

Governing Body By-Laws 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 McCurdy Charter School, hereafter "the school," effective on 2/26/2025.

Current section & language in school's Governing Body By-Laws which will be changed or replaced (can refer to red-line copy provided): Refer to redline copy: II.L, III.E, V.A.5, V.B, VI

New section & language to change or replace what is provided above (can refer to red-line copy provided): Refer to redline copy: II.L, III.E, V.A.5, V.B, VI

Effective Date: 2/26/2025

The school's notification is hereby submitted by:

Signature of School Representative:  Date: 4-24-2025

Signature of Governing Board Chair: 
Chris Martinez (May 3, 2025 09:13 MDT) Date: 05/02/20

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: _____

McCURDY CHARTER SCHOOL

*Education rooted in: Academic Excellence and Achievement •
Character Development and Awareness • Community Engagement and Leadership*

April 24, 2025

Public Education Commission

RE: Bylaws change and rationale

The Governance Board of McCurdy Charter School has reviewed and updated their bylaws. The following sections were updated, and a brief description of the change and rationale is provided:

- II.L: Updated procedure for filling vacancies if the board falls below 3 members, or if all members resign. Updated upon request of the PEC.
- III.E: Minor change allowing online appearance by a board member, aligning with OMA guidelines.
- V.A.5: Removal of the School Advisory Committee, which is no longer in practice at the school and whose purpose is being fulfilled by the school PTA, Equity Council, and other groups as appropriate. The School Advisory Committee was previously identified in the charter contract, but has not been in several years.
- V.B: Minor change to align with updates to V.A.5
- VI: Clarification of Director Selection requirements with minor changes more aligned to the preferred qualifications of the MCS Director.

Please let me know if further clarification of these items is required.

Best regards,



Sarah Tario, Director
director@mcsk12nm.org

MCCURDY CHARTER SCHOOL GOVERNANCE BOARD BYLAWS

I. ORGANIZATION

I.A. Governance Board of McCurdy Charter School

The name of the organization is McCurdy Charter School (MCS), a charter school authorized by the State of New Mexico. McCurdy Charter School will be governed pursuant to the Bylaws adopted by its Governance Board.

The Governance Board will be structured in direct alignment with the MCS mission, which is stated as...

The mission of McCurdy Charter School is to provide a safe learning environment for the students of Northern New Mexico: an environment that recognizes education is rooted in academic excellence and achievement, character development and awareness, and community engagement and leadership.

I.B. Address of McCurdy Charter School

The primary address of McCurdy Charter School is 515 Camino Arbolera, Espanola, New Mexico 87532. The point of contact for MCS is the Director, 515 Camino Arbolera, Espanola, New Mexico 87532.

I.C. Purpose of MCS Governance Board

McCurdy Charter School is organized under the laws of the State of New Mexico and its purposes are exclusively educational.

The major roles and responsibilities of MCS's Governance Board are to:

- Ensure that the MCS mission is implemented thoroughly,
- Establish and approve all major operational policies,
- Approve the School's annual budget,
- Oversee the School's fiscal affairs,
- Approve all major contracts, and
- Select and evaluate the Director.

I.D. Objectives of MCS Governance Board

The objectives of the Board are to:

- Ensure progress towards achieving the mission of McCurdy Charter School.
- Ensure that the mission remains the constant driving force of MCS
- Ensure internal oversight and accountability
- Increase opportunities for parent involvement
- Give a voice to all interested parties

I.E. Roles of MCS Governance Board

The role of each member of the Governance Board is to:

- Support McCurdy Charter School's mission
- Consider and act on policies for the School program
- Ensure effective organizational planning both immediate and long term
- Enhance the public standing of MCS
- Ensure the School's integrity both legally and ethically
- Maintain accountability and transparency
- Work collaboratively to ensure that the School's resources are managed effectively
- Consider and adopt an annual budget recommended by the Director
- Evaluate financial reports from the Director that will reflect the financial standing of MCS
- Work collaboratively with the staff and parents to ensure adequate resources

- Perform specific duties imposed upon the Board by the statutes and regulations of the New Mexico Public Education Department
- Hire, support and evaluate the Director

I.F. Statute and Code

McCurdy Charter School shall operate in accordance with the New Mexico Charter School Act, NMSA 1978, Section 22-8B-1 through 22-8B-17.1 et seq., the relevant sections of the New Mexico Administrative Code, including NMAC 6.80.4, and all other laws and regulations applicable to the operation of charter public schools in the State of New Mexico.

I.G. Non-discrimination:

McCurdy Charter School shall not discriminate on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, age or need for special education services in either the hiring and other employment practices of the school or in its admission policies for students. Further, McCurdy Charter School shall be open to all students in its authorized geographic area on a space available basis and shall not discriminate in its admission policies or practices. McCurdy Charter School shall conduct all of its activities in accordance with all applicable local, state, and federal anti-discrimination laws, as well as in accordance with all other laws and regulations applicable to the operation of charter public schools in the State of New Mexico.

II. MEMBERSHIP

II.A. Number of MCS Governance Board Members

The Board will govern with five (5) to seven (7) voting members, satisfying the statutory requirements of NMSA 1978, Section 22.8B.1. as determined unanimously by the Board on June 6, 2019.

II.B. Term and term limits MCS Governance Board Members

The commitment of voting board members shall be three years. In order to preserve institutional knowledge and continuity, there is no limit on the number of terms that founding members may serve. Non-founding members will have a commitment of three years for maximum of three consecutive terms. Board member terms shall begin at the Board meeting immediately following their approval by the Board.

II.C. Qualification and Diversity

- Employees or students of McCurdy Charter School are not eligible to serve on the Governance Board.
- No member of the MCS Governance Board shall be a member of any other charter school governance board.
- A majority of the members of the Governance Board shall be residents of the County of Santa Fe, the County of Los Alamos, or the County of Rio Arriba, New Mexico.
- Each member of the MCS Governance Board shall be at least twenty-one years old and shall not have been convicted of any felony or any crime against a child, regardless of degree.
- Each member of the MCS Governance Board shall complete and sign a Conflict of Interest statement prior to accepting a position on the Governance Board, and annually thereafter. Additionally, each member agrees to abide by the McCurdy Charter School Conflict of Interest Policy and Code of Ethics.

II.D. Expectations

Each member of the Board is expected to:

- support the MCS mission.
- attend all meetings,
- serve on committees, and

- participate in all MCS trainings and fulfill the annual training hours required by PED.

All Board members are expected to be familiar with the following key documents and provisions of New Mexico laws:

- The Charter of McCurdy Charter School, which acts as the contract between the state of New Mexico as the authorizing agent and the school
- The MCS Governance Board Bylaws
- Charter School Act (NMSA 1978, Section 22.8B.1 et. seq.)
- School Personnel Act (NMSA 1978, Section 22.10A.1 et. seq.)
- Procurement Code (NMSA 1978, Section 13.1.1 et. seq.)
- Open Meetings Act (NMSA 1978, Section 10.15.1 et. seq.)
- Public School Finance Act (NMSA 1978, Section 22.8.1 et. seq.)
- Applicable rules and regulations issued by the New Mexico PED.

II.E. Authority

Each member of the Board is a public officer, but has no power or authority individually. The charter vests power in the Board, and not in the members, either individually or otherwise and these powers must be exercised by the Board at a public meeting in regular or special called meetings, with action duly recorded in its minutes.

