



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 ACES Tech Charter School, hereafter "the school," effective on 7/1/2020.

Current Governing Body Members and Positions: Ruth Bouldes, Vice Chair and Sec’y; Vic Berniklau, Treasurer; Jeff Blair, Judy Labovitz, Jonathan Johnson, Warren Wilhelm, Chair.

Governing Body Member(s) Resigning or Removed: Click or tap here to enter text.

New Governing Body Member(s) and Position(s): Samantha Lapin

Contact information for New Governing Body Member(s) (phone, email): 505-350-7850, slapin@live.com

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: 2

Effective Date: 11/19/2024

The school's notification is hereby submitted by: Warren Wilhelm

Signature of School Representative:  **Date:** 11/20/2024

Signature of Governing Board Chair:  **Date:** 11/20/2024

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:** _____

AFFIDAVIT OF GOVERNING BODY MEMBER

STATE OF NEW MEXICO)

COUNTY OF Sandoval)

I, Samantha Lapin, after being duly sworn, state:

1. My name is Samantha Lapin and I reside in Placitas, New Mexico.
2. I am a member of the governing body of the ACES Technical Charter School 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.

Samantha Lapin
[Signature]

11/22/24
Date

Samantha Lapin
[Print]

VERIFICATION

The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 22 day of 11, 2024.

[Notary Seal:]



[Signature]
NOTARY PUBLIC

My commission expires: July 02, 2024.

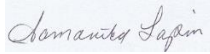
ASSURANCES

My name is Samantha Lapin and I reside in Placitas, NM. I am a member of the governing body for ACES Technical Charter School a charter school which is located at 4501 Montgomery Blvd. NE, Suite C1, Albuquerque, NM 87109, 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 228B-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.

Samantha Lapin
Printed Name


Signature

11/22/2024
Date

STATEMENT OF GOVERNING BODY TO CONSULT WITH PED

We, the undersigned, make up the governing body of the ACES Technical Charter School, 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 ACES Technical Charter 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 [ACES Technical Charter School] GIVE THE FOREGOING STATEMENT THIS 22nd DAY OF November, 2024.

1. Samantha Lapin
[signature]
Samantha Lapin
[print]
2. _____
[signature]

[print]
3. _____
[signature]

[print]
4. _____
[signature]

[print]
5. _____
[signature]

[print]

Attach additional pages if membership exceeds five.



Governing Board Meeting Agenda
Tuesday, November 19, 2024 @ 5:30pm

- I. **Call to Order by Warren Wilhelm at 5:38pm.**
 - A. **Roll Call**—Attendees: Vic Berniklau, Jeff Blair, Ruth Bouldes, Judy Labovitz, Samantha Lapin, Warren Wilhelm, Dr. Jeron Campbell, Kelci Pike-Dan Hill Law, Seth Mender- Vigil Group; absent without notice Jonathan Johnson.
 - B. **Adoption of the Nov. 19, 2024 Governing Board Meeting Agenda by unanimous consent.**
 - C. **Approval of Oct 10, 2024 minutes**—moved by J. Labovitz, seconded and majority approved, R. Bouldes abstained.
- II. **Recognition of Students, Staff, and Community**—N/A
- III. **Public Forum (2 minutes per speaker)**—N/A
- IV. **Action Items**
 - A. **New GC member vote**—V. Berniklau moved to nominate Samantha Lapin to the GC, it was seconded and unanimously approved.
- V. **Performance Evaluation Plan**
 - A. **Review of Chairman's performance conversation with head Administrator**—It was agreed that the first iMSSA scores will be the benchmark for objectives 1 of Dr. Campbell's 2024-2025 performance; objective 4 (to be added to the plan by W. Wilhelm): Hiring of a backup for Dr. Campbell will be contingent upon funds available.
- VI. **Charter Renewal review and comments**—Unanimous agreement that Dr. Campbell presented ACES Tech at the hearing in a positive and professional manner. All 8 commissioners approved renewal.
- VII. **Review fall benchmark test data, if available**—Perhaps will be available for the Dec. GC meeting.
- VIII. **Financials (J. Campbell and M. Vigil/S.Mender)**
 - A. **Budget Update**—S. Mender reviewed the recent financials; the discussion between Dr. Campbell and V. Berniklau regarding cash flow resulted in the agreement that the current forecast is positive. Due to the financial challenges anticipated this year, Dr. Campbell agreed to brief the Board on his projections of ACES revenue and expenses with the anticipated bank balance, by month, for the remainder of the school year at future meetings



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B. **BARS Approval vote**—V. Berniklau moved to approve BARS 579-000-2425-0010-IB, it was seconded and unanimously approved.

IX. Principal's Report

A. **School Year Update**—U.S. News and World Report ACES recognition was discussed; Fall semester is winding down; the basketball team is doing well; the recent facility possibility fell thru, there may another possibility soon.

i. **40th day enrollment numbers**-160 students.

X. **Board President Report and Discussion**—Confirmed that there is D&O insurance for the GC; V. Berniklau agreed to prepare financial policies and procedures for GC review/approval.

XI. Announcement of Upcoming Board Meetings

A. The next meeting will be held on Thursday, December 12, 2024 at 5:30pm

XII. Adjournment at 6:49pm.

Submitted by Ruth Bouldes, Secretary