



## New Mexico Public Education Commission (PEC)

### Governing Body By-Laws Change Notification Instructions

**Purpose:** To notify the Public Education Commission (PEC) of a change in the school's Governing Body By-Laws.

**Submission Deadline:** Changes to the Governing Body By-Laws do not require prior approval of the PEC; however, notice must be received within 30 calendar days of the change.

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 approving the new By-Laws
- ☒ Description of and rationale for the change
- ☒ Ensure the Bylaws include a provision for appointing new board members when fewer than three board members are seated and if there are no board members
- ☒ A red-lined copy of the By-Laws
- ☒ A clean copy of the new By-Laws

Contact [charter.schools@ped.nm.gov](mailto:charter.schools@ped.nm.gov) with questions about completing or submitting documents.

## Governing Body By-Laws 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 Albuquerque Aviation Academy., hereafter "the school," effective on 7/1/2024.**

**Current section & language in school's Governing Body By-Laws which will be changed or replaced** (can refer to red-line copy provided): Highlighted version of changes that include addition of Article 5.1: Provisions for Governing Council Membership Below Minimum, and Article 5.2: Provisions for Full Resignation of the Governing Council Members

**New section & language to change or replace what is provided above** (can refer to red-line copy provided): Highlighted version of changes included.

**Effective Date:** 2/21/2025

**The school's notification is hereby submitted by:** Amanda Catanzaro, Director of Operations

**Signature of School Representative:** Amanda Catanzaro **Date:** 2/27/25

**Signature of Governing Board Chair:** Gary Kandy **Date:** 2-21-25

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



**6441 VENTANA RD NW  
ALBUQUERQUE, NM 87114**

2/21/2025

**Subject: Description and Rationale for Changes to Governing Council By-Laws**

**1. Addition of Article 5.1: Provisions for Governing Council Membership Below Minimum**

- Description: Article 5.1 establishes a clear protocol for addressing situations where the Governing Council (GC) membership falls below the legally required minimum of five members. It outlines immediate actions, a structured recruitment process, and a timeline to ensure that vacancies are filled efficiently, minimizing disruptions to governance and school operations.
- Rationale: This article ensures the Governing Council (GC) remains compliant with state law and the school's charter, which require a minimum of five members. It establishes a clear protocol for promptly addressing vacancies, maintaining operational continuity, and ensuring effective governance. By outlining notification procedures, a structured recruitment process, and a 30-day timeline, it prevents disruptions, enhances transparency, and demonstrates proactive compliance with Public Education Commission (PEC) expectations. This structured approach strengthens the GC's ability to uphold accountability, efficiency, and informed decision-making.

**2. Addition of Article 5.2: Provisions for Full Resignation of the Governing Council Members**

- Description: ARTICLE 5.2: Provisions for Full Resignation of the Governing Council Members establishes a structured response to a complete resignation of the Governing Council (GC), ensuring the continued governance of the school. It grants the Head Administrator the authority to appoint an interim quorum of at least three eligible members within five business days. This interim quorum must convene an emergency meeting within ten business days to adopt temporary operating procedures and initiate the recruitment of permanent GC members. The interim members may either transition into permanent roles through a quorum vote or step down once a full GC is re-established. To ensure transparency and compliance, all appointments and actions must be documented in meeting minutes and shared publicly, with legal oversight to meet state and charter requirements.
- Rationale: This article ensures that a sudden vacuum in governance does not disrupt school operations or violate legal requirements. By granting the Head Administrator authority to form an interim quorum, it provides an immediate solution to maintain oversight and decision-making capacity. The required emergency meeting and structured recruitment process prevent delays in restoring a full GC, minimizing risks to the school's stability. Additionally, transparency measures, such as public documentation and legal collaboration, uphold accountability and stakeholder trust, demonstrating a commitment to good governance and regulatory compliance.

**Conclusion:** These updates will align the by-laws with the school's legal obligations, and governance best practices, ensuring they serve as an effective framework for guiding the Governing Council's activities.



**GOVERNING COUNCIL**

Regular Meeting of the Albuquerque Aviation Academy Governing Council on  
Friday, February 21, 2025

via Zoom.us & In person at 6441 Ventana Road NW

**BOARD MEMBERS PRESENT**

Jody Meyer, Mike Romo, Roland Dewing, Alex Carothers, Laura Kohr, Farrah Nickerson, and Larry  
Kennedy

**BOARD MEMBERS ABSENT**

none

**ALSO IN ATTENDANCE**

Bridget Barrett, Amanda Catanzaro, Lauren Chavez, Sean Fry and Kelly Callahan

**PUBLIC**

none

These minutes were approved on 3/28/2025

By a vote of 10 yes 0 no 0 absent 0 abstained

[Signature] President  
[Signature] Secretary

**I. Call to Order**

Larry Kennedy called to order the Regular Meeting of the Governing Council for the Albuquerque Aviation Academy for February 21, 2025 at 2:01 PM on Zoom.us and in person.

**A. Roll Call**

Larry Kennedy asked Amanda Catanzaro to call roll. Amanda Catanzaro called Jody Meyer, Mike Romo, Roland Dewing, Alex Carothers, Laura Kohr, Farrah Nickerson (via Zoom), and Larry Kennedy.

**B. Adoption of the Agenda\***

Larry Kennedy requested that the board move the Finance Report to number III following Public Comment. Larry Kennedy asked for a motion to approve the amended agenda. Alex Carothers made a motion to approve the amended agenda. Mike Romo seconded the motion. Larry Kennedy asked Amanda Catanzaro to call roll. Amanda Catanzaro called Jody Meyer, Mike Romo, Roland Dewing, Alex Carothers, Laura Kohr, Farrah Nickerson and Larry Kennedy; all voted yes. The motion carried unanimously.

**C. Review/Approval of Minutes from January 24, 2025 Special Meeting\***

Larry Kennedy asked for a motion to approve the minutes from the January 24, 2025 Special Meeting. Mike Romo made a motion to approve the minutes. Alex Carothers seconded the motion. Larry Kennedy asked Amanda Catanzaro to call roll. Amanda Catanzaro called Jody Meyer, Mike Romo, Roland Dewing, Alex Carothers, Laura Kohr, Farrah Nickerson and Larry Kennedy; all voted yes. The motion carried unanimously.

**II. Public Comment**

Larry Kennedy asked Bridget Barrett and Amanda Catanzaro if there was any public comment. There were no public comments.

**III. Finance Report**

**A. Business Office Operations Update**

Sean Fry appreciates the Governing Council moving the Finance Report earlier in the meeting. The Finance Committee met prior to this meeting and the overall fund balance continues to grow. The current fund balance is \$1,784,760.19.

There was a large distribution again this month, the previous was in December, from Bernalillo County Property Distributions in the amount of \$163,674.84.

#### **B. Voucher Approvals for January 2025\***

Sean Fry presented the January Vouchers and the Finance Committee can support the approval of the January Voucher Approvals. Abnormal expenses were a \$6,198.00 expense to Imagine Learning for the tutoring program, and the \$17,000.00 fraudulent check that the bank has since covered and returned the funds to the account. Next month, the discussion and vote around switching bank accounts and closing the compromised account will be on the agenda.

Larry Kennedy asked for a motion to approve the Bank Vouchers for January 2025. Mike Romo made the motion. Laura Kohr seconded the motion. Larry Kennedy asked Amanda Catanzaro to call roll. Amanda Catanzaro called Jody Meyer, Mike Romo, Roland Dewing, Alex Carothers, Laura Kohr, Farrah Nickerson and Larry Kennedy; all voted yes. The motion carried unanimously.

#### **C. Bank Reconciliation for January 2025\***

Sean Fry presented the January Bank Reconciliation and the Finance Committee can support the approval of the January 2025 Bank Reconciliation. Larry Kennedy asked for a motion to approve. Mike Romo made the motion. Farrah Nickerson seconded the motion. Larry Kennedy asked Amanda Catanzaro to call roll. Amanda Catanzaro called Jody Meyer, Mike Romo, Roland Dewing, Alex Carothers, Laura Kohr, Farrah Nickerson and Larry Kennedy; all voted yes. The motion carried unanimously.