The Board shall not be bound in any way by any action or statement on the part of any individual Board member except when such statement or action is in pursuance of specific instructions from the Board. Any such exception shall be recorded as an action item of the Board and recorded in the minutes.

II.F. General Powers and Duties

The powers and duties of the Board are prescribed by the MCS Charter, the New Mexico Charter Schools Act and all other applicable laws and regulations. Complete and final control of all matters pertaining to the school's educational system shall be vested in the Board.

The Board of MCS shall have the following powers and duties:

- Employ the Director;
- Delegate administrative and supervisory functions of the Director when appropriate;
- Approve the annual budget of anticipated income and expenditures;
- Maintain the capacity to sue or be sued;
- Contract for services and 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 MCS is required to perform in order to carry out the educational program described in its charter.
- Acquire and dispose of property provided that at the termination of the charter, all assets of the charter shall revert to the entity that authorized the charter, unless otherwise amended by law.
- Accept or reject any charitable gift, grant, devise or bequest not otherwise contrary to law or the terms of the charter.
- Contract for provision of financial management, food services, education related services or other services.
- The Board shall approve the Director's employment contract.
- The Board will adhere to all New Mexico State laws regarding procurement processes and procedures as notated in the MCS Procurement Process Policies.
- The Board shall keep accurate and complete books and records of the actions of the Board, which records shall be open to inspection by the members of the Board at any time, or members of the public in compliance with the Open Meetings Act NMSA 1978 Section 10.15.1 et seq.

II.G. Conflict of Interest Policy

Each Board member must agree to abide by the MCS Conflict of Interest Policy adopted by the Board. Each Board member agrees to complete and sign a Disclosure of Conflicts of Interest statement prior to accepting his/her position on the Board, and annually updating the disclosure statement. Likewise, each Board member shall immediately notify the Chairperson when he or she becomes aware than an actual or potential conflict may exist.

It shall be the duty of each Board member to voluntarily excuse him/herself from discussions of confidential information and abstain from voting on matters in which the Board member has a personal or financial interest, including an interest by a member of the Board's immediate family, or where the Board's participation will or may compromise the confidential nature of the discussion. Failure to voluntarily remove himself/herself from such conflicts of interest may result in a vote to remove the member from the Board.

II.H. Code of Ethics

Each Board member agrees to abide by the MCS Code of Ethics adopted by the Board.

II.I. Nomination and Election

Nomination and election of new Board members shall be consistent with Policy BBB and Policy BBBA.

The MCS Board Vice-chairperson shall be the chair of the MCS Nominating Committee, and shall follow Board Policy BBB: Board Member Qualifications/Appointments for nominating and selecting new Board members.

II.J. Member Resignation

Any Board member may resign at any time by giving written notice to the Chairperson or to the Secretary, and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

II.K. Member Removal

Any Board member may be removed by a majority vote of the Board whenever such removal is in the best interests of MCS. Grounds for removal will include without limitations the following acts or omissions:

- Violation of the Conflict of Interest Policy;
- Failure to attend 3 scheduled meetings during the school year (July 1 – June 30) of the Board, except when such absence is due to exigent circumstances;
- Violation of the Board's Code of Ethics; or
- Any other grounds the Board deems appropriate.

II.L. Vacancies

The Board shall fill a vacancy on the Board after the nomination process has been completed.

- In the event that the MCS Governance Board falls below the minimum quorum (3 members), the MCS Board Chairperson shall appoint a new Board member or members sufficient to bring the membership to a minimum quorum (3 members). Additional board member applicants will be required to follow the Nomination and Election process as outlined in II.I.
- In the event that all MCS Governance Board members have resigned, the MCS Director shall appoint a Board Chairperson who will serve as the MCS Board Chairperson until such time as a full Board membership has been re-established with five (5) to seven (7) members, as required by II.A., and the MCS Board can duly elect a Chairperson.

II.M. Compensation

Board members will not receive compensation for their services; however, members may be compensated for reasonable expenses in accordance with the New Mexico Mileage and Per Diem Act.

III. MEETINGS AND VOTING

III.A. Open Meetings Act

As required by the New Mexico Open Meetings Act (NMSA 1978, Section 10-15-1 through 10-15-4, et seq.), the Governance Board shall determine its notice procedures at least once a year in a public meeting and shall adopt an annual resolution or other announcement stating its procedure for giving notice of meetings.

The Board shall provide notices and post agendas in accordance with the New Mexico Open Meetings Act. Reasonable notice of the Board meetings may include broadcast stations licensed by the Federal Communications Commission (FCC) and newspapers of general circulation that have provided a written requirement for such notice. Notice of meetings and the availability of meeting agendas shall be consistent with the Board annual resolution. Except in cases of emergency the Board shall only act on matters identified in the agenda.

III.B. Annual meeting

An annual meeting of the Governance Board for the election of members and officers of the Governance Board and such other business as may come before the meeting shall be held in January of each year. The meeting shall be held at the principal location of McCurdy Charter School or such other place as shall be specified in the meeting notice. The notice shall comply with the New Mexico Open Meetings Act (NMSA 1978, Section 10-15-1 through 10-15-4, et seq.).

III.C. Regular Meetings

Regular Board meetings shall be called at the discretion of the Board. Such meetings shall be held at such time and place consistent with the Board's annual resolution for conducting its public meetings. Timely public notice of all such regular meetings shall be provided in accordance with the New Mexico Open Meetings Act (NMSA 1978, Section 10-15-1 through 10-15-4, et seq.).

III.D. Special and Emergency Meetings

Special and emergency meetings of the Governance Board may be called by the Chairperson or by a petition signed by a majority of the members of the Governance Board. Notice of such meetings shall be provided to all members of the Governance Board given personally or by telephone, facsimile, or electronic mail at least twenty-four hours prior to the meeting or by depositing notice in the United States mail, postage prepaid, at least four business days prior to the meeting. Notice shall specify the time and place of the meeting and in all respects comply with the requirements contained in the New Mexico Open Meetings Act (NMSA 1978, Section 10-15-1 through 10-15-4, et seq.).

III.E. Attendance

Members of the Board are required to attend all scheduled meetings of the Board unless exigent circumstances arise.

If a Board member cannot be physically present at a meeting due to an unavoidable conflict, he/she may make arrangements to appear by telephone or online in accordance with the provisions of the Open Meetings Act. (See Section III.H)

Any Board member who will be unable to attend a Board meeting will notify the Chairperson prior to the meeting and if he/she intends to appear by telephone the Board member shall make arrangements with the head administrator or his/her designee. Notice may be made by e-mail as long as it is made four (4) hours in advance of the meeting.

If the Chairperson cannot attend the meeting, he/she must notify the Vice-Chairperson and forward all information regarding the upcoming meeting to him/her, including notices of non-appearances by other Board members.

III.F. Quorum

A majority of the seated Board members, whether personally present or appearing telephonically, shall constitute a quorum for the transaction of business at any meeting of the Board.

Where a quorum is present and the chairperson determines a consensus is unobtainable, a vote may be taken and a simple majority (51%) of those present determining the decision.

No action of the Board 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 Meetings Act, NMSA (1978) §§10-15-1 *et seq.*

In the absence of a quorum at any scheduled meeting of the Board, the majority of the members of the Board present may adjourn the meeting.

