

Charter Schools Policies and Processes



Amendments and Notifications



- If the governing board of a school chartered by the Public Education Commission (PEC) wishes to amend the terms of the contract during the contract term, it must submit one of the amendment request forms.
- The requested amendment cannot take effect until the PEC has voted to approve it at a public meeting.
- Notifications are to inform the PEC of changes in key personnel or other changes that are not material terms of the contract.
- Notifications are generally placed on the PEC's consent agenda rather than as individual agenda items.
- Any item on the consent agenda may be pulled from that agenda to the regular agenda for discussion by the PEC

Where can you locate this information?



The information can be located on the New Mexico Public Education Departments website:

<https://webnew.ped.state.nm.us/bureaus/public-education-commission/policies-and-processes/amendment-request/>

Each form consists of an instructions page, which includes:

- Deadline
- PEC guidance
- All requirements for submission
- “Click to enter” check boxes and text boxes.

Where do you submit the forms?

- Once completed, the form should be signed and submitted with all required attachments to charter.schools@ped.nm.gov. **Do not send Amendment/ Notifications** to individual CSD staff. This is to ensure that all emails are properly routed and tracked.
- If the form and all attachments are submitted within the deadline listed in the form, the request will be placed on the next PEC agenda. Otherwise, it will be placed on the subsequent month's agenda.

Amendment Requests

AMENDMENT REQUEST FORMS

A.1 Name Change Mission Statement Amendment Form

A.2 Educational Program Amendment Form

A.3 Grade Level Change Amendment Form

A.4 Enrollment Cap Amendment Form

A.5 School-Specific Goal Amendment Form

A.6 Non-Profit Foundation or Partnership Amendment Form

A.7 School Relocation Amendment Form

A.8 Additional Square Footage Amendment Form

Amendment Requests

Instructions



New Mexico Public Education Commission (PEC)

Name Change or Mission Statement Amendment Instructions

Purpose: To notify the Public Education Commission (PEC) of a name change, minor grammatical or word choice change in the school's mission statement identified in the charter contract OR to request significant changes resulting from a name change that implies a change in mission or in the mission statement such as changes or adjustments to the school's educational plan, approaches to learning or assessment systems.

Submission Deadline: The form must be approved prior to the change being implemented. Amendments completed 28 days prior to the next PEC meeting will be placed on the next agenda.

Minor Changes:

- A name change that does not affect the mission or educational plan of the school may be placed on the consent agenda of a regular PEC meeting for possible action by the PEC but may be removed from the consent agenda during the scheduled PEC meeting for full discussion and possible action by the Commission if necessary.
- A mission amendment request with minor changes may be placed on the consent agenda of a regular PEC meeting for possible action by the PEC but may be removed from the consent agenda during the scheduled PEC meeting for full discussion and possible action by the Commission if necessary.

Substantive Changes:

- A name change that impacts the mission or educational plan of the school will be placed on the regular agenda of a PEC meeting for full discussion and possible action by the Commission.
- A mission amendment request with major changes will be placed on the regular agenda of a PEC meeting for full discussion and possible action by the Commission.

CSD will provide performance data (academic, organizational, and financial) for the contract term through the most recent annual report, including any outstanding compliance or investigations, and highlight information relevant to the amendment request.

The school must provide:

- ☐ Fully completed form
- ☐ Approved board minutes or certification of the vote taken by the board
- ☐ Rationale for the change.

Contact charter.schools@ped.nm.gov with questions about completing or submitting documents.

Name Change or Mission Statement Amendment Request 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 Click or tap here to enter text., hereafter "the school," effective on Click or tap to enter the start date of the current charter contract..

The school requests consideration from the PEC to change the terms of its contract as follows:

- ☐ Name change not affecting mission
- ☐ Name change affecting mission
- ☐ Minor mission wording change
- ☐ Substantial change in mission or wording

The school requests that the PEC approve an amendment to Section Click or tap here to enter text. of the school's contract so that the Name of the School and/or Mission Statement reads: Click or tap here to enter text..

The school's current name: Click or tap here to enter text.