#### **D. AAA FY25 PCT-01\***

Sean Fry shared information regarding a Permanent Cash Transfer from fund 25233 regarding rural location at 4100 Aerospace to Operational in the amount of \$28,160.00. Larry Kennedy asked for a motion to approve. Alex Carothers made the motion. Mike Romo seconded the motion. Larry Kennedy asked Amanda Catanzaro to call roll. Amanda Catanzaro called Jody Meyer, Mike Romo, Roland Dewing, Alex Carothers, Laura Kohr, Farrah Nickerson and Larry Kennedy; all voted yes. The motion carried unanimously.

#### **E. Budget Adjustment Requests\***

Sean Fry presented BAR 2425-11000-0015-I, an increase of \$454,649.00 for adjustment budget to actual cash. BAR 2425-23000-0016-I, an increase of \$3,966.00 for adjustment budget to actual cash to be used for general supplies and materials. BAR 2425-31701-0018-I, an increase of \$35,254.00 for adjustment budget to actual cash in capital outlay to be used for buildings purchase. BAR 2425-31600-0019-I, an increase of \$11,785.00 for capital outlay adjustment budget to actual cash to be used

for lease to purchase. BAR 2425-27109-0020-I, an increase of \$3,935.00 for instruction adjustment budget to actual cash to be used on instructional materials. BAR 2425-31703-0022-I, an increase of \$ 10,604.18 in capital outlay adjustment budget to actual cash to be used on the lease to purchase. BAR 2425-26107-0023-IB, an initial budget of \$10,000.00, a new award from the PEC to be used on pre-authorized attendance incentives.

Larry Kennedy asked for a motion to approve the listed BAR's. Laura Kohr made the motion. Mike Romo seconded the motion. Larry Kennedy asked Amanda Catanzaro to call roll. Amanda Catanzaro called Jody Meyer, Mike Romo, Roland Dewing, Alex Carothers, Laura Kohr, Farrah Nickerson and Larry Kennedy; all voted yes. The motion carried unanimously.

#### **IV. Ongoing Business Matters**

##### **A. Aviation Program Update**

Dr. Lauren Chavez presented that they have not flown since the last board report and continue discussions with the Aviation Committee.

FOA classes are competing against each other to see who can get the most students to pass the FAA exam. AIA students continue to get check-ride ready. In drones, a couple of new drone pilots this year, and several students are planning to take the exam over Spring Break.

Doc provided an update on internships that are going well overall.

Doc is working with Matt Dixon and the team on getting the display plane ready to bring to the school. Last update was that the engineer was working on the mounting system that will be used. The plane has been painted, and we are hoping for a falcon design for the tail of the plane.

Doc reviewed expenses. Discussion around options available to get students in the air.

Alex Carothers asked what the total enrollment is in AIA. Doc stated that AIA and ICA have approximately 25 students in total.

#### **V. Administrative Update**

##### **A. Student Achievement Update**

Bridget Barrett presented that enrollment numbers are down. Reviewed Academics by Enrollment for Edgenuity courses. Greg Leonard continues to work with students doing interventions and the Aviation Academy Challenge will be taking the students who earned the highest tier of a field trip to Main Event in early March. Reviewed Actual Grade Report. Ms. Barrett met the walk-through goal for the month.

Students continue to use the Edgenuity tutoring program which came with a learning curve for students to appropriately interact with live tutors. Roland Dewing asked if there was a report for record of how often the tutoring is being used by students. Ms. Barrett said there was not a report but would check with Edgenuity to see if something is available. Shared that it is used a lot in math. Board discussed wanting to be able to use data for Return on Investment. Ms. Barrett shared that overall students are doing better and using their notes, mini-lessons from teachers, and targeted instruction to improve student success. Discussion regarding Edgenuity moving towards Edge X and the positives that comes from that.

Ms. Barrett shared that Renaissance testing is complete for MOY for 9<sup>th</sup>-11<sup>th</sup> grades and ELL Access Testing is happening right now.

## **VI. New Business Matters**

### **A. Resolution Authorizing the Purchase of an Airplane\***

Larry Kennedy asked about the name of the proposed resolution and changing the name to Albuquerque Aviation Academy Resolution Authorizing the Purchase of an Airplane. Discussion regarding needing something like this in place because Doc will find a plane and it will get undersold while waiting for the process to take place and waiting for GC approval. This resolution allows the school to proceed when they can find an airplane worthy to fit our needs.

Larry Kennedy asked for a motion to approve the Resolution Number 2025 02 21 with the updated name. Alex Carothers made the motion. Mike Romo seconded the motion. Larry Kennedy asked Amanda Catanzaro to call roll. Amanda Catanzaro called Jody Meyer, Mike Romo, Roland Dewing, Alex Carothers, Laura Kohr, Farrah Nickerson and Larry Kennedy; all voted yes. The motion carried unanimously.

### **B. Aircraft Use Agreement\***

Discussion regarding Aircraft Use Agreement for Cessna Cutlass 172RG and Ercoupe 415-C. Noted number change in Ercoupe agreement.

Larry Kennedy asked for a motion to approve the Aircraft Use Agreement for Cessna Cutlass 172RG and Ercoupe 415-C with the updated numbers. Alex Carothers made the motion. Mike Romo seconded the motion. Larry Kennedy asked Bridget Barrett to call roll. Bridget Barrett called Jody Meyer, Mike Romo, Roland Dewing, Alex Carothers, Laura Kohr, Farrah Nickerson and Larry Kennedy; all voted yes. The motion carried unanimously.

### **C. Acceptable Use Policy\***

Discussion regarding Acceptable Use Policy updates.



Larry Kennedy asked for a motion to approve the Acceptable Use Policy amending the original Acceptable Use Agreement having the third sentence of the first paragraph under Albuquerque Aviation Academy Cell Phone/Electronic Device Use read as follows, "Students may use cell phones/electronic devices BEFORE and AFTER school." Farrah Nickerson made the motion. Laura Kohr seconded the motion. Larry Kennedy asked Bridget Barrett to call roll. Bridget Barrett called Jody Meyer, Mike Romo, Roland Dewing, Alex Carothers, Laura Kohr, Farrah Nickerson and Larry Kennedy; all voted yes. The motion carried unanimously.

#### **D. Background Check Policy\***

Discussion regarding Background Check Policy. Kelly Callahan suggested that a piece regarding Duty to Report be added to the policy or be its own policy. Governing Council would like administration to create a Duty to Report policy.

Larry Kennedy asked for a motion to approve the Background Check Policy. Mike Romo made the motion. Farrah Nickerson seconded the motion. Larry Kennedy asked Bridget Barrett to call roll. Bridget Barrett called Jody Meyer, Mike Romo, Roland Dewing, Alex Carothers, Laura Kohr, Farrah Nickerson and Larry Kennedy; all voted yes. The motion carried unanimously.

#### **E. Conflict of Interest and Nepotism Policy\***

Discussion regarding Conflict of Interest and Nepotism Policy.

Larry Kennedy asked for a motion to table the Conflict of Interest and Nepotism Policy. Farrah Nickerson made the motion. Mike Romo seconded the motion. Larry Kennedy asked Bridget Barrett to call roll. Bridget Barrett called Jody Meyer, Mike Romo, Roland Dewing, Alex Carothers, Laura Kohr, Farrah Nickerson and Larry Kennedy; all voted yes. The motion carried unanimously.

#### **F. Drone Activities Policy and Procedures\***

Discussion regarding Drone Activities Policy and Procedures. Discussion about separating policy and procedures into two documents. Purpose, Scope, Policy Statement, and Legal Compliance sections will be the policy and the rest will fall into procedures. Table so document can be modified and brought back to Governing Council.

Larry Kennedy asked for a motion to table the Drone Activities Policy. Farrah Nickerson made the motion. Alex Carothers seconded the motion. Larry Kennedy asked Bridget Barrett to call roll. Bridget Barrett called Jody Meyer, Mike Romo,

Roland Dewing, Alex Carothers, Laura Kohr, Farrah Nickerson and Larry Kennedy; all voted yes. The motion carried unanimously.

#### **G. Foster Care Enrollment Policy\***

Waiting on feedback from attorney regarding this policy. Suggest tabling until next month.