III.G. Proxy

Voting by proxy shall not be permitted.

III.H. Conference Telephone Participation

When it is difficult or impossible for a Board member to attend a meeting in person, he/she may make arrangements to participate by conference telephone or other similar communications equipment in accordance with the provisions of the Open Meetings Act. The following conditions must apply:

- each Board member can be identified when speaking
- all participants must be able to hear each other at the same time, and
- members of the public attending the meeting must be able to hear a Board member who speaks during the meeting.

Such attendance shall constitute presence by the Board member as if in person at such meeting and for purposes of determining a quorum. Any action taken by the Board at such meeting shall constitute a valid action of the Board.

III.I. Minutes

The Board shall keep written minutes of all its meetings, and shall include at a minimum:

- the date, time and place of the meeting,
- the names of members in attendance and those absent,
- the substance of proposals considered and
- the record of any decisions and votes taken that show how each member voted.

Draft minutes shall be prepared within ten (10) working days after the meeting and shall be approved, amended or disapproved at the next meeting where a quorum is present. Minutes shall not become official until approved by the Board.

All minutes are open for public inspection.

III.J. Executive Sessions

Topics to be discussed during any Executive Session of the Board are limited to those items defined in Section 10-15-1 of the Open Meetings Act. For an Executive Session, the agenda must identify one of the following Board discussions pertaining to:

- issuance, suspension, renewal or revocation of an administrative or educational license
- limited personnel matters;
- an administrative adjudicatory proceeding.
- personally identifiable information about any individual student, unless the student, his parent or guardian requests otherwise;
- bargaining strategy preliminary to collective bargaining negotiations

- purchases in an amount exceeding \$2,500 from a sole source, or Board discussions about contents of competitive sealed proposals solicited pursuant to the Procurement Code during the contract negotiation process.
- threatened or pending litigation in which the Board is or may become a participant, subject to the attorney-client privilege;
- the purchase, acquisition or disposal of real property or water rights;

The Board recognizes that Board members must respect confidentiality of privilege under applicable law. It is the policy of the Board that Board members shall discuss or disclose confidential information only in connection with legitimate school business and only with individuals with a legitimate right to know.

IV. OFFICERS

IV.A. Officers of MCS Governance Board Officers

The officers of the MCS Governance Board include:

- Chairperson
- Vice Chairperson
- Secretary
- Treasurer

IV.B. Terms of MCS Governance Board Officers

The term of Board officer shall be two years, and Board officers shall be eligible to serve multiple successive terms. The Chairperson and Secretary positions shall be confirmed in years alternate to the confirmation of the Vice-Chairperson and Treasurer positions.

Officer terms shall begin immediately following the Annual meeting.

IV.C. Powers and Duties

IV.C.1. Chairperson

The Chairperson:

- shall preside at all meetings
- shall appoint committees with approval of the Board
- shall only vote in case of a tie
- may act for or on behalf of the Board only with prior specific authority from a majority of the Board
- shall sign legal documents as required by law
- shall ensure that Board members uphold their commitments/responsibilities, and
- shall compile agenda topics, in collaboration with Board members and the Director

All communications addressed to the Chairperson shall be considered for appropriate action, which may include consideration by the Board or consultation with legal counsel.

IV.C.2. Vice-Chairperson

The Vice-Chairperson:

- shall perform the duties of the Chairperson in the absence of the Chairperson or at the request of the Chairperson
- shall act in the capacity of the Chairperson in the event the Chairperson position is vacant, until the office has been filled by a vote of the Board membership, and
- shall serve as a chair of the Nominating Committee and present the names of the candidates to the Board.

IV.C.3. Treasurer

The Treasurer:

- shall be familiar with the fiscal affairs of MCS
- shall keep the Board informed of MCS fiscal affairs in the event that MCS's Business Manager is unable to so,
- shall have knowledge of public school finance laws, rules and policies
- shall serve as the Chair of the MCS Finance Committee, and
- shall attend the NMPED Spring Budget Workshop and/or any other necessary financial regulatory training recommended by the Director or the business manager.

IV.C.4. Secretary

The Secretary:

- shall keep the minutes of the Board meetings, subject to the direction of the Chairperson,
- shall assure that all notices are given in accordance with the provisions of the charter, Board policies and as required by law;
- shall review the minutes prior to presentation to the Board for approval, and shall be responsible for presenting the minutes to the Board at meetings.
- shall countersign, when required, all authorized bonds, contracts, deeds, leases, or other legal instruments;
- shall perform all duties incidental to the office of Secretary and such other duties as from time to time may be assigned to the Secretary by the Board.

The Board 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 Board's review.

IV.D. Delegation

The Board may delegate temporarily the powers and duties of an office, in case of such officer's absence or for any other reason, to any other officer, and may authorize the delegation by any officer of any of such officer's powers and duties to any agent or employee subject to the general supervision of such officer.

IV.E. Officer Resignation

Any officer may resign at any time in accordance with Section II.J.

IV.F. Officer Removal

Any officer may be removed consistent with the terms of Section II.K.

IV.G. Vacancies

Any elective office vacancy shall be filled by a majority vote of the Board to serve until the next Annual meeting.

V. COMMITTEES

V.A. Name, member selection, powers, role & function

The Board has the authority to form the standing committees listed in this section, based on the needs of MCS. The chair of each committee shall be appointed by the MCS Board Chairperson, with the consent of the Board.

V.A.1. Academic Oversight Committee.

The MCS Director will be instrumental in maintaining a committee to deal with educational reporting and oversight. The purpose of this committee shall be to ensure that the educational programs of MCS are accomplishing the goals of the charter, its curriculum and meeting state standards as required by law.

The Academic and Curriculum Oversight Committee shall consist of at least one Board member and the Director. The Committee recommends to the Governance Board policies and procedures for establishing and maintaining a curriculum and academic standards that uphold the mission of McCurdy Charter School

and meet or exceed state standards. The Committee is also responsible for reviewing the measurement of student academic performance and achievement as provided in the New Mexico Charter Schools Act and reporting on such performance as required by law.

V.A.2. Finance Committee.

The Finance Committee has a vital role in keeping the Board apprised of MCS's business affairs and financial condition. The members of the Finance committee shall be the Board Treasurer who shall serve as the chair, at least one other Board member, the Director, and the Business Manager.

The responsibilities of this committee include, but are not limited to:

- Prepare and maintain the annual budget for the charter school in collaboration with the Director.
- Develop and annually revise a long-term financial forecast in collaboration with the Director
- Review all grant proposals and when necessary, make recommendations to the Board.
- Prepare all Budget Adjustment Requests (BAR) and present with recommendations to the Board as necessary.
- Review business manager's required reports and make recommendations to the Board regarding the reports as necessary.

V.A.3. Audit Committee.

The Audit Committee has a vital role in keeping the Board apprised of MCS's business affairs and financial condition. The members of the Audit committee shall include the ~~Board Vice-Chairperson~~Treasurer who shall serve as the chair, one other Board member, one volunteer member who is a parent of a student attending MCS and one volunteer member who has experience in accounting or financial matters. The Director and the MCS Business Manager shall serve as ex-officio members of the committee (22-8-12.3.D NMAC).

