



## 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

**The Charter Contract was entered into by and between the New Mexico Public Education Commission (PEC) and Hozho Academy, hereafter "the school," effective on 7/1/2023.**

**Current Governing Body Members and Positions:** Jeremy Boucher – president; Rebecca Boucher, Vice President; Brinn King, treasurer; Erin Montano, Secretary; Gabriel Suk, member;

**Governing Body Member(s) Resigning or Removed:** none

**New Governing Body Member(s) and Position(s):** Theresa Fraizer & ~~Mark Makik~~

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

tfraizer@hozhoacademy.org, tfraizer17@gmail.com; ~~markmak@gmail.com;~~  
~~mnmak@hozhoacademy.org~~

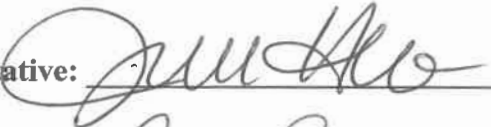
**Is the school requesting an extension to fill a vacancy:**  yes  no

**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:** Eric James, resigned. Gabriel Suk added

**Effective Date:** 3/26/2024 - voted, July 1 start

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

**Signature of School Representative:**  **Date:** 10/9/24

**Signature of Governing Board Chair:**  **Date:** 10/4/24

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

**AFFIDAVIT OF GOVERNING BODY MEMBER**

STATE OF NEW MEXICO )  
 )  
COUNTY OF )

I, Theresa L. Fraizer, after being duly sworn, state:

1. My name is Theresa L. Fraizer and I reside in Alamogordo, New Mexico.
2. I am a member of the governing body of the [insert name of school] in Holbrook Academy 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 [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]

October 8, 2024  
Date

Theresa L. Fraizer  
[Print]

**VERIFICATION**

The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 8<sup>th</sup> day of Oct., 2024.

[Notary Seal:]

[Signature]  
NOTARY PUBLIC

My commission expires: 06/30, 2028.



**STATE OF NEW MEXICO**  
**NOTARY PUBLIC**  
**ARA D. GREEN**  
Commission #: **1093424**  
Expiration Date: **06/30/2028**

## ASSURANCES

My name is Theressa L. Frazer and I reside in GAMERCO, NM. I am a member of the governing body for Hoeh's Academy a charter school which is located at Gallup, 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.

Theresa C. Franzer

Printed Name

  
Signature

October 8, 2024  
Date

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

We, the undersigned, make up the governing body of the [*Hózhó Academy*], 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 [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 [*Hózhó Academy Board*] GIVE THE FOREGOING STATEMENT THIS \_\_\_ DAY OF \_\_\_\_\_, 202*3*4

- 1. \_\_\_\_\_  
[signature]  
\_\_\_\_\_  
[print]
- 2. \_\_\_\_\_  
[signature]  
\_\_\_\_\_  
[print]
- 3. \_\_\_\_\_  
[signature]  
\_\_\_\_\_  
[print]
- 4. *Mark B. Macik*  
[signature]  
*Mark B. Macik*  
[print]
- 5. *Theresa L. France*  
[signature]  
*Theresa L. France*  
[print]

Attach additional pages if membership exceeds five.

Agenda/x  Minutes of Hózhó Academy Governing Council

**Date: March 26, 2024**

**Time: 5:15pm**

**School: 515 Park Ave, Gallup NM 87301**

**Zoom: Join Zoom Meeting**

**<https://us06web.zoom.us/j/85471098773>**

**Meeting Type:** x  Regular     Special     Proposed     Approved

**I. Meeting was brought to order at 5:24 pm**

**II. Pledge of Allegiance led by Juliane Hillock**

**III. Roll Call**

**[SECRETARY]**

<b>Members:</b>	<b>Present</b>	<b>Absent</b>
Jeremy Boucher	x <input type="checkbox"/>	<input type="checkbox"/>
Erin Montano	x <input type="checkbox"/>	<input type="checkbox"/>
Brinn King	x <input type="checkbox"/>	<input type="checkbox"/>
Eric James	<input type="checkbox"/>	x <input type="checkbox"/>
Rebecca Boucher	x <input type="checkbox"/> (joined at 6 pm)	<input type="checkbox"/>

**Other Attendees:** Juliane Hillock, Katie Rarick, Ben Macik, Gabe Suk

**IV. Approval of Agenda:**

**[CHAIRPERSON]**

**Action Requested: Approve agenda**

**Motion: motion to add 4 names of potential board members to action item 1 to agenda by J. Boucher**

**Second: King**

**Amendments: [BLANK]**

<input type="checkbox"/> Unanimous	or	<b>Ayes:</b>	<b>Nays:</b>
<b>J. Boucher</b>		x	
<b>Montano</b>		x	
<b>King</b>		x	

A copy of the meeting minutes are available for public inspection at Hózhó Academy within 10 calendar days for proposed minutes and 2 calendar days of approval for approved minutes. Hózhó Academy shall comply with subtitle A of Title II of the Americans with Disabilities Act of 1990. Should you require specific accommodation(s) please contact Jeremy Boucher ([board@hozhoacademy.org](mailto:board@hozhoacademy.org)) 5 business days prior to the meeting.