Larry Kennedy asked for a motion to table the Foster Care Enrollment Policy. Alex Carothers made the motion. Laura Kohr seconded the motion. Larry Kennedy asked Bridget Barrett to call roll. Bridget Barrett called Jody Meyer, Mike Romo, Roland Dewing, Alex Carothers, Laura Kohr, Farrah Nickerson and Larry Kennedy; all voted yes. The motion carried unanimously.

#### **H. Fundraising Policy and Procedures\***

Discussion regarding Fundraising Policy and Procedures. Discussion about separating policy and procedures into two documents. Purpose, Policy Statement, Handling of Funds and Consequences for Non-Compliance sections will be the policy and the rest will go into procedures.

Larry Kennedy asked for a motion to table the Fundraising Policy. Mike Romo made the motion. Roland Dewing seconded the motion. Larry Kennedy asked Bridget Barrett to call roll. Bridget Barrett called Jody Meyer, Mike Romo, Roland Dewing, Alex Carothers, Laura Kohr, Farrah Nickerson and Larry Kennedy; all voted yes. The motion carried unanimously.

#### **I. Governing Council Bylaws\***

This was shared at January's Governing Council meeting. Correction of numbers and wording to Article 5.2: Provisions for Resignation of All Governing Council Members.

Larry Kennedy asked for a motion to approve with number and word changes as discussed. Mike Romo made the motion. Alex Carothers seconded the motion. Larry Kennedy asked Bridget Barrett to call roll. Bridget Barrett called Jody Meyer, Mike Romo, Roland Dewing, Alex Carothers, Laura Kohr, Farrah Nickerson and Larry Kennedy; all voted yes. The motion carried unanimously.

#### **J. Lottery Admissions and Enrollment Policy\***

Discussion regarding having pieces of this policy on website and in multiple locations in handbooks but not one comprehensive policy.

Larry Kennedy asked for a motion to approve the Lottery Admissions and Enrollment Policy. Alex Carothers made the motion. Mike Romo seconded the motion. Larry Kennedy asked Bridget Barrett to call roll. Bridget Barrett called Jody Meyer, Mike

Romo, Roland Dewing, Alex Carothers, Laura Kohr, Farrah Nickerson and Larry Kennedy; all voted yes. The motion carried unanimously.

**K. Parent and Family Engagement Policy\***

Discussion regarding Parent and Family Engagement Policy.

Larry Kennedy asked for a motion to approve the Parent and Family Engagement Policy. Farrah Nickerson made the motion. Mike Romo seconded the motion. Larry Kennedy asked Bridget Barrett to call roll. Bridget Barrett called Jody Meyer, Mike Romo, Roland Dewing, Alex Carothers, Laura Kohr, Farrah Nickerson and Larry Kennedy; all voted yes. The motion carried unanimously.

**L. Parent School Compact\***

Discussion that this is not policy and does not require Governing Council approval.

**M. 2029 Cohort Graduation Requirements\***

Discussion comparing 2022-2028 Cohort Graduation to the proposed 2029 Cohort Graduation Requirements. Social Studies credits have gone from 3.5 to 4.0 and Electives changes and the Local Requirements.

Larry Kennedy asked for a motion to approve the 2029 Cohort Graduation Requirements. Mike Romo made the motion. Jody Meyer seconded the motion. Larry Kennedy asked Bridget Barrett to call roll. Bridget Barrett called Jody Meyer, Mike Romo, Roland Dewing, Alex Carothers, Laura Kohr, Farrah Nickerson and Larry Kennedy; all voted yes. The motion carried unanimously.

**N. Panorama Survey Student Results**

Amanda Catanzaro presented the Fall 2024 Results from the Panorama Survey regarding School Climate, School Safety, Self-Efficacy, Self-Management, and Sense of Belonging. This survey compares results from Fall 2023.

**VII. Governing Council Development**

**A. Discussion with Kelly Callahan**

Kelly Callahan shared the Governing Council continues to use best practices.

**VIII. Announcements**

Next regular Governing Council meeting is scheduled for March 28, 2025 due to Spring Break.

**IX. Adjournment\***

Larry Kennedy called for a motion to adjourn. Mike Romo made a motion to adjourn. Laura Kohr seconded the motion. Larry Kennedy asked Amanda Catanzaro to call roll. Amanda Catanzaro called Jody Meyer, Mike Romo, Roland Dewing, Alex Carothers, Laura Kohr, Farrah Nickerson and Larry Kennedy; all voted yes. The motion carried unanimously.

The Regular Meeting of the Governing Council for the Albuquerque Aviation Academy adjourned on February 21, 2025 at 4:03 p.m.





BYLAWS  
OF  
THE GOVERNING COUNCIL OF THE  
  
**Albuquerque Aviation Academy**

**Articles**

**ARTICLE 1: Governing Council Powers and Responsibilities**

The powers and duties of the Governing Council prescribed by the School and the New Mexico Public School Code (including those prescribed in NMSA 1978 §22-8B-4) and all applicable laws and regulations. Complete and final control of all matters pertaining to the school's educational system shall be vested in the Governing Council. The Governing Council of School shall have the following powers and duties:

1. Those powers as set forth in the School charter that are not inconsistent with federal or state laws or constitutions, or as otherwise set forth in the Charter Schools Act, NMSA 1978 §§22-8B-1, et seq.
2. Employ the Head Administrator of School.
3. Delegate administrative and supervisory functions of the Head Administrator of School when appropriate.

4. Approval of the annual budget of anticipated income and expenditures, and direct the preparation of the annual financial audit report in connection with the authorizer's annual audit.
5. Have the capacity to sue or be sued.
6. Contract for services facility leases with any school district, a university or college or any third party for the use of a facility, its operation and maintenance and the provision of any service or activity that School is required to perform in order to carry out the educational program described in its charter.
7. Acquire and dispose of property provided that at the termination of the charter, all assets of the charter shall revert to the authorizer that authorized the charter, unless otherwise amended by law.
8. Accept or reject any charitable gift, grant, device, or bequest not otherwise contrary to law or the terms of the charter.
9. Contract for provision of financial management, food services, education related services or other services.

## **ARTICLE 2: Governing Council Member Authority**

1. **General.** The Governing Council is the governing body of the charter school and is responsible for ensuring the fair and uniform application of all federal, state, and local laws in the operation of the school as well as the school's charter and policies. The school will be operated for the educational benefit of its students. The Governing Council is the policy-making body for the school. The School Governing Council will exercise leadership primarily through the formulation and adoption of policies.
2. **Delegation to the Head Administrator.** The Governing Council shall concern itself primarily with broad questions of policy and with the appraisal of results rather than with administrative detail. The application of policies is an administrative task to be performed by the Head Administrator and designated staff, and they shall be held responsible for the effective implementation of Governing Council policies. The Head Administrator shall be held responsible for keeping the Governing Council informed of all matters within its purview so that the Governing Council can fulfill the above described functions of a governing body. The Head Administrator will have primary responsibility for all aspects of the school's operations and programs, including the day-to-day management and implementation of the school's charter and Governing Council policies. The teachers and staff of School will report to the Head Administrator.
3. **Individual Member's Authority.** A member of the Governing Council is a public officer but has no power or authority individually. The charter vests power in the Governing Council, and not in the members, either individually or otherwise and these powers must be exercised by the Governing Council at a public meeting in regular or special called

meetings, with action duly recorded in its minutes. Direction for the head administrator and staff must come from the Council as a whole. The Council President may communicate with the head administrator as outlined in Article 4.

4. **Binding Authority.** The Governing Council shall not be bound in any way by any action or statement on the part of any individual Governing Council member except when such a statement or action is in pursuance of specific instructions from the Governing Council. Any such exception shall be recorded as an action item of the Governing Council and recorded in the minutes.
5. **Advanced Notice.** The Governing Council recognizes the importance of timely communication among its members and between the Governing Council and the Head Administrator. The Head Administrator or his/her designee will strive to ensure that the Governing Council is given prior notice of matters submitted by members for deliberation at meetings.