The Audit Committee shall participate in the entrance and exit meetings with the Auditor appointed by Public Education Department.. The Audit Committee shall also develop and implement an action plan to resolve any findings or concerns raised by the audit. By law, the Audit committee is not permitted to discuss the results of the audit or the action plan until the PED audit is officially released.

V.A.4. Nominations Committee.

The Nominations committee is chaired by the Board Vice-Chairperson, and is responsible for matters pertaining to Board recruitment, nominations, orientation, training, and evaluation in accordance with the Board policies and practices approved by the Board.

~~V.A.5. School Advisory Committee.~~

~~MCS will maintain a school advisory committee, which reports to the Governance Board. This committee will consist of at least one Board member, parents and staff members who volunteer for this service. This committee will advise the Board regarding instructional issues and curricula, student discipline, school budget planning, increasing family involvement or other important issues.~~^[ST1]

V.B. Creation and Dissolution of MCS Committees

Members of each committee, ~~with the exception of the School Advisory Committee~~, may be chosen by the Board and shall serve for such period of time as the Board shall determine. However, the specific composition of the Finance and the Audit Committees shall be governed by the provisions above.

V.C. Task Force committees

The Board has the authority to create Task Force committees as deemed necessary. The policies and procedures that govern Task force committees will be determined as specified by the Board action creating and approving the existence of such committees.

V.D. Meetings of MCS Committees

Committees will meet at such times sufficient to fulfill their respective responsibilities in a timely manner. Provisions for notice and procedures applicable to meetings of the Board's committees shall be as prescribed by the Board and shall comply with the Open Meetings Act.

V.E. Compensation of MCS Committee Members

Committee members shall not receive any compensation for their services; however, they may be compensated for reasonable expenses in accordance with the New Mexico Mileage and Per Diem Act.

V.F. Resignation of MCS Committee Members

Any committee member may resign at any time in accordance with Section II.J.

V.G. Removal of MCS Committee Members

Any officer may be removed consistent with the terms of Section II.K.

VI. DIRECTOR SELECTION

The Board shall advertise the position of McCurdy Charter Director and its requirements in local public newspapers, professional papers, and on the MCS website. Selection criteria for the Director will include a preference for:

- A minimum of 7 years teaching experience in elementary and/or middle school and/or high school
- A minimum of 5 years of administrative experience including:
- Experience in:
 - writing budgets
 - writing curriculum
 - school management
 - ~~ordering furniture, materials and supplies~~
 - ~~Procurement~~
 - building a school community with staff and families
 - ~~starting a new school a plus~~
- Bilingual preference

The Board will engage in the following process to recruit and select the candidate who best meets the above criteria and philosophy of McCurdy Charter School:

1. Identify who will be involved in the selection process and establish selection committee.
2. Identify desired and needed characteristics for the school's Director.
3. Write and/or modify a detailed job description.
4. Advertise nationwide for applicants.
5. Conduct a paper screen of applicants.
6. Develop questions and desired answers to the questions based on the written job description.
7. Train interview team.
8. Interview process—primary goal is to find as much as possible about each candidate.
9. Debrief with selection team to identify top candidates.
10. Check references.
11. Come to a final decision and recommend that the Board hire the candidate preferred by selection committee.
12. Notify selected and non-selected candidates of selection committee's decision.

With the exception of step 11, a similar process will be followed to hire other school staff. [ST2]

VII. PARLIAMENTARY AUTHORITY

Proceedings shall be conducted according to the latest edition of Robert's Rules of Order.

VIII. INDEMNIFICATION

The Board may secure Board and Director Insurance in excess of the coverage provided by the New Mexico Public School Insurance Authority upon appropriate approval of the Board and if provided for in the charter school's approved budget.

MCS shall indemnify any and all of its Board members or officers, or former Board members or officers, or any person who may have served at its request as a Board member or officer, against expenses actually and necessarily incurred by them in connection with the defense of any action, suit or proceeding in which they, or any of them are made parties, or a party by reason of their being or having been Board members or officers of MCS, except in relation to matters as to which any such Board member or officer or former Board member or officer shall be adjudged in such action or proceeding to be liable for negligence or misconduct in the performance of such duty. Such indemnification shall not be deemed exclusive of any rights to which those indemnified may be entitled, under any bylaws, agreement, or vote of members or otherwise.

IX. AMENDMENTS

These By-laws may be amended by two-thirds of the voting membership of the Board present at a regular, or special, meeting, provided that any proposed change in the By-laws be presented to all members in writing at least thirty (30) days prior to the date of the meeting at which the change will be considered for action.

Any portion of these By-laws may be suspended by a two-thirds vote of the MCS Governance Board.

MCCURDY CHARTER SCHOOL GOVERNANCE BOARD BYLAWS

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I.A. Governance Board of McCurdy Charter School

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- Ensure that the mission remains the constant driving force of MCS
- Ensure internal oversight and accountability
- Increase opportunities for parent involvement
- Give a voice to all interested parties

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- Hire, support and evaluate the Director

I.F. Statute and Code

McCurdy Charter School shall operate in accordance with the New Mexico Charter School Act, NMSA 1978, Section 22-8B-1 through 22-8B-17.1 et seq., the relevant sections of the New Mexico Administrative Code, including NMAC 6.80.4, and all other laws and regulations applicable to the operation of charter public schools in the State of New Mexico.

I.G. Non-discrimination:

McCurdy Charter School shall not discriminate on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, age or need for special education services in either the hiring and other employment practices of the school or in its admission policies for students. Further, McCurdy Charter School shall be open to all students in its authorized geographic area on a space available basis and shall not discriminate in its admission policies or practices. McCurdy Charter School shall conduct all of its activities in accordance with all applicable local, state, and federal anti-discrimination laws, as well as in accordance with all other laws and regulations applicable to the operation of charter public schools in the State of New Mexico.

II. MEMBERSHIP

II.A. Number of MCS Governance Board Members

The Board will govern with five (5) to seven (7) voting members, satisfying the statutory requirements of NMSA 1978, Section 22.8B.1. as determined unanimously by the Board on June 6, 2019.

II.B. Term and term limits MCS Governance Board Members

The commitment of voting board members shall be three years. In order to preserve institutional knowledge and continuity, there is no limit on the number of terms that founding members may serve. Non-founding members will have a commitment of three years for maximum of three consecutive terms. Board member terms shall begin at the Board meeting immediately following their approval by the Board.

II.C. Qualification and Diversity

- Employees or students of McCurdy Charter School are not eligible to serve on the Governance Board.
- No member of the MCS Governance Board shall be a member of any other charter school governance board.
- A majority of the members of the Governance Board shall be residents of the County of Santa Fe, the County of Los Alamos, or the County of Rio Arriba, New Mexico.
- Each member of the MCS Governance Board shall be at least twenty-one years old and shall not have been convicted of any felony or any crime against a child, regardless of degree.
- Each member of the MCS Governance Board shall complete and sign a Conflict of Interest statement prior to accepting a position on the Governance Board, and annually thereafter. Additionally, each member agrees to abide by the McCurdy Charter School Conflict of Interest Policy and Code of Ethics.

II.D. Expectations

Each member of the Board is expected to:

- support the MCS mission.
- attend all meetings,
- serve on committees, and

- participate in all MCS trainings and fulfill the annual training hours required by PED.