The school's proposed new name: Click or tap here to enter text.

The Mission Statement currently reads: Click or tap here to enter text.

The proposed Mission Statement reads: Click or tap here to enter text.

Rationale for the requested amendment/change: Click or tap here to enter text.

Effective Date: Click or tap to enter a date.

The school's contract amendment is hereby submitted by:

Signature of School Representative: _____ Date: _____

Signature of Governing Board Chair: _____ Date: _____

For PEC/CSD use only

PEC Meeting Date:

Agenda: ☐ Regular required

The school's contract amendment was: ☐ Approved ☐ Denied (see transcript)

Electronic signature of PEC Chair: _____ Date: _____

All required fields need to be completed.

Check for signatures.

Notification Forms

NOTIFICATION FORMS

B.1 Personnel Change Notification Form

B.2 Governing Body Member Change Notification Form Revised 9.6.23

B.1.a Affidavit of Financial Record Custodian

B.2.a Affidavit of Governing Body Member

B.2.b Assurances

B.2.c Statement of Governing Body to Consult with PED

B.3 Lottery and Enrollment Notification

B.4 Governing Body By-Laws Notification Form

B.5 Pre-K Early Childhood Program Notification Form

B.6 Lease Terms or Facility Ownership Notification Form

B.7 Foundation Membership Notification Form

If you do not see the appropriate policy above, please contact charter.schools@ped.nm.gov for support.

Notification Forms



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 [Click or tap here to enter text.](#), hereafter "the school," effective on [Click or tap to enter a date.](#)

Current Governing Body Members and Positions: [Click or tap here to enter text.](#)

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

New Governing Body Member(s) and Position(s): [Click or tap here to enter text.](#)

Contact information for New Governing Body Member(s) (phone, email): [Click or tap here to enter text.](#)

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: [Click or tap here to enter text.](#)

Effective Date: [Click or tap to enter a date.](#)

The school's notification is hereby submitted by:

Signature of School Representative: _____ **Date:** _____

Signature of Governing Board Chair: _____ **Date:** _____

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:** _____

Notification forms require the same process.

- Complete all the information
- Submit required attachments
- Check for signatures
- Submit to the CSD email:
charter.schools@ped.nm.gov

Why are Amendments and Notifications forms different?

Every Amendment and Notification form has different submission deadlines and requirements for supporting documents.

Upon submission of a complete packet (Amendment or Notification of change and supporting documents) the information will get added to the PEC agenda.

Quick Tip:

*Check off the boxes to ensure that all the documents are attached for a complete and timely submission.

A.7 Amendment Request form



Look for the Submission Deadline.



Submission Deadline: The form must be approved prior to the change being implemented. Amendments completed 28 days prior to the next PEC meeting will be placed on the next agenda.

This form requires A.6 as well.



PEC Direction: If the facility is now owned by a Foundation (Component Unit) of the school, please complete form A.6 Non-profit Foundation Partnership Agreement form as well.



Information provided by the school:

It's important to go through each line to ensure all the **“Information provided by the School”** is attached.

The red X signifies that the information is attached and ready to submit.

This is only an example!

When completing a form, you do not have to use red or check the boxes. This is for reference and an example of how to ensure a timely and complete submission.

- ☒ Fully completed form
- ☒ Approved board minutes or certification of the vote taken by the board
- ☒ Rationale for the change
- ☒ Concise narrative addressing, if applicable, the number of students displaced/impacted by the move and a plan to support these students and the community in the change
- ☒ Certificate of Occupancy, approved for educational use; OR an assurance that the school will not occupy any space until the school possesses a Certificate of Occupancy and an assurance that a copy of the Certificate of Occupancy will be provided to the CSD within 30 days of occupancy
- ☒ Letter from PSFA stating that the facility meets the New Mexico Conditions Index (NMCI); OR an assurance that the school will not occupy any space until the school possesses a letter from PSFA stating that the facility meets the New Mexico Conditions Index NMCI and an assurance that a copy of the letter will be provided to the CSD within 30 days of occupancy
- ☒ Documentation of the capacity load of the facility to sustain enrollment requested, OR an assurance that the school will not occupy any space that does not have a sufficient capacity load to sustain the enrollment requested and provides documentation of the capacity load to the CSD
- ☒ Proposed lease, lease purchase agreement, or purchase contract and an affidavit verifying compliance with legal requirements of Section 22-8B-4.2 NMSA 1978, OR an assurance that the school will not occupy any space that does not meet the ownership and leasing requirements of Section 22-8B-4.2 NMSA 1978 and the school will not occupy the facility until a copy of the fully executed lease has been provided to the CSD
- ☒ Copy of Lease or Lease Purchase Arrangement if changed as a consequence of the change in ownership and an affidavit verifying that the lease or lease purchase agreement has been reviewed by legal counsel for the school for compliance with New Mexico statute