### **ARTICLE 3: Suspending or Revoking Policies and Directives**

Any policies of the Governing Council, not specifically prescribed by statute, may be suspended or revoked by a majority vote of the Governing Council.

The Head Administrator of the school may, in the case of emergency, suspend any parts of policies and directives as they pertain to the administration of the school; provided, that the Head Administrator report the facts and reasons for such suspension at the next meeting of the Governing Council and provided that the suspension shall expire at the time of said report unless continued in effect by the Governing Council.

### **ARTICLE 4: Governing Council Membership/Manner of Action**

The Governing Council Members are voluntary and voted on by the current Governing Council. The Albuquerque Aviation Academy Governing Council shall consist of 5 - 9 Members. The quorum is determined as the majority of Governing Council Members on record for this school. In the case of a tie vote, either consensus discussion will be used to determine the outcome or the Governing Council President or presiding Member will remove his or her vote to determine the outcome.

No action of the Governing Council shall be valid unless taken at a meeting at which a quorum as defined herein is present and which has been properly noticed pursuant to the New Mexico Open Meeting Act NMSA (1978) §§10-15-1 et seq.

#### **Governing Council President:**



1. Is elected as set forth in Section ARTICLE 8.
2. Is a Member of the Governing Council.
3. Works in close collaboration with the Head Administrator in achieving the school's mission.
4. Provides leadership to the Governing Council.
5. Chairs meetings of the Governing Council after developing the agenda with the Head Administrator.
6. Designates a Governing Council Member to preside over meetings in the Governing Council President's absence.
7. Encourages the Governing Council role in strategic planning.
8. Helps guide and mediate Governing Council actions with respect to the school's priorities and governance concerns.
9. Reviews with Head Administrator any issues of concern to the Governing Council.
10. Monitors financial planning, financial reports, and academic performance.
11. Plays a lead in formally evaluating the Head Administrator.
12. Participates annually in the required Governing Council training.
13. Performs other responsibilities as assigned by the Governing Council.
14. Serves as the school's ambassador to the community.

### **Governing Council Vice-President**

1. Is elected as set forth in Article 8.
2. Performs duties of Governing Council President if the President is absent.
3. Monitors financial planning, financial reports, and academic performance.
4. Volunteers and willingly accepts assignments and complete them on time.
5. Prepares well for meetings, reviews and comments on minutes and committee reports.
6. Works in good faith to build effective working relationships with other Governing Council members, the Albuquerque Aviation Academy administration and the Albuquerque Aviation Academy Staff.
7. Plays a role in formally evaluating the Head Administrator.
8. Participates annually in required Governing Council training.
9. Performs other responsibilities as assigned by the Governing Council President.
10. Serves as a school ambassador to the community.

## **Governing Council Secretary**

1. Is elected as set forth in Article 8.
2. Keeps the minutes of the Governing Council meetings.
3. Subject to the direction of the President, assures that all notices are given in accordance with the OMA and the Charter.
4. Keep all Governing Council policies as required by law.
5. Countersign, when required, all authorized bonds, contracts, deeds, leases, or other legal instruments.
6. Performs other responsibilities as assigned by the Governing Council President.
7. Works in good faith to build effective working relationships with other Governing Council members, the Albuquerque Aviation Academy administration and the Albuquerque Aviation Academy Staff.
8. Serves as a school ambassador to the community.

The Council may appoint a designee to assist with the responsibilities of the Secretary as described herein, including recording and transcribing the minutes of the meetings, posting notices and agendas, and preparing packets for the Governing Council's review.

## **Governing Council Member**

1. Is an active participant in the Governing Council, by contributing needed hours per month toward Governing Council service. "Active participation" may include, but is not limited to, the following:
  - a. Attending a monthly Governing Council meeting.
  - b. Participating on a Governing Council committee (or committees).
  - c. Reading school- or Governing Council-related material and preparing for meetings.
  - d. Attending events at Albuquerque Aviation Academy, related legislative sessions or events and other tasks as required.
  - e. Attending Governing Council-related training to support more effective governance of the school's operation.
  - f. Monitors financial planning, financial reports, and academic performance.

- g. Works in good faith to build effective working relationships with other Governing Council Members, the Albuquerque Aviation Academy administration and the Albuquerque Aviation Academy staff.
- h. Plays a role in formally evaluating the Head Administrator.
- i. Serves as the school's ambassador to the community.

2. **Board Training Continuing Governing Council Members.** New Mexico Administrative Code § 6.80.5.9 requires specific hourly training requirements as described below for each Governing Council member continuing to serve on the Governing Council beyond the end of their first fiscal year. Training shall be annually completed a governing body training course that consists of, at a minimum, **five (5) hours of training**.

Annual training must meet specific hour requirements:

- a. Laws and department policies and procedures affecting governing bodies or charter schools, including ethics and school personnel
- b. Public school finance, budgeting and fiduciary responsibilities of governing bodies and performance-based budgeting
- c. A governing bodies role in evaluating and improving student academic achievement and using data to set individual school goals for student academic achievement in charter schools
- d. A governing bodies role in providing a safe learning environment conducive to improving student outcomes
- e. Legal concepts pertaining to governing bodies and charter schools, including the Open Meetings Act and the Inspection of Public Records Act
- f. Effective governance practices and effective methods of supporting and supervising a charter school leader
- g. Other matters deemed relevant by the department

Training courses cannot be repeated in consecutive years.

Board members should select and attend training courses based on specific areas of growth within each training area identified above for individual governing bodies or governing body members.

Albuquerque Aviation Academy Governing Council shall comply with all applicable training requirements as mandated by state law. In the event of any changes or amendments to the training requirements set forth in the statute, the Governing Council will adhere to and implement the new rules as prescribes, ensuring that all council members meet the updated training obligations within the required timeframes.

3. **Removal and Resignations:** Each Governing Council Member understands that if three meetings are missed in-person within any consecutive twelve-month period, her or his seat may be vacated by a vote of 50% or greater of Governing Council Members present at the meeting following the third absence, unless it is difficult or impossible for the Governing Council Member to attend. Absences may be accommodated by Governing Council Member participation via teleconference or similar communication equipment under the Open Meetings Act, specifically NMSA 1978, § 10-15-I(C). Furthermore, "difficult or impossible" shall be defined as medical or family emergencies or other similar, unforeseeable instances.

If a Governing Council Member believes that her/his duties can no longer be fulfilled to Albuquerque Aviation Academy and its specific Governing Council, it shall be that Member's responsibility to submit a written resignation as a Member of the Governing Council to the Governing Council President. In the event of a motion to discharge a Governing Council Member from the Governing Council for non-performance of duties, any specific performance issues shall be discussed in closed session as permitted under the Open Meetings Act, NMSA 1978 Section 10-15-I(H). Action on any performance-related issues discussed in closed session shall be conducted in open session.

## **ARTICLE 5: Governing Council Vacancies**

The Albuquerque Aviation Academy Governing Council may appoint a committee to solicit nominations to fill Governing Council vacancies. The committee shall have at least one Member from the Governing Council who shall serve as chair. If the number of Governing Council Members selected to serve on the committee constitute a quorum of the Governing Council, committee meetings must be held in accordance with the Open Meetings Act. The Head Administrator may not serve on the committee.

The Governing Council shall select Governing Council Members for vacant positions by a majority vote. Upon notification of a vacancy, the Governing Council shall obtain nominations by notifying community, business, and/or education leaders, and school families of vacancies on the Governing Council along with a description of the responsibilities of serving as a Member. The notice of vacancy shall be posted on the school's website, bulletin board, and through email to the parents of students.

Interested individuals will be asked to submit their name, qualifications, and reasons for wanting to serve on the Governing Council or to submit the names of other individuals who they believe would be an asset to the Governing Council to the President of the Governing Council. Once candidates have been identified, notice shall be posted on the school's website, bulletin board, and through email to the parents of students, and provided to the candidates, the date and time of the Governing Council meeting at which the position(s) will be voted on by the Governing Council and Candidates will be required to attend the meeting at which an election is held and will be interviewed by the Governing Council in a public session. Only individuals who have no real or apparent conflicts of

interests will be eligible to serve. Nominations must be given to the President or designee of the Governing Council prior to the regular or special Governing Council Meeting at which the vote of the Governing Council shall be made.