All Board members are expected to be familiar with the following key documents and provisions of New Mexico laws:

- The Charter of McCurdy Charter School, which acts as the contract between the state of New Mexico as the authorizing agent and the school
- The MCS Governance Board Bylaws
- Charter School Act (NMSA 1978, Section 22.8B.1 et. seq.)
- School Personnel Act (NMSA 1978, Section 22.10A.1 et. seq.)
- Procurement Code (NMSA 1978, Section 13.1.1 et. seq.)
- Open Meetings Act (NMSA 1978, Section 10.15.1 et. seq.)
- Public School Finance Act (NMSA 1978, Section 22.8.1 et. seq.)
- Applicable rules and regulations issued by the New Mexico PED.

II.E. Authority

Each member of the Board is a public officer, but has no power or authority individually. The charter vests power in the Board, and not in the members, either individually or otherwise and these powers must be exercised by the Board at a public meeting in regular or special called meetings, with action duly recorded in its minutes.

The Board shall not be bound in any way by any action or statement on the part of any individual Board member except when such statement or action is in pursuance of specific instructions from the Board. Any such exception shall be recorded as an action item of the Board and recorded in the minutes.

II.F. General Powers and Duties

The powers and duties of the Board are prescribed by the MCS Charter, the New Mexico Charter Schools Act and all other applicable laws and regulations. Complete and final control of all matters pertaining to the school's educational system shall be vested in the Board.

The Board of MCS shall have the following powers and duties:

- Employ the Director;
- Delegate administrative and supervisory functions of the Director when appropriate;
- Approve the annual budget of anticipated income and expenditures;
- Maintain the capacity to sue or be sued;
- Contract for services and 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 MCS is required to perform in order to carry out the educational program described in its charter.
- Acquire and dispose of property provided that at the termination of the charter, all assets of the charter shall revert to the entity that authorized the charter, unless otherwise amended by law.
- Accept or reject any charitable gift, grant, devise or bequest not otherwise contrary to law or the terms of the charter.
- Contract for provision of financial management, food services, education related services or other services.
- The Board shall approve the Director's employment contract.
- The Board will adhere to all New Mexico State laws regarding procurement processes and procedures as notated in the MCS Procurement Process Policies.
- The Board shall keep accurate and complete books and records of the actions of the Board, which records shall be open to inspection by the members of the Board at any time, or members of the public in compliance with the Open Meetings Act NMSA 1978 Section 10.15.1 et seq.

II.G. Conflict of Interest Policy

Each Board member must agree to abide by the MCS Conflict of Interest Policy adopted by the Board. Each Board member agrees to complete and sign a Disclosure of Conflicts of Interest statement prior to accepting his/her position on the Board, and annually updating the disclosure statement. Likewise, each Board member shall immediately notify the Chairperson when he or she becomes aware that an actual or potential conflict may exist.

It shall be the duty of each Board member to voluntarily excuse him/herself from discussions of confidential information and abstain from voting on matters in which the Board member has a personal or financial interest, including an interest by a member of the Board's immediate family, or where the Board's participation will or may compromise the confidential nature of the discussion. Failure to voluntarily remove himself/herself from such conflicts of interest may result in a vote to remove the member from the Board.

II.H. Code of Ethics

Each Board member agrees to abide by the MCS Code of Ethics adopted by the Board.

II.I. Nomination and Election

Nomination and election of new Board members shall be consistent with Policy BBB and Policy BBBA.

The MCS Board Vice-chairperson shall be the chair of the MCS Nominating Committee, and shall follow Board Policy BBB: Board Member Qualifications/Appointments for nominating and selecting new Board members.

II.J. Member Resignation

Any Board member may resign at any time by giving written notice to the Chairperson or to the Secretary, and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

II.K. Member Removal

Any Board member may be removed by a majority vote of the Board whenever such removal is in the best interests of MCS. Grounds for removal will include without limitations the following acts or omissions:

- Violation of the Conflict of Interest Policy;
- Failure to attend 3 scheduled meetings during the school year (July 1 – June 30) of the Board, except when such absence is due to exigent circumstances;
- Violation of the Board's Code of Ethics; or
- Any other grounds the Board deems appropriate.

II.L. Vacancies

The Board shall fill a vacancy on the Board after the nomination process has been completed.

- In the event that the MCS Governance Board falls below the minimum quorum (3 members), the MCS Board Chairperson shall appoint a new Board member or members sufficient to bring the membership to a minimum quorum (3 members). Additional board member applicants will be required to follow the Nomination and Election process as outlined in II.I.
- In the event that all MCS Governance Board members have resigned, the MCS Director shall appoint a Board Chairperson who will serve as the MCS Board Chairperson until such time as a full Board membership has been re-established with five (5) to seven (7) members, as required by II.A., and the MCS Board can duly elect a Chairperson.

II.M. Compensation

Board members will not receive compensation for their services; however, members may be compensated for reasonable expenses in accordance with the New Mexico Mileage and Per Diem Act.

III. MEETINGS AND VOTING

III.A. Open Meetings Act

As required by the New Mexico Open Meetings Act (NMSA 1978, Section 10-15-1 through 10-15-4, et seq.), the Governance Board shall determine its notice procedures at least once a year in a public meeting and shall adopt an annual resolution or other announcement stating its procedure for giving notice of meetings.

The Board shall provide notices and post agendas in accordance with the New Mexico Open Meetings Act. Reasonable notice of the Board meetings may include broadcast stations licensed by the Federal Communications Commission (FCC) and newspapers of general circulation that have provided a written requirement for such notice. Notice of meetings and the availability of meeting agendas shall be consistent with the Board annual resolution. Except in cases of emergency the Board shall only act on matters identified in the agenda.

III.B. Annual meeting

An annual meeting of the Governance Board for the election of members and officers of the Governance Board and such other business as may come before the meeting shall be held in January of each year. The meeting shall be held at the principal location of McCurdy Charter School or such other place as shall be specified in the meeting notice. The notice shall comply with the New Mexico Open Meetings Act (NMSA 1978, Section 10-15-1 through 10-15-4, et seq.).

III.C. Regular Meetings

Regular Board meetings shall be called at the discretion of the Board. Such meetings shall be held at such time and place consistent with the Board's annual resolution for conducting its public meetings. Timely public notice of all such regular meetings shall be provided in accordance with the New Mexico Open Meetings Act (NMSA 1978, Section 10-15-1 through 10-15-4, et seq.).

III.D. Special and Emergency Meetings

Special and emergency meetings of the Governance Board may be called by the Chairperson or by a petition signed by a majority of the members of the Governance Board. Notice of such meetings shall be provided to all members of the Governance Board given personally or by telephone, facsimile, or electronic mail at least twenty-four hours prior to the meeting or by depositing notice in the United States mail, postage prepaid, at least four business days prior to the meeting. Notice shall specify the time and place of the meeting and in all respects comply with the requirements contained in the New Mexico Open Meetings Act (NMSA 1978, Section 10-15-1 through 10-15-4, et seq.).

III.E. Attendance

Members of the Board are required to attend all scheduled meetings of the Board unless exigent circumstances arise.

If a Board member cannot be physically present at a meeting due to an unavoidable conflict, he/she may make arrangements to appear by telephone or online in accordance with the provisions of the Open Meetings Act. (See Section III.H)

Any Board member who will be unable to attend a Board meeting will notify the Chairperson prior to the meeting and if he/she intends to appear by telephone the Board member shall make arrangements with the head administrator or his/her designee. Notice may be made by e-mail as long as it is made four (4) hours in advance of the meeting.

