



## 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](mailto: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** Click or tap to enter a date..

**Current Governing Body Members and Positions:** Jeremy Boucher, President; Rebecca Boucher Vice President, Erin Montano, secretary, Brinn King Treasurer; Theresa Fraizer, member; Gabriel Suk, member

**Governing Body Member(s) Resigning or Removed:** n/a

**New Governing Body Member(s) and Position(s):** Mark Macik

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

Macikmark@gmail.com (505)-862-1605

**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.** Added Gabriel Suk, Theresa Fraizer and Eric James resigned from the board.

**Effective Date:** 7/1/2024

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

**Signature of School Representative:**  **Date:** 12/16/24

**Signature of Governing Board Chair:**  **Date:** 12/18/24

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

Agenda/x  Minutes of Hózhó Academy Governing Council

**Date: December 3, 2024**

**Time: 5:15pm**

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

**Join Zoom Meeting**

<https://us06web.zoom.us/j/84822806349?pwd=i2a4uhbctbMfbxCTsrbGok3aaxb1ka.1>

Meeting Type: x  Regular     Special     Proposed     Approved

I. Meeting was brought to order at 5:19 pm

II. Pledge of Allegiance led by Juliane Hillock

III. Roll Call

[SECRETARY]

Members:	Present	Absent
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"/>
Gabriel Suk	x <input type="checkbox"/>	<input type="checkbox"/>
Rebecca Boucher	x <input type="checkbox"/>	<input type="checkbox"/>
Mark Masik	x <input type="checkbox"/>	<input type="checkbox"/>
Teri Fraizer	x <input type="checkbox"/>	<input type="checkbox"/>

**Other Attendees:** Juliane Hillock, Katie Rarick

IV. Approval of Agenda:

[CHAIRPERSON]

**Action Requested: Approve agenda**

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

**Second:** [BLANK]

**Amendments:** [BLANK]

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

V. Approval of Consent Agenda Items:

**Action Requested: Approval of minutes from meetings on September 24, 2024**

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

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.

**Second:** [BLANK]

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

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

**VI. Principal Report**

Current enrollment 751 plus 20 pre k, down 10 from 40<sup>th</sup> day. 57% native, 77% minority and over 200 on wait list. Received today annual report findings from charter division for 2023-24 year. Attendance and retention did not meet requirements- said we did not submit proper paperwork. Juliane sent them evidence that proper paperwork was submitted on time. Licensure discrepancies as well as accounting principles, resubmitted evidence to prove otherwise specifically involving a staff member that was no longer working at the school. CSP grant will be reapplied for- 4<sup>th</sup> or 5<sup>th</sup> time we are trying. Overview of school drug policy based on King's questions regarding consequences following infractions. High school has around 10 kids with reports of vaping at school, policy is a no drug school allowed on campus. Consequences range from out of school suspension, in school suspension, counseling sessions for 1<sup>st</sup> offense- will also depend on if it is tobacco or marijuana. If dealing or on 2<sup>nd</sup> offense, go to disciplinary hearing- usually in the past these students have left school to avoid expulsion. King questioning if consequences are substantial enough- suggested idea of community service-based opportunities to see result of drug use. Question of how often drug offenses are occurring. Handful of kids caught twice, more have been caught once. Culture of kids not reporting what they see, want to avoid being a "snitch". Came up today with plan of interventions to monitor the bathrooms better. Recently, 2 female athletes physically attacked another student- entire high school student body was assembled and discussed with kids what type of culture they want to create at school and the importance of informing admin if they hear or see anything. Vape detectors are a possibility- expensive but could be a possibility. 3 times this semester have tried calling sheriff's office to have drug dogs come in to check school- have not found any drugs from previous attempts. Will keep trying.

**VII. Finance Report**

Increase revenue for 6 additional kids for SEG. Bond funds and transportation funds will be coming in in the next few months but still need to limit spending. Cash flow for November and December not great due to funding not coming in much during these months. Impact aid have funding but have not received money yet. Majority of funds will be spent by the end of the year. Transportation fully spent today. On

track to spend all down. Did pay off buses and working on bond items. Hoping to get bond in February. USDA money didn't come in till October. Voided check from October was reissued.

**VIII. Action Items:**

**Action Requested: Amend minutes from March 26, 2024 for Mark Macik To stay in compliance, vote to make Mark Macik the legal name of Ben Macik since he is one in the same person and on the board.**

**Motion: motion to amend minutes to include that Mark Benedict Macik is the legal name of "Ben Macik" and is a board member by Fraizer.**

**Second: King**

**Amendments:**

Amend motion to include that his last name is spelled "Macik" not "Masik" by J. Boucher

Second: Fraizer

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

Jeremy Boucher	x	
Erin Montano	x	
Brinn King	x	
Gabriel Suk	x	
Rebecca Boucher	x	
Mark Masik	x	
Teri Fraizer	x	

**Action Requested: Approval of Indian Policies and Procedures for Impact Aid funding**

Comes from federal government. Same every year. Implementing whats in the document will be facilitated by Terry Fraizer on a volunteer basis in conjunction with Juliane Hillock and staff.

**Motion: motion to approve Indian Policies and procedures for impact aid for school year 2024-25 by Fraizer**

**Second: R. Boucher**

**Amendments: [BLANK]**

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

Jeremy Boucher	x	
Erin Montano	x	
Brinn King	x	

Gabriel Suk	x
Rebecca Boucher	x
Mark Masik	x
Teri Fraizer	x

**Action Requested: Approval of September and October Bank Rec and Check Register**

**Motion:** motion to approve Check register and bank reconciliation for September and October by R. Boucher

**Second:** Macik

**Amendments:** [BLANK]

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

**Action Requested: Approval BARs**

**2425-0014-D**

**Title 1 funding due to small decrease in funding (\$3,909)**

**2425-0015-I**

**Ed Fellows added to grant (\$147,300)**

**2425-0016-IB**

**Johnson O'Malley funding \$32k- award letter given after budget was submitted**

**24-25-0017-IB**

**New grant farm to school grant food service- specific vendors for use. (\$15k)**

**Additional BARs**

**Motion:** motion to approve BARs as listed and presented by Katie Rarick by Suk

**Second:** R. Boucher

**Amendments:** [BLANK]

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

Jeremy Boucher	x
Erin Montano	x
Brinn King	x
Gabriel Suk	x
Rebecca Boucher	x
Mark Masik	x
Teri Fraizer	x

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- 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 December 3, 2024.
- X. **Adjourn**  
**Motion:** [Blank]  
**Second:** [Blank]  
**Discussion:** [Blank]  
 **Unanimous** or **Ayes:**                      **Nays:**

**Meeting adjourned at 6:09 pm**

**AFFIDAVIT OF GOVERNING BODY MEMBER**

STATE OF NEW MEXICO )

COUNTY OF )

I, Mark B. Macik, after being duly sworn, state:

1. My name is Mark B. Macik and I reside in Ft. Wingate, New Mexico.

2. I am a member of the governing body of the [Horho Academy] in 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 [Horho Academy].

5. I understand that as a member of the [Horho Academy]’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]

10/15/24  
Date

Mark B. Macik  
[Print]

**VERIFICATION**

The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 15 day of October, 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 Mark B. Macik and I reside in 1000F St. Helena, 900 Ft. Wingate, NM 87516. I am a member of the governing body for Hozho 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.

Mark B. Yeck  
Printed Name

Mark B. Yeck  
Signature

10/15/24  
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 \_\_\_\_\_, 20234

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

Attach additional pages if membership exceeds five.