## **ARTICLE 5.1: Provisions for Governing Council Membership Below Minimum**

**Minimum Membership Requirement** The Governing Council (GC) shall maintain a minimum of five (5) members as required by law and the school's charter. If the GC falls below the minimum membership:

### **A. Immediate Actions**

1. The President, or in the President's absence, the Vice-President, shall notify the Head Administrator and the school's legal counsel within five (5) business days.
2. The GC shall designate a Recruitment Committee composed of at least two (2) current members to oversee the replacement process.

### **B. Recruitment Process**

1. The Recruitment Committee will:
  - o Advertise the vacancy publicly on the school's website, newsletters, and other appropriate platforms within ten (10) business days of the membership falling below five (5).
  - o Solicit letters of interest from qualified candidates, including a resume and a statement of commitment.
  - o Screen applicants and recommend qualified candidates to the GC.
2. A special meeting will be held within thirty (30) days of the membership falling below five (5) to appoint new members. The remaining GC members shall vote to appoint replacements, ensuring compliance with applicable bylaws and policies.

## **ARTICLE 5.2: Provisions for Full Resignation of the Governing Council Members**

**Interim Governance** If all members of the GC resign simultaneously, the following procedures will apply:

### **A. Head Administrator Responsibility**

1. The Head Administrator will assume responsibility for appointing an interim quorum within five (5) business days of the resignations. The interim quorum shall consist of no fewer than three (3) members who meet the eligibility criteria outlined in these bylaws.

### **B. Interim Quorum Duties**

1. The interim quorum will:

- Convene an emergency meeting within ten (10) business days of their appointment to:
  - a. Review and adopt temporary operating procedures.
  - b. Begin the process of recruiting permanent GC members.
- Follow the approved process for advertising vacancies and soliciting letters of interest from qualified candidates.
- Evaluate applicants and appoint new members as per the procedures outlined in Article 5.

### **C. Transition to Permanent Governance**

#### **1. Interim members may:**

- Remain on the GC if approved by a quorum vote once the GC has reached the minimum membership requirement of five (5).
- Step down upon the successful appointment of permanent members and re-establishment of the full GC.

### **Section 2. Transparency and Documentation**

1. All interim and permanent appointments shall be documented in the meeting minutes and shared publicly to ensure transparency.
2. The Head Administrator and interim quorum shall collaborate with legal counsel to ensure compliance with all state and charter requirements.

### **ARTICLE 5.3: Orientation of New Governing Council Members**

The Governing Council President, or designee, will provide orientation to new Governing Council Members prior to the next regular scheduled Governing Council meeting after the new Governing Council Member has been elected to serve on the Governing Council.

1. Board Training New Governing Council Members. Effective July 1, 2024, within the first fiscal year of service, each new governing body member shall complete a governing body training course that consists of, at a minimum, 10 hours of governing body training that comply with the regulations set forth by PED.

The new governing body training shall include:

- (1) at least two (2) hours covering laws and department policies and procedures affecting governing bodies or charter schools, including ethics and school personnel
- (2) at least two (2) hours covering public school finance, budgeting and fiduciary responsibilities of governing bodies
- (3) at least two (2) hours covering legal concepts pertaining to governing bodies and charter schools, including the Open Meetings Act and the Inspection of Public Records Act

- (4) at least two (2) hours covering effective governance practices and effective methods of supporting and supervising a charter school leader
- (5) at least two (2) hours covering student achievement and student support services
- 2. The mandatory governing body training course(s) shall be completed in one or multiple sessions during the fiscal year.
- 3. Annually, the Governing Council training in each of the areas identified above shall be related to specific areas of growth within each area for individual governing bodies or governing body members based on the annual governing body evaluation.
- 4. It is the responsibility of each Governing Council member to complete the training within the fiscal year.

Albuquerque Aviation Academy Governing Council shall comply with all applicable training requirements as mandated by state law. In the event of any changes or amendments to the training requirements set forth in the statute, the Governing Council will adhere to and implement the new rules as prescribes, ensuring that all council members meet the updated training obligations within the required timeframes.

## **ARTICLE 6: Governing Council Selection of the Head Administrator**

In the event of a vacancy, the Governing Council of Albuquerque Aviation Academy will advertise the position of Head Administrator until a reasonable pool of qualified applicants is obtained. The Governing Council will determine the process for interviewing and selecting a head administrator.

The partial list of selection criteria for the position of Head Administrator are as follows:

- 1. Advanced degree in education with emphasis on alternative education.
- 2. Licensure as a New Mexico licensed school administrator or eligibility for such licensure.
- 3. Successful prior headship or senior administrative experience in charter, private, or public school.
- 4. A demonstrated understanding of charter school education through his/her own experience as a teacher and/or administrator.
- 5. A belief in charter school philosophy and core values, and the ability to effectively and compellingly communicate the school's mission both internally and externally.
- 6. Demonstrated leadership of a successful marketing and enrollment campaign.
- 7. Demonstrated skills and ability to develop and retain an outstanding teaching and administrative staff.

8. Demonstrated skills and ability to develop and maintain academic performance of students.
9. Demonstrated success with budget management and oversight.
10. Impeccable communication and interpersonal skills.

## **ARTICLE 7: Governing Council Member Conflict of Interest**

A Governing Council Member cannot use her or his status as a Governing Council Member, or information obtained in that capacity, for personal gain, but must act in the best interest of the school. Governing Council Members will make known their connections with suppliers or groups doing business with the school.

Governing Council Members are not permitted to act in any way that is inconsistent with the school's vision and mission. Any Member of the Governing Council with an actual or potential conflict of interest shall not be involved in decision-making affecting issues as to which the Member has an actual or potential conflict.

## **ARTICLE 8: Governing Council Organizational Meeting**

The Governing Council shall hold its annual organizational meeting during the first regularly scheduled Governing Council meeting in March or April, unless no incumbent officers remain on the Governing Council at the time a new Governing Council takes office. In this instance, the Governing Council will hold its organizational meeting during the first meeting after the new Governing Council assumes office. Governing Council Members present at the meeting shall elect a President of the Governing Council.

Committee membership is determined in the organizational meeting or during regularly scheduled Governing Council meetings during the year.

## **ARTICLE 9: Governing Council Committees**

The Albuquerque Aviation Academy Governing Council shall establish a Finance Committee and an Audit Committee. The Finance Committee and Audit Committees are sub-committees of the Governing Council and will consist of two Governing Council Members and two

Members of the public. The Audit Committee will consist of two Governing Council Members, one volunteer member with accounting and finance experience, one volunteer parent, the Head Administrator, and CFO. Members of the Finance



Committee may also serve as Members of the Audit Committee. Any Governing Council Member may attend any committee meeting; however, a quorum of the Governing Council is prohibited at all committee meetings unless such meeting is held in accordance with the Open Meetings Act.

The purpose of the Finance Committee is to review monthly with the CFO the financial transactions of the school. The Finance Committee reports monthly regarding this meeting to the Governing Council. The Finance Committee is subject to the provisions of the Open Meetings Act if a quorum is present.

The purpose of the Audit Committee is to ensure that the school's public accountability is maintained. The Audit Committee meets at times required by its function and is subject to the provisions of the Open Meetings Act if a quorum is present.

The Albuquerque Aviation Academy Governing Council may adopt other committees as deemed necessary for the effective operation of the Governing Council and achievement of the charter. Ad hoc committees may be formed as needed to fulfill specific requirements.

The function of the standing committees will be fact-finding, deliberative, and advisory, rather than legislative or administrative. Committee recommendations will be made to the whole Governing Council, which alone may take action by the committee or by the administration.

## **ARTICLE 10: Governing Council Meetings**

Regular meetings of the Governing Council will be held at a time and place designated by the Governing Council and published on the school website, [www.abqaviation.com](http://www.abqaviation.com), and broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have provided a written request for notice of the meetings. Regular meetings of the Governing Council will be held at a time and place designated by the Governing Council's current Open Meetings Act Resolution. The date of a regular meeting may be changed by action of the Governing Council as provided by law, provided that every Governing Council Member and the public are notified.

