Claren Mulhall. A roll-call vote resulted in an unanimous approval of 4-0.

F. **Handbooks**

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

Claren Mulhall moved to table the draft handbooks pending legal review; seconded by Gabriella Graham. A roll-call vote resulted in an unanimous approval of 4-0.

G. **CLOSED SESSION**

The board may enter Closed Session for the purpose of discussing limited personnel matters

specifically as it relates to the evaluations of the Head Administrator(s), 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.

Claren Mulhall moved to go into Closed Session at 7:40pm; Jenifer Lichtenfels seconded the motion; A roll call vote resulted in an unanimous approval of 4-0.

Claren Mulhall moved to return to Open Session at 8:26pm; Gabriella Graham 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 Raley confirmed that the matters discussed in the closed session were limited only to those specified on the agenda.

Claren Mulhall moved to approve the evaluation of 2024 Head Administrator, Karen Cassidy; seconded by Gabriella Graham. A roll-call vote resulted in an unanimous approval of 4-0.

I. Evaluations

Evaluation of Head Administrator, Karen Casedy (July 2023 - April 2024)

Note: Dr. Toni Hull was Head Administrator in May and June 2024.

Evaluations were approved as a result of the closed session (above).

J. Strategic Plan and Key Objectives / SY25 Head Administrator Evaluation

Chair Raley and Dr. Hull will discuss how the school will create a Strategic Plan. Key objectives are to be established collaboratively by Chair Raley and Dr. Hull, which will serve as the foundation for the Head Administrator evaluation for the upcoming school year. The key objectives and evaluation template will be shared with the board at a future meeting.

IX. BOARD COMMENTS

There were no board comments.

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.

X. PUBLIC COMMENT

There were no public comments.

XI. ADJOURNMENT

The next regular meeting of the Governing Council is scheduled for Wednesday, August 14, 2024 at 6:00 pm. There being no other business for the Governing Council, Claren Mulhall motioned to adjourn, Jenifer Lichtenfels seconded, and the meeting was unanimously approved for adjournment at 8:35pm.

July 15, 2024

Dear Chair Clara Raley,

May this correspondence serve as notice of my resignation from the Governing Council of Explore Academy-Las Cruces effective as of the next meeting, August 14, 2024. As discussed at our recent Board meeting, I am relocating out of New Mexico and would no longer be a community representative. It has been a privilege to work with you, the GC, EA-LCS staff and Explore Learning Systems. I wish you all prosperity and success with Explore Academy-LCS.

Best regards,
Jenifer Lichtenfels, MD

AFFIDAVIT OF GOVERNING BODY MEMBER

STATE OF NEW MEXICO)
)
COUNTY OF BERNALILLO)

I, Christine Reyes, after being duly sworn, state:

1. My name is Christine M. Reyes and I reside in Las Cruces, 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.

Christine M. Reyes
[Signature]

10/9/24
Date

Christine Reyes
[Print]

VERIFICATION

The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 9th day of October, 2024.

[Notary Seal]
NEW MEXICO
NOTARY PUBLIC
MARIE ELIZABETH SALAZAR
Commission Number 1138799
My Commission Expires September 21, 2026

Marie Salazar
NOTARY PUBLIC

My commission expires: 09-20, 2026.

STATEMENT OF GOVERNING BODY TO CONSULT WITH PED

We, the undersigned, make up the governing body of Explore Academy - Las Cruces located in Las Cruces, NM.

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.

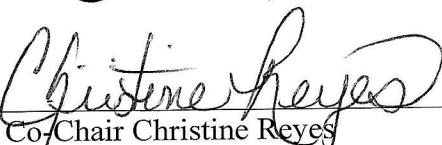
We make this statement as part of Explore Academy's application to the Public Education Commission for status as a board of finance under 6.80.4.16 NMAC.

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 - Las Cruces's
GOVERNING BOARD GIVE THE FOREGOING STATEMENT THIS **11th DAY OF September 2024**.

1. 
Co-Chair Clara Raley

2. 
Co-Chair Christine Reyes

3. 
Vice-Chair Claren Mulhall

4. 
Secretary Lanell Pahe

5. 
Member Gabriela Graham

ASSURANCES

My name is Christine Reyes and I reside in Las Cruces NM. I am a member of the governing body for Explore Academy a charter school which is located at 850 N. Telsdor. 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.

Christine Reyes
Printed Name

Christine Reyes
Signature

9/30/24
Date