**V. Approval of Consent Agenda Items:**

**Action Requested: Approval of minutes from meetings on February 27, 2024**

**Motion: no additions or corrections so deemed approved**

**Second: [BLANK]**

**No correction or objection: [BLANK]**

**Unanimous** or **Ayes:** **Nays:**

**VI. Principal Report**

a. **No changes in enrollment still 675 51% native American. April 10<sup>th</sup> is site visit from charter school division- will schedule a zoom meeting. PSAT taken today. College trip to Hillsdale scheduled for next week- 5 students attending. Read-a-thon earned about \$27k. 42 of 70 Kinder spots filled. 2 new teachers hired for next year. For bond meeting, needed projection of perfect scenario of budget- Katie Rarick re-worked budget for best case scenario.**

**VII. Finance Report**

a. **Projecting a positive fund balance. Will need to reduce athletic budget for next year due to enrollment being lower than projected. Food budget is 120 meals a day being made every day because not sure of who will eat them- \$5 a meal so \$30k over budget every month that is not being reimbursed. Will try to go back to fresh food based food in future- will be made easier when new kitchen is built. CEP school which means we get a blanket amount and are fully funded for every meal consumed. Most likely will end up in the black end of fiscal year. Only school to be running own transportation with no funding provided for transportation program. \$480k down to \$300k accounts payable outstanding since paying food service and Aequitas. Promeser reimbursement given and able to pay off smaller vendors with that money. Hoping to get bond and will pay back Axiom with that money. Budgeted to pay all payroll through April 15<sup>th</sup> and will be getting next PED disbursement on April 10<sup>th</sup>.**

**VIII. Action Items:**

**Action Requested: Vote on Gabriel Suk as a new board member**

**Motion: motion to nominate Gabriel Suk for a position on the board by J. Boucher**

**Second: King**

**Amendments: [BLANK]**

**Unanimous** or **Ayes:** **Nays:**

**J. Boucher** **x**

**Montano** **x**

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King x

**Action Requested: Vote on Ben Macik as a new board member**

**Motion: motion to nominate Ben Macik for a position on the board by J. Boucher**

**Second: Montano**

**Amendments: [BLANK]**

**Unanimous** or **Ayes:** **Nays:**

**J. Boucher** x

**King** x

**Montano** x

**Action Requested: Vote on Teri Fraizer as a new board member**

**Motion: motion to nominate Teri Fraizer as a new board member by J. Boucher**

**Second: King**

**Amendments: [BLANK]**

**Unanimous** or **Ayes:** **Nays:**

**J. Boucher** x

**R. Boucher** x

**Montano** x

**King** x

**Action Requested: Vote on Valerie Baker as a new board member**

**Motion: motion to nominate Valerie Baker as a new board member by J. Boucher**

**Second: King**

**Amendments: [BLANK]**

**Unanimous** or **Ayes:** **Nays:**

**J. Boucher** x

**R. Boucher** x

**Montano** x

**King** x

**Action Requested: Approval of February Bank Rec and Check Register**

**\$155k when everything reconciled, \$30k outstanding for Bank Rec. Check Register- most were gas for transportation- total about \$1 million for February. 4<sup>th</sup> largest charter in the state, will most likely be 3<sup>rd</sup> next year.**

**Motion: motion to approve February Bank Rec and Check Register by King**

**Second: Montano**

A copy of the meeting minutes are available for public inspection at Hózhó Academy within 10 calendar days for proposed minutes and 2 calendar days of approval for approved minutes. Hózhó Academy shall comply with subtitle A of Title II of the Americans with Disabilities Act of 1990. Should you require specific accommodation(s) please contact Jeremy Boucher ([board@hozhoacademy.org](mailto:board@hozhoacademy.org)) 5 business days prior to the meeting.

**Amendments: [BLANK]**

<input type="checkbox"/> Unanimous	or	Ayes:	Nays:
J. Boucher		x	
R. Boucher		x	
Montano		x	
King		x	

**Action Requested: Approval BARs**  
**Carryovers from audit.**

- 573-000-2324-0018-D Operational Carryover**  
Estimated had more than what was budgeted.
- 573-000-2324-0019-I Impact Aid Carryover**  
More money received than what was budgeted.
- 573-000-2324-0021-I Food Services Carryover**  
40k from USDA from last year that can carryover this year
- 573-000-2324-0022-I Impact Aid Special Education Carryover**  
For special ed purposes.
- 573-000-2324-0024-I Private Grants Carryover**  
\$15k for greenhouse insurance to build a new one after previous one was blown away
- 573-000-2324-0028-D SB-9 State Match Carryover**  
Capitol outlay. Funds due to property taxes- adjustment bar
- 573-000-2324-0025-I State Funded Food**  
\$157k- not impacting forecast too much. Changing way it will be funded next year. Will be funded on quality of program- Hozho has one of the best in the state so will hopefully receive a high amount of funding.
- 573-000-2324-0026-I SEG reconciliation**  
SEG increase- not true amount because already baked into to number we have been using all year. No impact in revenue. Not actually getting an extra \$600k
- 573-000-2324-0027-D OST reconciliation**  
Not actually decreasing \$1.2 million- just an adjustment for accounting purposes.

**Additional BARs**

**Motion:** motion to approve BARS by King  
**Second:** R. Boucher

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**Amendments: [BLANK]**

<input type="checkbox"/> Unanimous	or	<b>Ayes:</b>	<b>Nays:</b>
J. Boucher		x	
R. Boucher		x	
Montano		x	
King		x	

IX. **Comments from the community: If you wish to submit a comment, please send an email to [president@hozhoacademy.org](mailto:president@hozhoacademy.org) no later than noon on Tuesday March 26, 2024.**

X. **Adjourn**

**Motion: [Blank]**

**Second: [Blank]**

**Discussion: [Blank]**

<input type="checkbox"/> Unanimous	or	<b>Ayes:</b>	<b>Nays:</b>
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**Meeting adjourned at 6:19 pm**