If the Chairperson cannot attend the meeting, he/she must notify the Vice-Chairperson and forward all information regarding the upcoming meeting to him/her, including notices of non-appearances by other Board members.

III.F. Quorum

A majority of the seated Board members, whether personally present or appearing telephonically, shall constitute a quorum for the transaction of business at any meeting of the Board.

Where a quorum is present and the chairperson determines a consensus is unobtainable, a vote may be taken and a simple majority (51%) of those present determining the decision.

No action of the Board 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 Meetings Act, NMSA (1978) §§10-15-1 *et seq.*

In the absence of a quorum at any scheduled meeting of the Board, the majority of the members of the Board present may adjourn the meeting.

III.G. Proxy

Voting by proxy shall not be permitted.

III.H. Conference Telephone Participation

When it is difficult or impossible for a Board member to attend a meeting in person, he/she may make arrangements to participate by conference telephone or other similar communications equipment in accordance with the provisions of the Open Meetings Act. The following conditions must apply:

- each Board member can be identified when speaking
- all participants must be able to hear each other at the same time, and
- members of the public attending the meeting must be able to hear a Board member who speaks during the meeting.

Such attendance shall constitute presence by the Board member as if in person at such meeting and for purposes of determining a quorum. Any action taken by the Board at such meeting shall constitute a valid action of the Board.

III.I. Minutes

The Board shall keep written minutes of all its meetings, and shall include at a minimum:

- the date, time and place of the meeting,
- the names of members in attendance and those absent,
- the substance of proposals considered and
- the record of any decisions and votes taken that show how each member voted.

Draft minutes shall be prepared within ten (10) working days after the meeting and shall be approved, amended or disapproved at the next meeting where a quorum is present. Minutes shall not become official until approved by the Board.

All minutes are open for public inspection.

III.J. Executive Sessions

Topics to be discussed during any Executive Session of the Board are limited to those items defined in Section 10-15-1 of the Open Meetings Act. For an Executive Session, the agenda must identify one of the following Board discussions pertaining to:

- issuance, suspension, renewal or revocation of an administrative or educational license
- limited personnel matters;
- an administrative adjudicatory proceeding.
- personally identifiable information about any individual student, unless the student, his parent or guardian requests otherwise;
- bargaining strategy preliminary to collective bargaining negotiations

- purchases in an amount exceeding \$2,500 from a sole source, or Board discussions about contents of competitive sealed proposals solicited pursuant to the Procurement Code during the contract negotiation process.
- threatened or pending litigation in which the Board is or may become a participant, subject to the attorney-client privilege;
- the purchase, acquisition or disposal of real property or water rights;

The Board recognizes that Board members must respect confidentiality of privilege under applicable law. It is the policy of the Board that Board members shall discuss or disclose confidential information only in connection with legitimate school business and only with individuals with a legitimate right to know.

IV. OFFICERS

IV.A. Officers of MCS Governance Board Officers

The officers of the MCS Governance Board include:

- Chairperson
- Vice Chairperson
- Secretary
- Treasurer

IV.B. Terms of MCS Governance Board Officers

The term of Board officer shall be two years, and Board officers shall be eligible to serve multiple successive terms. The Chairperson and Secretary positions shall be confirmed in years alternate to the confirmation of the Vice-Chairperson and Treasurer positions.

Officer terms shall begin immediately following the Annual meeting.

IV.C. Powers and Duties

IV.C.1. Chairperson

The Chairperson:

- shall preside at all meetings
- shall appoint committees with approval of the Board
- shall only vote in case of a tie
- may act for or on behalf of the Board only with prior specific authority from a majority of the Board
- shall sign legal documents as required by law
- shall ensure that Board members uphold their commitments/responsibilities, and
- shall compile agenda topics, in collaboration with Board members and the Director

All communications addressed to the Chairperson shall be considered for appropriate action, which may include consideration by the Board or consultation with legal counsel.

IV.C.2. Vice-Chairperson

The Vice-Chairperson:

- shall perform the duties of the Chairperson in the absence of the Chairperson or at the request of the Chairperson
- shall act in the capacity of the Chairperson in the event the Chairperson position is vacant, until the office has been filled by a vote of the Board membership, and
- shall serve as a chair of the Nominating Committee and present the names of the candidates to the Board.

IV.C.3. Treasurer

The Treasurer:

- shall be familiar with the fiscal affairs of MCS
- shall keep the Board informed of MCS fiscal affairs in the event that MCS's Business Manager is unable to so,
- shall have knowledge of public school finance laws, rules and policies
- shall serve as the Chair of the MCS Finance Committee, and
- shall attend the NMPED Spring Budget Workshop and/or any other necessary financial regulatory training recommended by the Director or the business manager.

IV.C.4. Secretary

The Secretary:

- shall keep the minutes of the Board meetings, subject to the direction of the Chairperson,
- shall assure that all notices are given in accordance with the provisions of the charter, Board policies and as required by law;
- shall review the minutes prior to presentation to the Board for approval, and shall be responsible for presenting the minutes to the Board at meetings.
- shall countersign, when required, all authorized bonds, contracts, deeds, leases, or other legal instruments;
- shall perform all duties incidental to the office of Secretary and such other duties as from time to time may be assigned to the Secretary by the Board.

The Board 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 Board's review.

IV.D. Delegation

The Board may delegate temporarily the powers and duties of an office, in case of such officer's absence or for any other reason, to any other officer, and may authorize the delegation by any officer of any of such officer's powers and duties to any agent or employee subject to the general supervision of such officer.

IV.E. Officer Resignation

Any officer may resign at any time in accordance with Section II.J.

IV.F. Officer Removal

Any officer may be removed consistent with the terms of Section II.K.

IV.G. Vacancies

Any elective office vacancy shall be filled by a majority vote of the Board to serve until the next Annual meeting.

V. COMMITTEES

V.A. Name, member selection, powers, role & function

The Board has the authority to form the standing committees listed in this section, based on the needs of MCS. The chair of each committee shall be appointed by the MCS Board Chairperson, with the consent of the Board.

V.A.1. Academic Oversight Committee.

The MCS Director will be instrumental in maintaining a committee to deal with educational reporting and oversight. The purpose of this committee shall be to ensure that the educational programs of MCS are accomplishing the goals of the charter, its curriculum and meeting state standards as required by law.

The Academic and Curriculum Oversight Committee shall consist of at least one Board member and the Director. The Committee recommends to the Governance Board policies and procedures for establishing and maintaining a curriculum and academic standards that uphold the mission of McCurdy Charter School

and meet or exceed state standards. The Committee is also responsible for reviewing the measurement of student academic performance and achievement as provided in the New Mexico Charter Schools Act and reporting on such performance as required by law.

V.A.2. Finance Committee.

The Finance Committee has a vital role in keeping the Board apprised of MCS's business affairs and financial condition. The members of the Finance committee shall be the Board Treasurer who shall serve as the chair, at least one other Board member, the Director, and the Business Manager.

The responsibilities of this committee include, but are not limited to:

- Prepare and maintain the annual budget for the charter school in collaboration with the Director.
- Develop and annually revise a long-term financial forecast in collaboration with the Director
- Review all grant proposals and when necessary, make recommendations to the Board.
- Prepare all Budget Adjustment Requests (BAR) and present with recommendations to the Board as necessary.
- Review business manager's required reports and make recommendations to the Board regarding the reports as necessary.