Notifications and Multipurpose forms

Some Notification forms are multifunctional.

For Example: Notification form B.1 Personnel Change has Head Administrator, Business Manager and CPO.

If changes related to Head Administrator, Business Manager and CPO occur at the same time, one form can be completed.

If changes occur at different times, you must submit separate forms to comply with the submission deadline.

Quick Tip:

*If you're unsure what to submit, contact the Charter Schools email for guidance.

B.1 Notification Form



Personnel Change Notification Instructions

Purpose: To notify the Public Education Commission (PEC) of a change in the school's Head Administrator, Business Manager or Procurement Officer.

Submission Deadline: Changes to the school personnel do not require prior approval of the PEC; however, notice must be received within 30 calendar days of the change. Only one personnel change may be submitted per form. If more than one personnel change is being submitted, the school must submit separate forms.

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 personnel change. Business Manager and Procurement Officer changes will be added to the board of finance documentation on file with CSD.

The school must provide:

☐ Fully completed form

For Head Administrator:

- ☐ Approved board minutes or certification of the vote taken by the board to hire the new administrator and status as interim or permanent position offered
- ☐ Copy of NMPED School Administrator License for new administrator
- ☐ Resignation letter of outgoing administrator or board minutes showing the vote to terminate or not to renew the outgoing administrator's contract

For Business Manager:

- ☒ Board minutes approving the business manager change
- ☒ Affidavit of financial record custodian (a completed and notarized affidavit of financial record custodian)
- ☒ Certificate of insurance (a certificate of insurance indicating the business manager is adequately bonded to take responsibility as the financial record custodian)
- ☒ School business official license (copy of current, valid school business official license)

For Procurement Officer:

- ☐ Board minutes approving the procurement officer change
- ☐ Chief procurement officer certificate

Look for the Submission Deadline.



Depending on the type of change notification, that will determine the required supporting documents.

For this example, the Business Manager will be changing. Look at the paperwork that is required for the notification of change.



The red X signifies that the information is attached and ready to submit.

This is only an example!

When completing a form, you do not have to use red or check the boxes. This is for reference and an example of how to ensure a timely and complete submission.

Final process

Once the completed information is submitted to the CSD email, you should expect a response within 24 hours. The division email is monitored daily.

Responses will consist of:

- The Amendment / Notification was received and is complete.
- If the Amendment / Notification is incomplete, detailed information of what is missing.
- The month the item will be on the PEC Agenda.
- If Amendment / Notification requires discussion at the PEC meeting, a member from the CSD team will reach out to you and /or your team.



PEC Agenda Items

Once an item has been approved during the PEC meeting, either the Commissioner Chair or the CSD Director (depending on the Amendment / Notification) will sign the form as final approval.