## **ARTICLE 11: Governing Council Meeting Agenda**

The agenda for any Governing Council meeting shall be approved by the Governing Council President and the Head Administrator. The Governing Council reserves the right to add or delete items at the meeting that are from persons other than Governing Council Members, subject to the limits of the Open Meetings Act, NMSA 1978, §§ 10- 151 et seq. A written request that an item be included on the Governing Council agenda must be filed in the office of the Head Administrator at least seven (7) calendar days prior to the publication of the agenda. Such requests must include in writing, all statements and materials the person anticipates presenting. This does not limit any person's right to speak during the public comment portion of each meeting. Standing agenda items shall also include:

- Student Achievement Report
- Finance Report
- Aviation Program Report

The agenda will be posted 72 hours prior to the meeting pursuant to the Open Meetings Act NMSA 1978 §§10-15-1 et seq.

## **ARTICLE 12: Addressing the Governing Council**

Any person may formally address the Governing Council during the "public comment" session of a regularly scheduled Governing Council meeting, provided "public comment" is included on the Governing Council agenda. The Governing Council President reserves the right to amend the public comment session. The process to request to address the Council in "public comment" is outlined on each public agenda pursuant to Council policy.

## **ARTICLE 13: Governing Council Minutes**

A record of all actions of the Governing Council will be set forth in the official minutes of the Governing Council. The minutes shall be kept on file at the school and published on the Albuquerque Aviation Academy website. Recordings of the Governing Council meetings shall be posted on the school's website within one week of the meeting's conclusion and publicly available.

## **ARTICLE 14: Policy Adoption**

Adoption of new policies or the revision or repeal of existing policies is solely the responsibility of the Governing Council. Staff members, students, civic groups, or individual citizens may request that the Head Administrator propose a policy provided the request is submitted pursuant to Article 11 above.

## **ARTICLE 15: Parliamentary Authority**

Roberts' Rules of Order will govern the Governing Council, except where otherwise required by law. Although most items are handled by appropriate motion procedures, consensus action is also used. Actual procedures will be left to the discretion of the Governing Council President or Committee chairs.

## **ARTICLE 16: Complaint Procedure**

See Albuquerque Aviation Academy Conflict Resolution Policy

## **ARTICLE 17: Governing Council Self-Assessment**

The Albuquerque Aviation Academy Governing Council will annually assess its governance actions and output to determine strategic goals for the Council.



BYLAWS  
OF  
THE GOVERNING COUNCIL OF THE  
  
**Albuquerque Aviation Academy**

**Articles**

**ARTICLE 1: Governing Council Powers and Responsibilities**

The powers and duties of the Governing Council prescribed by the School and the New Mexico Public School Code (including those prescribed in NMSA 1978 §22-8B-4) and all applicable laws and regulations. Complete and final control of all matters pertaining to the school's educational system shall be vested in the Governing Council. The Governing Council of School shall have the following powers and duties:

1. Those powers as set forth in the School charter that are not inconsistent with federal or state laws or constitutions, or as otherwise set forth in the Charter Schools Act, NMSA 1978 §§22-8B-1, et seq.
2. Employ the Head Administrator of School.
3. Delegate administrative and supervisory functions of the Head Administrator of School when appropriate.

4. Approval of the annual budget of anticipated income and expenditures, and direct the preparation of the annual financial audit report in connection with the authorizer's annual audit.
5. Have the capacity to sue or be sued.
6. Contract for services facility leases with any school district, a university or college or any third party for the use of a facility, its operation and maintenance and the provision of any service or activity that School is required to perform in order to carry out the educational program described in its charter.
7. Acquire and dispose of property provided that at the termination of the charter, all assets of the charter shall revert to the authorizer that authorized the charter, unless otherwise amended by law.
8. Accept or reject any charitable gift, grant, device, or bequest not otherwise contrary to law or the terms of the charter.
9. Contract for provision of financial management, food services, education related services or other services.

## **ARTICLE 2: Governing Council Member Authority**

1. **General.** The Governing Council is the governing body of the charter school and is responsible for ensuring the fair and uniform application of all federal, state, and local laws in the operation of the school as well as the school's charter and policies. The school will be operated for the educational benefit of its students. The Governing Council is the policy-making body for the school. The School Governing Council will exercise leadership primarily through the formulation and adoption of policies.
2. **Delegation to the Head Administrator.** The Governing Council shall concern itself primarily with broad questions of policy and with the appraisal of results rather than with administrative detail. The application of policies is an administrative task to be performed by the Head Administrator and designated staff, and they shall be held responsible for the effective implementation of Governing Council policies. The Head Administrator shall be held responsible for keeping the Governing Council informed of all matters within its purview so that the Governing Council can fulfill the above described functions of a governing body. The Head Administrator will have primary responsibility for all aspects of the school's operations and programs, including the day-to-day management and implementation of the school's charter and Governing Council policies. The teachers and staff of School will report to the Head Administrator.
3. **Individual Member's Authority.** A member of the Governing Council is a public officer but has no power or authority individually. The charter vests power in the Governing Council, and not in the members, either individually or otherwise and these powers must be exercised by the Governing Council at a public meeting in regular or special called meetings, with action duly recorded in its minutes. Direction for the head administrator

and staff must come from the Council as a whole. The Council President may communicate with the head administrator as outlined in Article 4.

4. **Binding Authority.** The Governing Council shall not be bound in any way by any action or statement on the part of any individual Governing Council member except when such a statement or action is in pursuance of specific instructions from the Governing Council. Any such exception shall be recorded as an action item of the Governing Council and recorded in the minutes.
5. **Advanced Notice.** The Governing Council recognizes the importance of timely communication among its members and between the Governing Council and the Head Administrator. The Head Administrator or his/her designee will strive to ensure that the Governing Council is given prior notice of matters submitted by members for deliberation at meetings.

### **ARTICLE 3: Suspending or Revoking Policies and Directives**

Any policies of the Governing Council, not specifically prescribed by statute, may be suspended or revoked by a majority vote of the Governing Council.

The Head Administrator of the school may, in the case of emergency, suspend any parts of policies and directives as they pertain to the administration of the school; provided, that the Head Administrator report the facts and reasons for such suspension at the next meeting of the Governing Council and provided that the suspension shall expire at the time of said report unless continued in effect by the Governing Council.

### **ARTICLE 4: Governing Council Membership/Manner of Action**

The Governing Council Members are voluntary and voted on by the current Governing Council. The Albuquerque Aviation Academy Governing Council shall consist of 5 - 9 Members. The quorum is determined as the majority of Governing Council Members on record for this school. In the case of a tie vote, either consensus discussion will be used to determine the outcome or the Governing Council President or presiding Member will remove his or her vote to determine the outcome.

No action of the Governing Council shall be valid unless taken at a meeting at which a quorum as defined herein is present and which has been properly noticed pursuant to the New Mexico Open Meeting Act NMSA (1978) §§10-15-1 et seq.

#### **Governing Council President:**

1. Is elected as set forth in Section ARTICLE 8.

2. Is a Member of the Governing Council.
3. Works in close collaboration with the Head Administrator in achieving the school's mission.
4. Provides leadership to the Governing Council.
5. Chairs meetings of the Governing Council after developing the agenda with the Head Administrator.
6. Designates a Governing Council Member to preside over meetings in the Governing Council President's absence.
7. Encourages the Governing Council role in strategic planning.
8. Helps guide and mediate Governing Council actions with respect to the school's priorities and governance concerns.
9. Reviews with Head Administrator any issues of concern to the Governing Council.
10. Monitors financial planning, financial reports, and academic performance.
11. Plays a lead in formally evaluating the Head Administrator.
12. Participates annually in the required Governing Council training.
13. Performs other responsibilities as assigned by the Governing Council.
14. Serves as the school's ambassador to the community.

### **Governing Council Vice-President**

1. Is elected as set forth in Article 8.
2. Performs duties of Governing Council President if the President is absent.
3. Monitors financial planning, financial reports, and academic performance.
4. Volunteers and willingly accepts assignments and complete them on time.
5. Prepares well for meetings, reviews and comments on minutes and committee reports.
6. Works in good faith to build effective working relationships with other Governing Council members, the Albuquerque Aviation Academy administration and the Albuquerque Aviation Academy Staff.
7. Plays a role in formally evaluating the Head Administrator.
8. Participates annually in required Governing Council training.
9. Performs other responsibilities as assigned by the Governing Council President.
10. Serves as a school ambassador to the community.