V.A.3. Audit Committee.

The Audit Committee has a vital role in keeping the Board apprised of MCS's business affairs and financial condition. The members of the Audit committee shall include the Treasurer who shall serve as the chair, one other Board member, one volunteer member who is a parent of a student attending MCS and one volunteer member who has experience in accounting or financial matters. The Director and the MCS Business Manager shall serve as ex-officio members of the committee (22-8-12.3.D NMAC).

The Audit Committee shall participate in the entrance and exit meetings with the Auditor appointed by Public Education Department.. The Audit Committee shall also develop and implement an action plan to resolve any findings or concerns raised by the audit. By law, the Audit committee is not permitted to discuss the results of the audit or the action plan until the PED audit is officially released.

V.A.4. Nominations Committee.

The Nominations committee is chaired by the Board Vice-Chairperson, and is responsible for matters pertaining to Board recruitment, nominations, orientation, training, and evaluation in accordance with the Board policies and practices approved by the Board.

V.B. Creation and Dissolution of MCS Committees

Members of each committee may be chosen by the Board and shall serve for such period of time as the Board shall determine. However, the specific composition of the Finance and the Audit Committees shall be governed by the provisions above.

V.C. Task Force committees

The Board has the authority to create Task Force committees as deemed necessary. The policies and procedures that govern Task force committees will be determined as specified by the Board action creating and approving the existence of such committees.

V.D. Meetings of MCS Committees

Committees will meet at such times sufficient to fulfill their respective responsibilities in a timely manner. Provisions for notice and procedures applicable to meetings of the Board's committees shall be as prescribed by the Board and shall comply with the Open Meetings Act.

V.E. Compensation of MCS Committee Members

Committee members shall not receive any compensation for their services; however, they may be compensated for reasonable expenses in accordance with the New Mexico Mileage and Per Diem Act.

V.F. Resignation of MCS Committee Members

Any committee member may resign at any time in accordance with Section II.J.

V.G. Removal of MCS Committee Members

Any officer may be removed consistent with the terms of Section II.K.

VI. DIRECTOR SELECTION

The Board shall advertise the position of McCurdy Charter Director and its requirements in local public newspapers, professional papers, and on the MCS website. Selection criteria for the Director will include a preference for:

- A minimum of 7 years teaching experience in elementary and/or middle school and/or high school
- A minimum of 5 years of administrative experience including:
- Experience in:
 - writing budgets
 - writing curriculum
 - school management
 - Procurement
 - building a school community with staff and families
- Bilingual

The Board will engage in the following process to recruit and select the candidate who best meets the above criteria and philosophy of McCurdy Charter School:

1. Identify who will be involved in the selection process and establish selection committee.
2. Identify desired and needed characteristics for the school's Director.
3. Write and/or modify a detailed job description.
4. Advertise nationwide for applicants.
5. Conduct a paper screen of applicants.
6. Develop questions and desired answers to the questions based on the written job description.
7. Train interview team.
8. Interview process—primary goal is to find as much as possible about each candidate.
9. Debrief with selection team to identify top candidates.
10. Check references.
11. Come to a final decision and recommend that the Board hire the candidate preferred by selection committee.
12. Notify selected and non-selected candidates of selection committee's decision.

With the exception of step 11, a similar process will be followed to hire other school staff.

VII. PARLIAMENTARY AUTHORITY

Proceedings shall be conducted according to the latest edition of Robert's Rules of Order.

VIII. INDEMNIFICATION

The Board may secure Board and Director Insurance in excess of the coverage provided by the New Mexico Public School Insurance Authority upon appropriate approval of the Board and if provided for in the charter school's approved budget.

MCS shall indemnify any and all of its Board members or officers, or former Board members or officers, or any person who may have served at its request as a Board member or officer, against expenses actually and necessarily incurred by them in connection with the defense of any action, suit or proceeding in which they, or any of them are made parties, or a party by reason of their being or having been Board members or officers of MCS, except in relation to matters as to which any such Board member or officer or former

Board member or officer shall be adjudged in such action or proceeding to be liable for negligence or misconduct in the performance of such duty. Such indemnification shall not be deemed exclusive of any rights to which those indemnified may be entitled, under any bylaws, agreement, or vote of members or otherwise.

IX. AMENDMENTS

These By-laws may be amended by two-thirds of the voting membership of the Board present at a regular, or special, meeting, provided that any proposed change in the By-laws be presented to all members in writing at least thirty (30) days prior to the date of the meeting at which the change will be considered for action.

Any portion of these By-laws may be suspended by a two-thirds vote of the MCS Governance Board.

MCCURDY CHARTER SCHOOL GOVERNANCE BOARD

MCS GOVERNANCE BOARD OFFICERS

CHRIS MARTINEZ – CHAIRPERSON

NANCY O'BRYAN – TREASURER

JUAN VALDEZ – VICE CHAIRPERSON

CRYSTAL ESPINOZA - SECRETARY

MCS GOVERNANCE BOARD MEMBERS

DEBORAH BENNETT ANDERSON

Date of Meeting: Wednesday, February 26, 2025

Time: 5:30 p.m.

Meeting Minutes

1. Welcome & Call to Order

Chairperson Chris Martinez called the meeting to order at 5:44 p.m.

2. Roll Call, Crystal Espinoza completed a roll call.

Members present: Chris Martinez, Crystal Espinoza, Nancy O'Bryan, Deborah Bennett Anderson.

Members absent: Juan Valdez

Others in attendance: Sarah Tario, Director; Alissa Trujillo.

Present Online: Business Manager Deanna Mooney; Robin Martinez.

3. Approve Agenda

Chairperson Chris Martinez presented the agenda. Deborah Bennett-Anderson motioned to approve the agenda as presented; Nancy O'Bryan seconded. The motion carried unanimously.

4. Community Feedback and updates

4.1 Open Forum

There were no presenters for the open forum. Chairperson Chris Martinez closed the open forum.

4.2 Call for input: 2025-26 Budget

There was no input for the 2025-26 budget. Chairperson Chris Martinez closed the call for input.

4.3 Call for input: Indian Policies & Procedures

There was no input for Indian Policies & Procedures. Closed by Chairperson Chris Martinez.

4.4 Friends of McCurdy Foundation Update

Nancy O'Bryan mentioned there is a lot going on but nothing is concrete. There should be more to report on at the next meeting.

5. Consent Agenda

5.1 Meeting Minutes 1/08/25; 1/31/25

There is a minor change to fix the date from December to January on the January 8th meeting minutes. A motion to approve was made by Nancy O'Bryan to approve the consent agenda, seconded by Deborah Bennett-Anderson. The motion was carried unanimously.

6. Financial Management

McCURDY CHARTER SCHOOL GOVERNANCE BOARD

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CRYSTAL ESPINOZA - SECRETARY

MCS GOVERNANCE BOARD MEMBERS

DEBORAH BENNETT ANDERSON

6.1 Finance Committee Report

Audit results showed no findings. A general discussion took place regarding the legislative session, including the potential for a 3-4% raise and base wage considerations. Federal funding concerns were addressed, particularly the potential impact of a freeze. The board also reviewed the recent site visit, overall financial status, cash on hand, and transparency. It was noted that the organization remains financially stable, with a healthy bank standing and a positive audit outcome.