For PEC/CSD use only

PEC Meeting Date: 08/25/2023

Agenda: ☒ Consent (typical) ☐ Regular (unusual circumstance)

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

Electronic signature of CSD Director: _____ Date: _____

B1 Personnel Change Notification (Approved 6.16.23)

Page 2 of 2

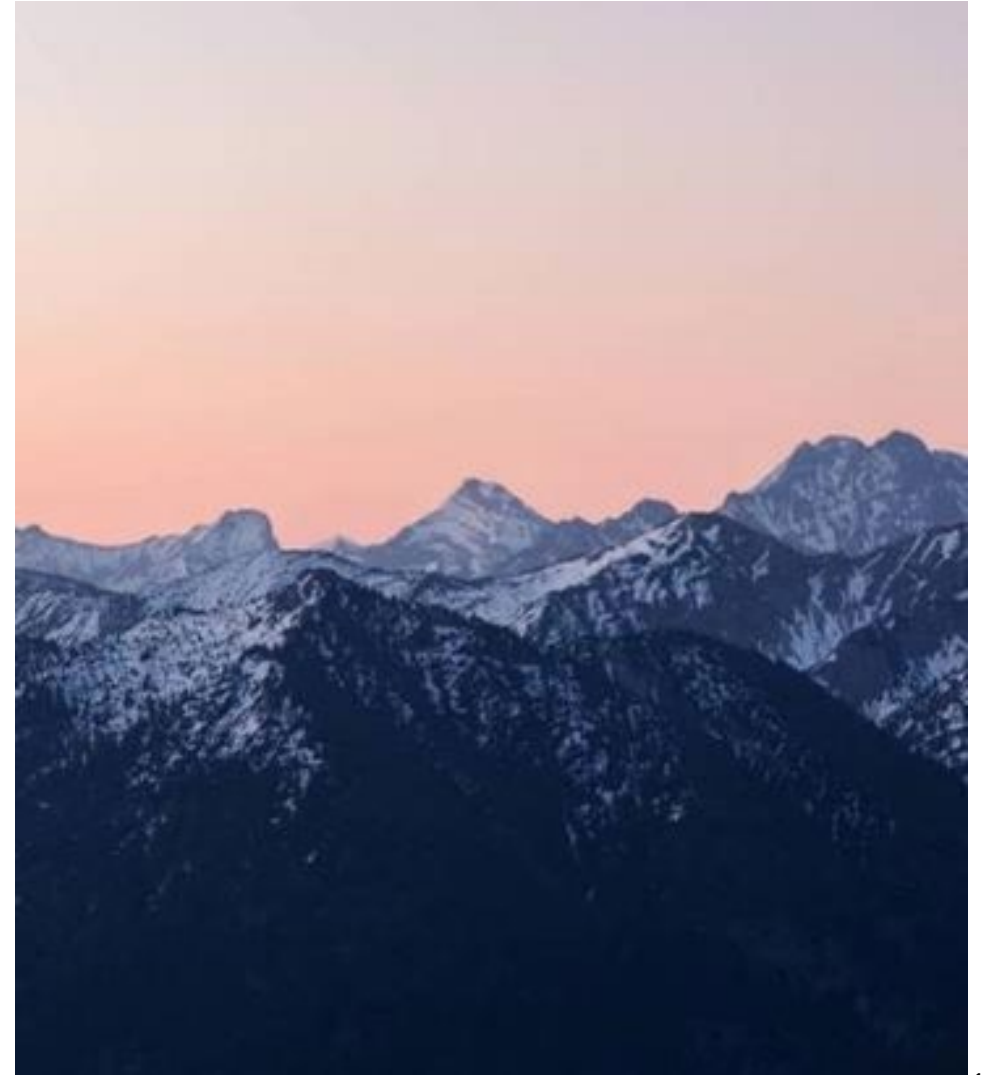
After Final Approval:


- A copy of the approved Amendment/ Notification will be emailed to the contact person(s) who submitted the change.
- A copy will be saved in your school's file.

*Please save the final approved copy for your records.

Review of Steps

- 1) Complete the Amendment and/ or Notification form and gather required attachments.
- 2) Submit the complete packet to the CSD email.
- 3) Ensure you receive an email from CSD within 24hrs, follow up and gather any missing items.
- 4) If the CSD team reaches out, follow up in a timely manner to discuss items prior to the PEC meeting.
- 5) Receive final copy of Approved Amendment / Notification via email.
- 6) Save copy of the approved Amendment / Notification in your school files.





**Contact CSD
email if there
are any
questions or
concerns.
The team is
available to
offer support
and guidance.**

Thank you