## **Governing Council Secretary**

1. Is elected as set forth in Article 8.
2. Keeps the minutes of the Governing Council meetings.
3. Subject to the direction of the President, assures that all notices are given in accordance with the OMA and the Charter.
4. Keep all Governing Council policies as required by law.
5. Countersign, when required, all authorized bonds, contracts, deeds, leases, or other legal instruments.
6. Performs other responsibilities as assigned by the Governing Council President.
7. Works in good faith to build effective working relationships with other Governing Council members, the Albuquerque Aviation Academy administration and the Albuquerque Aviation Academy Staff.
8. Serves as a school ambassador to the community.

The Council may appoint a designee to assist with the responsibilities of the Secretary as described herein, including recording and transcribing the minutes of the meetings, posting notices and agendas, and preparing packets for the Governing Council's review.

## **Governing Council Member**

1. Is an active participant in the Governing Council, by contributing needed hours per month toward Governing Council service. "Active participation" may include, but is not limited to, the following:
  - a. Attending a monthly Governing Council meeting.
  - b. Participating on a Governing Council committee (or committees).
  - c. Reading school- or Governing Council-related material and preparing for meetings.
  - d. Attending events at Albuquerque Aviation Academy, related legislative sessions or events and other tasks as required.
  - e. Attending Governing Council-related training to support more effective governance of the school's operation.
  - f. Monitors financial planning, financial reports, and academic performance.
  - g. Works in good faith to build effective working relationships with other Governing Council Members, the Albuquerque Aviation Academy administration and the Albuquerque Aviation Academy staff.
  - h. Plays a role in formally evaluating the Head Administrator.



i. Serves as the school's ambassador to the community.

2. **Board Training Continuing Governing Council Members.** New Mexico Administrative Code § 6.80.5.9 requires specific hourly training requirements as described below for each Governing Council member continuing to serve on the Governing Council beyond the end of their first fiscal year. Training shall be annually completed a governing body training course that consists of, at a minimum, **five (5) hours of training.**

Annual training must meet specific hour requirements:

- a. Laws and department policies and procedures affecting governing bodies or charter schools, including ethics and school personnel
- b. Public school finance, budgeting and fiduciary responsibilities of governing bodies and performance-based budgeting
- c. A governing bodies role in evaluating and improving student academic achievement and using data to set individual school goals for student academic achievement in charter schools
- d. A governing bodies role in providing a safe learning environment conducive to improving student outcomes
- e. Legal concepts pertaining to governing bodies and charter schools, including the Open Meetings Act and the Inspection of Public Records Act
- f. Effective governance practices and effective methods of supporting and supervising a charter school leader
- g. Other matters deemed relevant by the department

Training courses cannot be repeated in consecutive years.

Board members should select and attend training courses based on specific areas of growth within each training area identified above for individual governing bodies or governing body members.

Albuquerque Aviation Academy Governing Council shall comply with all applicable training requirements as mandated by state law. In the event of any changes or amendments to the training requirements set forth in the statute, the Governing Council will adhere to and implement the new rules as prescribes, ensuring that all council members meet the updated training obligations within the required timeframes.

3. **Removal and Resignations:** Each Governing Council Member understands that if three meetings are missed in-person within any consecutive twelve-month period, her or his seat may be vacated by a vote of 50% or greater of Governing Council Members present at the meeting following the third absence, unless it is difficult or impossible for

the Governing Council Member to attend. Absences may be accommodated by Governing Council Member participation via teleconference or similar communication equipment under the Open Meetings Act, specifically NMSA 1978, § 10-15-I(C). Furthermore, "difficult or impossible" shall be defined as medical or family emergencies or other similar, unforeseeable instances.

If a Governing Council Member believes that her/his duties can no longer be fulfilled to Albuquerque Aviation Academy and its specific Governing Council, it shall be that Member's responsibility to submit a written resignation as a Member of the Governing Council to the Governing Council President. In the event of a motion to discharge a Governing Council Member from the Governing Council for non-performance of duties, any specific performance issues shall be discussed in closed session as permitted under the Open Meetings Act, NMSA 1978 Section 10-15-I(H). Action on any performance-related issues discussed in closed session shall be conducted in open session.

## **ARTICLE 5: Governing Council Vacancies**

The Albuquerque Aviation Academy Governing Council may appoint a committee to solicit nominations to fill Governing Council vacancies. The committee shall have at least one Member from the Governing Council who shall serve as chair. If the number of Governing Council Members selected to serve on the committee constitute a quorum of the Governing Council, committee meetings must be held in accordance with the Open Meetings Act. The Head Administrator may not serve on the committee.

The Governing Council shall select Governing Council Members for vacant positions by a majority vote. Upon notification of a vacancy, the Governing Council shall obtain nominations by notifying community, business, and/or education leaders, and school families of vacancies on the Governing Council along with a description of the responsibilities of serving as a Member. The notice of vacancy shall be posted on the school's website, bulletin board, and through email to the parents of students.

Interested individuals will be asked to submit their name, qualifications, and reasons for wanting to serve on the Governing Council or to submit the names of other individuals who they believe would be an asset to the Governing Council to the President of the Governing Council. Once candidates have been identified, notice shall be posted on the school's website, bulletin board, and through email to the parents of students, and provided to the candidates, the date and time of the Governing Council meeting at which the position(s) will be voted on by the Governing Council and Candidates will be required to attend the meeting at which an election is held and will be interviewed by the Governing Council in a public session. Only individuals who have no real or apparent conflicts of interests will be eligible to serve. Nominations must be given to the President or designee of the Governing Council prior to the regular or special Governing Council Meeting at which the vote of the Governing Council shall be made.

### **ARTICLE 5.1: Provisions for Governing Council Membership Below Minimum**

**Minimum Membership Requirement** The Governing Council (GC) shall maintain a minimum of five (5) members as required by law and the school's charter. If the GC falls below the minimum membership:

#### **A. Immediate Actions**

1. The President, or in the President's absence, the Vice-President, shall notify the Head Administrator and the school's legal counsel within five (5) business days.
2. The GC shall designate a Recruitment Committee composed of at least two (2) current members to oversee the replacement process.

#### **B. Recruitment Process**

1. The Recruitment Committee will:
  - o Advertise the vacancy publicly on the school's website, newsletters, and other appropriate platforms within ten (10) business days of the membership falling below five (5).
  - o Solicit letters of interest from qualified candidates, including a resume and a statement of commitment.
  - o Screen applicants and recommend qualified candidates to the GC.
2. A special meeting will be held within thirty (30) days of the membership falling below five (5) to appoint new members. The remaining GC members shall vote to appoint replacements, ensuring compliance with applicable bylaws and policies.

### **ARTICLE 5.2: Provisions for Resignation of All Governing Council Members**

**Interim Governance** If all members of the GC resign simultaneously, the following procedures will apply:

#### **A. Head Administrator Responsibility**

1. The Head Administrator will assume responsibility for appointing an interim quorum within five (5) business days of the resignations. The interim quorum shall consist of no fewer than three (3) members who meet the eligibility criteria outlined in these bylaws.

#### **B. Interim Quorum Duties**

1. The interim quorum will:
  - o Convene an emergency meeting within ten (10) business days of their appointment to:
    - a. Review and adopt temporary operating procedures.
    - b. Begin the process of recruiting permanent GC members.
  - o Follow the approved process for advertising vacancies and soliciting letters of interest from qualified candidates.
  - o Evaluate applicants and appoint new members as per the procedures outlined in Article 5.

## **C. Transition to Permanent Governance**

1. Interim members may:
  - Remain on the GC if approved by a quorum vote once the GC has reached the minimum membership requirement of five (5).
  - Step down upon the successful appointment of permanent members and re-establishment of the full GC.

## **Section 2. Transparency and Documentation**

1. All interim and permanent appointments shall be documented in the meeting minutes and shared publicly to ensure transparency.
2. The Head Administrator and interim quorum shall collaborate with legal counsel to ensure compliance with all state and charter requirements.