6.2 Business Managers Report

In the month of January, in addition to regular work, Quarterly Reports were completed for the second quarter of the fiscal year (PED Actuals and Cash Reporting). For the fourth quarter of the calendar year (941, WC, and SUTA), were completed. W-2's, 1099s were sent out to employees and contractors and uploaded to the proper authorities. SB-9 Yearly Expenditure Report was completed. Insurance Renewal for the school was completed.

Audit- The audit was officially released on February 25, 2025. The school had an unmodified opinion which is a clean opinion and no audit findings for FY24. There are good practices in place and are constantly being worked on and upgraded.

A motion to accept business managers report was made by Nancy O'Bryan; seconded by Crystal Espinoza. The motion carried unanimously.

6.3 BAR's

BAR 547-000-2425-0011-I is an increase BAR for FUND 31701 SB-9 Local in the amount of \$40,244.15. This increase is to include the carryover of prior year not previously budgeted.

BAR 547-000-2425-0012-D BAR VOIDED

BAR 547-000-2425-0013-I is an increase BAR for FUND 21100 UNIVERSAL FREE LUNCH (State Funded) in the amount of \$184,536.00. This increase is to include the carryover of prior year not previously budgeted.

BAR 547-000-2425-0014-I is an increase BAR for FUND 25153 MEDICAID in the amount of \$15,337.89. The increase is to include the carryover of prior year not previously budgeted.

BAR 547-000-2425-0015-I is an increase BAR for FUND 27109 INSTRUCTIONAL MATERIALS in the amount of \$2,912.12. The increase is to include the carryover of prior year not previously budgeted.

BAR 547-000-2425-0016-D is a decrease BAR for FUND 31703 SB-9 STATE MATCH in the amount of <\$13,959.00>. The decrease is due to the carryover of the prior year needing an adjusted budgeted.

MCCURDY CHARTER SCHOOL GOVERNANCE BOARD

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MCS GOVERNANCE BOARD MEMBERS

DEBORAH BENNETT ANDERSON

BAR 547-000-2425-0017-I is an increase BAR for FUND 11000 OPERATIONAL in the amount of \$313,280.00. The increase is to include the carryover of prior year not previously budgeted.

BAR 547-000-2425-0018-D is a decrease BAR for FUND 22000 Athletics in the amount of <\$3,568.00>. The decrease is due to the carryover of the prior year needing an adjusted budgeted.

BAR 547-000-2425-0019-I is an increase BAR for FUND 23000 ACTIVITY in the amount of \$321.00. The increase is to include the carryover of prior year not previously budgeted.

BAR 547-000-2425-0020-I is an increase BAR for FUND 24160 RURAL AND LOW INCOME SCHOOLS in the amount of \$5,971.00. The increase is from an award letter.

A motion to approval all BARS was made by Deborah Bennett Anderson; seconded by Nancy O'Bryan. Motion carried unanimously.

7. Policy/Bylaws Development & Review

7.1 Resolution 002-25 - Confirming MCS as a Safe Haven

Director Tario presented the draft of a resolution reconfirming McCurdy as a safe haven for McCurdy Charter School students. Motion to approve resolution confirming MCS as a safe haven motion by Nancy O'Bryan, seconded by Crystal Espinoza. Motion carried unanimously to pass the resolution.

7.2 Bylaws revision

A draft of the Governance Board bylaws was reviewed, incorporating language changes based on PEC recommendations, including the addition of a succession plan for instances when the board has fewer than three members. Updates were also made to allow attendance via online or telephone participation. Motion to approve the bylaws as presented by Nancy O'Bryan, seconded by Deborah Bennett-Anderson. Motion to approve bylaw revisions carried unanimously.

8. Performance

8.1 Director's Report

Enrollment 552, we are not taking new students because we are in the lottery period. 99% of the intent to return have been received all but one has stated they will not return.

Staffing positions: Two special education teachers and an educational assistant.

At the PEC meeting on February 21, Director Sarah Tario presented the reviewed testing data, including the impact of incorporating BOY and MOY results in proficiency counts and concerns regarding scoring ranges. The PEC was receptive and encouraged the school to propose an amendment to its mission goals to more accurately measure student proficiency. They also

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MCS GOVERNANCE BOARD MEMBERS

DEBORAH BENNETT ANDERSON

expressed openness to moving away from the test entirely if the school deemed it appropriate. However, given the significant effort teachers have invested in using and understanding the Galileo test, this option requires further consideration. Director Tario will be collaborating with the DASH team on potential goal revisions.

Work has begun on the ramp behind the gym. As of Monday, the old concrete ramp and the pad in front of the door have been removed, and forms are in place for pouring the new ramp. The project has caused minimal disruption and is expected to be completed within the next couple of weeks.

As budget planning begins, several critical summer projects are approaching a “can’t wait” status. These include the demolition of the teacherage building, replacement of bleachers on the field (capital outlay funding appears unlikely for this project), and leveling of the football field. A quote has been obtained for the demolition and phase one installation of the bleachers, and a contractor is being contacted to assess the football field needs.

The purchase of the property remains in a waiting phase as The Ministries work on completing the re-platting. Once finalized, the next steps will include an updated appraisal and finalizing the agreement on sale price and lease-purchase terms.

SB-9 funds will cover most summer facility projects and the land purchase. Community members are encouraged to return their ballots and share information about the mail-in initiative. Outreach efforts include radio ads, a podcast, an upcoming live radio appearance, and newsletter/email updates for MCS families. Banners are also expected to be displayed soon. The cost of the election has increased significantly, from an initial estimate of \$15,000 to approximately \$50,000, due to higher-than-expected county election costs.

With the legislative session in its final 30 days, community members are encouraged to contact their representatives in support of capital outlay projects. There is strong potential for funding for the gym floor, but the final amount remains uncertain.

DEI: The “Dear Colleague Letter” from the Department of Education was discussed and there are no necessary changes at this time.

8.2 Annual Site Visit – Director Tario reported that on a positive annual site visit. PED staff reported that there was one “complaint” from the students in regards to attendance. Overall the site visit was positive and the PED staff said it was a “delight” to visit MCS.

9. Governance Board Comments -

Deborah Bennett Anderson discussed how the retreat was a productive experience and would like to have a retreat twice a year. Discussion to have the meetings twice a year, to have shorter meetings, rather than one long meeting.

MCCURDY CHARTER SCHOOL GOVERNANCE BOARD

MCS GOVERNANCE BOARD OFFICERS

CHRIS MARTINEZ – CHAIRPERSON

NANCY O'BRYAN – TREASURER

JUAN VALDEZ – VICE CHAIRPERSON

CRYSTAL ESPINOZA - SECRETARY

MCS GOVERNANCE BOARD MEMBERS

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Nancy O'Bryan brought up that there is a possible candidate for the board member. Chair Chris Martinez has stated he will reach out to the candidate. There is a policy on electing new members in the bylaws and will plan accordingly.

10. Next Meeting Date April 16, 2025 at 5:30

11. Adjourn

Motion to adjourn by Deborah Bennett-Anderson, seconded by Nancy O'Bryan. The motion carried unanimously. Chairperson Chris Martinez adjourned the meeting at 6:55 p.m.