## **ARTICLE 5.3: Orientation of New Governing Council Members**

The Governing Council President, or designee, will provide orientation to new Governing Council Members prior to the next regular scheduled Governing Council meeting after the new Governing Council Member has been elected to serve on the Governing Council.

1. Board Training New Governing Council Members. Effective July 1, 2024, within the first fiscal year of service, each new governing body member shall complete a governing body training course that consists of, at a minimum, 10 hours of governing body training that comply with the regulations set forth by PED.  
  
The new governing body training shall include:
  - (1) at least two (2) hours covering laws and department policies and procedures affecting governing bodies or charter schools, including ethics and school personnel
  - (2) at least two (2) hours covering public school finance, budgeting and fiduciary responsibilities of governing bodies
  - (3) at least two (2) hours covering legal concepts pertaining to governing bodies and charter schools, including the Open Meetings Act and the Inspection of Public Records Act
  - (4) at least two (2) hours covering effective governance practices and effective methods of supporting and supervising a charter school leader
  - (5) at least two (2) hours covering student achievement and student support services
2. The mandatory governing body training course(s) shall be completed in one or multiple sessions during the fiscal year.

3. Annually, the Governing Council training in each of the areas identified above shall be related to specific areas of growth within each area for individual governing bodies or governing body members based on the annual governing body evaluation.
4. It is the responsibility of each Governing Council member to complete the training within the fiscal year.

Albuquerque Aviation Academy Governing Council shall comply with all applicable training requirements as mandated by state law. In the event of any changes or amendments to the training requirements set forth in the statute, the Governing Council will adhere to and implement the new rules as prescribes, ensuring that all council members meet the updated training obligations within the required timeframes.

## **ARTICLE 6: Governing Council Selection of the Head Administrator**

In the event of a vacancy, the Governing Council of Albuquerque Aviation Academy will advertise the position of Head Administrator until a reasonable pool of qualified applicants is obtained. The Governing Council will determine the process for interviewing and selecting a head administrator.

The partial list of selection criteria for the position of Head Administrator are as follows:

1. Advanced degree in education with emphasis on alternative education.
2. Licensure as a New Mexico licensed school administrator or eligibility for such licensure.
3. Successful prior headship or senior administrative experience in charter, private, or public school.
4. A demonstrated understanding of charter school education through his/her own experience as a teacher and/or administrator.
5. A belief in charter school philosophy and core values, and the ability to effectively and compellingly communicate the school's mission both internally and externally.
6. Demonstrated leadership of a successful marketing and enrollment campaign.
7. Demonstrated skills and ability to develop and retain an outstanding teaching and administrative staff.
8. Demonstrated skills and ability to develop and maintain academic performance of students.
9. Demonstrated success with budget management and oversight.
10. Impeccable communication and interpersonal skills.

## **ARTICLE 7: Governing Council Member Conflict of Interest**

A Governing Council Member cannot use her or his status as a Governing Council Member, or information obtained in that capacity, for personal gain, but must act in the best interest of the school. Governing Council Members will make known their connections with suppliers or groups doing business with the school.

Governing Council Members are not permitted to act in any way that is inconsistent with the school's vision and mission. Any Member of the Governing Council with an actual or potential conflict of interest shall not be involved in decision-making affecting issues as to which the Member has an actual or potential conflict.

## **ARTICLE 8: Governing Council Organizational Meeting**

The Governing Council shall hold its annual organizational meeting during the first regularly scheduled Governing Council meeting in March or April, unless no incumbent officers remain on the Governing Council at the time a new Governing Council takes office. In this instance, the Governing Council will hold its organizational meeting during the first meeting after the new Governing Council assumes office. Governing Council Members present at the meeting shall elect a President of the Governing Council.

Committee membership is determined in the organizational meeting or during regularly scheduled Governing Council meetings during the year.

## **ARTICLE 9: Governing Council Committees**

The Albuquerque Aviation Academy Governing Council shall establish a Finance Committee and an Audit Committee. The Finance Committee and Audit Committees are sub-committees of the Governing Council and will consist of two Governing Council Members and two

Members of the public. The Audit Committee will consist of two Governing Council Members, one volunteer member with accounting and finance experience, one volunteer parent, the Head Administrator, and CFO. Members of the Finance

Committee may also serve as Members of the Audit Committee. Any Governing Council Member may attend any committee meeting; however, a quorum of the Governing Council is prohibited at all committee meetings unless such meeting is held in accordance with the Open Meetings Act.

The purpose of the Finance Committee is to review monthly with the CFO the financial transactions of the school. The Finance Committee reports monthly regarding this meeting to the Governing Council. The Finance Committee is subject to the provisions of the Open Meetings Act if a quorum is present.

The purpose of the Audit Committee is to ensure that the school's public accountability is maintained. The Audit Committee meets at times required by its function and is subject to the provisions of the Open Meetings Act if a quorum is present.

The Albuquerque Aviation Academy Governing Council may adopt other committees as deemed necessary for the effective operation of the Governing Council and achievement of the charter. Ad hoc committees may be formed as needed to fulfill specific requirements.

The function of the standing committees will be fact-finding, deliberative, and advisory, rather than legislative or administrative. Committee recommendations will be made to the whole Governing Council, which alone may take action by the committee or by the administration.

## **ARTICLE 10: Governing Council Meetings**

Regular meetings of the Governing Council will be held at a time and place designated by the Governing Council and published on the school website, [www.abqaviation.com](http://www.abqaviation.com), and broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have provided a written request for notice of the meetings. Regular meetings of the Governing Council will be held at a time and place designated by the Governing Council's current Open Meetings Act Resolution. The date of a regular meeting may be changed by action of the Governing Council as provided by law, provided that every Governing Council Member and the public are notified.

## **ARTICLE 11: Governing Council Meeting Agenda**

The agenda for any Governing Council meeting shall be approved by the Governing Council President and the Head Administrator. The Governing Council reserves the right to add or delete items at the meeting that are from persons other than Governing Council Members, subject to the limits of the Open Meetings Act, NMSA 1978, §§ 10- 151 et seq. A written request that an item be included on the Governing Council agenda must be filed in the office of the Head Administrator at least seven (7) calendar days prior to the publication of the agenda. Such requests must include in writing, all statements and materials the person anticipates presenting. This does not limit any person's right to speak during the public comment portion of each meeting. Standing agenda items shall also include:

- Student Achievement Report
- Finance Report
- Aviation Program Report

The agenda will be posted 72 hours prior to the meeting pursuant to the Open Meetings Act NMSA 1978 §§10-15-1 et seq.



## **ARTICLE 12: Addressing the Governing Council**

Any person may formally address the Governing Council during the "public comment" session of a regularly scheduled Governing Council meeting, provided "public comment" is included on the Governing Council agenda. The Governing Council President reserves the right to amend the public comment session. The process to request to address the Council in "public comment" is outlined on each public agenda pursuant to Council policy.

## **ARTICLE 13: Governing Council Minutes**

A record of all actions of the Governing Council will be set forth in the official minutes of the Governing Council. The minutes shall be kept on file at the school and published on the Albuquerque Aviation Academy website. Recordings of the Governing Council meetings shall be posted on the school's website within one week of the meeting's conclusion and publicly available.

## **ARTICLE 14: Policy Adoption**

Adoption of new policies or the revision or repeal of existing policies is solely the responsibility of the Governing Council. Staff members, students, civic groups, or individual citizens may request that the Head Administrator propose a policy provided the request is submitted pursuant to Article 11 above.

## **ARTICLE 15: Parliamentary Authority**

Roberts' Rules of Order will govern the Governing Council, except where otherwise required by law. Although most items are handled by appropriate motion procedures, consensus action is also used. Actual procedures will be left to the discretion of the Governing Council President or Committee chairs.

## **ARTICLE 16: Complaint Procedure**

See Albuquerque Aviation Academy Conflict Resolution Policy

## **ARTICLE 17: Governing Council Self-Assessment**



The Albuquerque Aviation Academy Governing Council will annually assess its governance actions and output to determine strategic goals for the Council.